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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To strengthen United States energy security, encourage domestic production of crude oil, petroleum products, and natural gas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. RODGERS of Washington introduced the following bill; which was referred to the Committee on _____

A BILL

To strengthen United States energy security, encourage domestic production of crude oil, petroleum products, and natural gas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Energy Inde-
5 pendence from Russia Act”.

6 **SEC. 2. ENERGY SECURITY PLAN.**

7 The Natural Gas Act is amended by inserting after
8 section 3A (15 U.S.C. 717b–1) the following:

1 “ENERGY SECURITY PLAN

2 “SEC. 3B. Not later than 30 days after the date of
3 enactment of this section, and biennially thereafter, the
4 President shall transmit to Congress an energy security
5 plan which shall include—

6 “(1) an evaluation of United States crude oil,
7 petroleum product, and natural gas imports and ex-
8 ports;

9 “(2) an energy security risk assessment, by
10 country of origin, of importing crude oil, petroleum
11 products, and natural gas to the United States; and

12 “(3) strategies, including changes to Federal
13 policies and regulations, to encourage increased do-
14 mestic production of crude oil, petroleum products,
15 and natural gas in order to offset any amounts of
16 crude oil, petroleum products, and natural gas im-
17 ported to the United States from Russia.”.

18 **SEC. 3. KEYSTONE XL AUTHORIZATION.**

19 (a) AUTHORIZATION.—TransCanada Keystone Pipe-
20 line, L.P., may construct, connect, operate, and maintain
21 the pipeline facilities at the international border of the
22 United States and Canada at Phillips County, Montana,
23 for the import of oil from Canada to the United States
24 described in the Presidential Permit of March 29, 2019
25 (84 Fed. Reg. 13101).

(b) NO PRESIDENTIAL PERMIT REQUIRED.—No Presidential permit (or similar permit) under Executive Order 13867 (3 U.S.C. 301 note; relating to the issuance of permits with respect to facilities and land transportation crossings at the international boundaries of the United States), Executive Order 12038 (42 U.S.C. 7151 note; relating to the transfer of certain functions to the Secretary of Energy), Executive Order 10485 (15 U.S.C. 717b note; relating to the performance of functions respecting electric power and natural gas facilities located on United States borders), or any other Executive order shall be required for the construction, connection, operation, or maintenance of the pipeline facilities described in subsection (a).

SEC. 4. ADVANCING UNITED STATES GLOBAL LEADERSHIP.

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

- (1) by striking subsections (a) through (c);
- (2) by redesignating subsections (e) and (f) as subsections (a) and (b), respectively;
- (3) by redesignating subsection (d) as subsection (c), and moving such subsection after subsection (b), as so redesignated;
- (4) in subsection (a), as so redesignated, by amending paragraph (1) to read as follows: “(1) The

1 Commission shall have the exclusive authority to ap-
2 prove or deny an application for the siting, construc-
3 tion, expansion, or operation of a facility to export
4 natural gas from the United States to a foreign
5 country or import natural gas from a foreign coun-
6 try, including an LNG terminal. Except as specifi-
7 cally provided in this Act, nothing in this Act is in-
8 tended to affect otherwise applicable law related to
9 any Federal agency's authorities or responsibilities
10 related to facilities to import or export natural gas,
11 including LNG terminals.”; and

12 (5) by adding at the end the following new sub-
13 section:

14 “(d)(1) Nothing in this Act limits the authority of
15 the President under the Constitution, the International
16 Emergency Economic Powers Act (50 U.S.C. 1701 et
17 seq.), the National Emergencies Act (50 U.S.C. 1601 et
18 seq.), part B of title II of the Energy Policy and Conserva-
19 tion Act (42 U.S.C. 6271 et seq.), the Trading With the
20 Enemy Act (50 U.S.C. 4301 et seq.), or any other provi-
21 sion of law that imposes sanctions on a foreign person or
22 foreign government (including any provision of law that
23 prohibits or restricts United States persons from engaging
24 in a transaction with a sanctioned person or government),

1 including a country that is designated as a state sponsor
2 of terrorism, to prohibit imports or exports.

3 “(2) In this subsection, the term ‘state sponsor of ter-
4 rorism’ means a country the government of which the Sec-
5 retary of State determines has repeatedly provided sup-
6 port for international terrorism pursuant to—

7 “(A) section 1754(c)(1)(A) of the Export Con-
8 trol Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

9 “(B) section 620A of the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2371);

11 “(C) section 40 of the Arms Export Control Act
12 (22 U.S.C. 2780); or

13 “(D) any other provision of law.”.

14 **SEC. 5. PROHIBITION ON MORATORIA OF NEW ENERGY**
15 **LEASES ON CERTAIN FEDERAL LAND AND ON**
16 **WITHDRAWAL OF FEDERAL LAND FROM EN-**
17 **ERGY DEVELOPMENT.**

18 (a) DEFINITIONS.—In this section:

19 (1) CRITICAL MINERAL.—The term “critical
20 mineral” means any mineral included on the list of
21 critical minerals published in the notice of the Sec-
22 retary of the Interior entitled “Final List of Critical
23 Minerals 2018” (83 Fed. Reg. 23295 (May 18,
24 2018)).

25 (2) FEDERAL LAND.—

1 (A) IN GENERAL.—The term “Federal
2 land” means—

3 (i) National Forest System land;

4 (ii) public lands (as defined in section
5 103 of the Federal Land Policy and Man-
6 agement Act of 1976 (43 U.S.C. 1702));

7 (iii) the outer Continental Shelf (as
8 defined in section 2 of the Outer Conti-
9 nental Shelf Lands Act (43 U.S.C. 1331));
10 and

11 (iv) land managed by the Secretary of
12 Energy.

13 (B) INCLUSION.—The term “Federal
14 land” includes land described in clauses (i)
15 through (iv) of subparagraph (A) for which the
16 rights to the surface estate or subsurface estate
17 are owned by a non-Federal entity.

18 (3) PRESIDENT.—The term “President” means
19 the President or any designee, including—

20 (A) the Secretary of Agriculture;

21 (B) the Secretary of Energy; and

22 (C) the Secretary of the Interior.

23 (b) PROHIBITIONS.—

24 (1) IN GENERAL.—Notwithstanding any other
25 provision of law, the President shall not carry out

1 any action that would prohibit or substantially delay
2 the issuance of any of the following on Federal land,
3 unless such an action has been authorized by an Act
4 of Congress:

5 (A) New oil and gas leases, drill permits,
6 approvals, or authorizations.

7 (B) New coal leases, permits, approvals, or
8 authorizations.

9 (C) New hard rock leases, permits, approv-
10 als, or authorizations.

11 (D) New critical minerals leases, permits,
12 approvals, or authorizations.

13 (2) PROHIBITION ON WITHDRAWAL.—Notwith-
14 standing any other provision of law, the President
15 shall not withdraw any Federal land from forms of
16 entry, appropriation, or disposal under the public
17 land laws, location, entry, and patent under the min-
18 ing laws, or disposition under laws pertaining to
19 mineral and geothermal leasing or mineral materials
20 unless the withdrawal has been authorized by an Act
21 of Congress.

22 **SEC. 6. OIL AND NATURAL GAS LEASING.**

23 (a) ONSHORE LEASE SALES.—

24 (1) REQUIREMENT TO IMMEDIATELY RESUME
25 ONSHORE OIL AND GAS LEASE SALES.—

1 (A) IN GENERAL.—The Secretary of the
2 Interior (referred to in this Act as the “Sec-
3 retary”) shall immediately resume oil and gas
4 lease sales in compliance with the Mineral Leas-
5 ing Act (30 U.S.C. 181 et seq.).

6 (B) REQUIREMENT.—The Secretary shall
7 ensure that any oil and gas lease sale under
8 subparagraph (A) is conducted immediately on
9 completion of all applicable scoping, public com-
10 ment, and environmental analysis requirements
11 under the Mineral Leasing Act (30 U.S.C. 181
12 et seq.) and the National Environmental Policy
13 Act of 1969 (42 U.S.C. 4321 et seq.).

14 (2) ANNUAL LEASE SALES.—

15 (A) IN GENERAL.—Notwithstanding any
16 other provision of law, in accordance with the
17 Mineral Leasing Act (30 U.S.C. 181 et seq.),
18 beginning in fiscal year 2022, the Secretary
19 shall conduct a minimum of 4 oil and natural
20 gas lease sales annually in each of the following
21 States:

- 22 (i) Wyoming.
- 23 (ii) New Mexico.
- 24 (iii) Colorado.
- 25 (iv) Utah.

1 (v) Montana.

2 (vi) North Dakota.

3 (vii) Oklahoma.

4 (viii) Nevada.

5 (ix) Any other State in which there is
6 land available for oil and natural gas leas-
7 ing under that Act.

8 (B) REQUIREMENT.—In conducting a lease
9 sale under subparagraph (A) in a State de-
10 scribed in that subparagraph, the Secretary
11 shall offer all parcels eligible for oil and gas de-
12 velopment under the resource management plan
13 in effect for the State.

14 (C) REPLACEMENT SALES.—If, for any
15 reason, a lease sale under subparagraph (A) for
16 a calendar year is canceled, delayed, or de-
17 ferred, including for a lack of eligible parcels,
18 the Secretary shall conduct a replacement sale
19 during the same calendar year.

20 (b) OFFSHORE LEASE SALES.—

21 (1) IN GENERAL.—The Secretary shall conduct
22 all lease sales described in the 2017–2022 Outer
23 Continental Shelf Oil and Gas Leasing Proposed
24 Final Program (November 2016) that have not been

1 conducted as of the date of enactment of this Act by
2 not later than December 31, 2022.

3 (2) GULF OF MEXICO REGION ANNUAL LEASE
4 SALES.—Notwithstanding any other provision of law,
5 beginning in fiscal year 2022, the Secretary shall
6 conduct a minimum of 2 region-wide oil and natural
7 gas lease sales annually in the Gulf of Mexico Re-
8 gion of the outer Continental Shelf, which shall in-
9 clude the following areas described the 2017–2022
10 Outer Continental Shelf Oil and Gas Leasing Pro-
11 posed Final Program (November 2016):

12 (A) The Central Gulf of Mexico Planning
13 Area.

14 (B) The Western Gulf of Mexico Planning
15 Area.

16 (3) ALASKA REGION ANNUAL LEASE SALES.—
17 Notwithstanding any other provision of law, begin-
18 ning in fiscal year 2022, the Secretary shall conduct
19 a minimum of 2 region-wide oil and natural gas
20 lease sales annually in the Alaska Region of the
21 outer Continental Shelf, as described the 2017–2022
22 Outer Continental Shelf Oil and Gas Leasing Pro-
23 posed Final Program (November 2016).

24 (4) REQUIREMENTS.—In conducting lease sales
25 under paragraphs (2) and (3) the Secretary shall—

1 (A) issue leases to the highest responsible
2 qualified bidder or bidders; and

3 (B) include in each lease sale all unleased
4 areas that are not subject to restrictions as of
5 the date of the lease sale.

6 (5) OUTER CONTINENTAL SHELF OIL AND GAS
7 LEASING PROGRAM.—Section 18 of the Outer Conti-
8 nental Shelf Lands Act (43 U.S.C. 1344) is amend-
9 ed—

10 (A) in subsection (a), in the first sentence
11 of the matter preceding paragraph (1), by strik-
12 ing “subsections (c) and (d) of this section”
13 and inserting “subsections (c) through (f)”;

14 (B) by redesignating subsections (f)
15 through (h) as subsections (g) through (i), re-
16 spectively; and

17 (C) by inserting after subsection (e) the
18 following:

19 “(f) SUBSEQUENT LEASING PROGRAMS.—

20 “(1) IN GENERAL.—Not later than 36 months
21 after conducting the first lease sale under an oil and
22 gas leasing program prepared pursuant to this sec-
23 tion, the Secretary shall begin preparing the subse-
24 quent oil and gas leasing program under this sec-
25 tion.

1 “(2) REQUIREMENT.—Each subsequent oil and
2 gas leasing program under this section shall be ap-
3 proved not later than 180 days before the expiration
4 of the previous oil and gas leasing program.”.

5 **SEC. 7. STRATEGIC PRODUCTION RESPONSE PLAN.**

6 Section 161 of the Energy Policy and Conservation
7 Act (42 U.S.C. 6241) is amended by adding at the end
8 the following new subsection:

9 “(k) PLAN.—

10 “(1) IN GENERAL.—Except in the case of a se-
11 vere energy supply interruption described in sub-
12 section (d), the Secretary may not execute the first
13 drawdown of petroleum products in the Reserve
14 after the date of enactment of this subsection,
15 whether through sale, exchange, or loan, until the
16 Secretary has developed a plan to increase the per-
17 centage of Federal lands (including submerged lands
18 of the Outer Continental Shelf) under the jurisdic-
19 tion of the Secretary of Agriculture, the Secretary of
20 Energy, the Secretary of the Interior, and the Sec-
21 retary of Defense leased for oil and gas production
22 by the same percentage as the percentage of petro-
23 leum in the Strategic Petroleum Reserve that is to
24 be drawn down in that first and subsequent

1 drawdowns, subject to the limitation under para-
2 graph (2).

3 “(2) LIMITATION.—The plan required by para-
4 graph (1) shall not provide for a total increase in
5 the percentage of Federal lands described in para-
6 graph (1) leased for oil and gas production in excess
7 of 10 percent.

8 “(3) CONSULTATION.—The Secretary shall pre-
9 pare the plan required by paragraph (1) in consulta-
10 tion with the Secretary of Agriculture, the Secretary
11 of the Interior, and the Secretary of Defense.”.