



(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Mineral Leasing Act to clarify the effect of a pending civil action on the processing of an application for a permit to drill, to require courts to remand lease sale Environmental Impact Statements to agencies to remedy when necessary, and to establish a term limit for permits to drill.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BOEBERT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Mineral Leasing Act to clarify the effect of a pending civil action on the processing of an application for a permit to drill, to require courts to remand lease sale Environmental Impact Statements to agencies to remedy when necessary, and to establish a term limit for permits to drill.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Energy
3 Act”.

4 **SEC. 2. PROCESSING APPLICATIONS FOR PERMITS TO**
5 **DRILL.**

6 (a) EFFECT OF PENDING CIVIL ACTIONS.—Section
7 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is
8 amended by adding at the end the following:

9 “(4) EFFECT OF PENDING CIVIL ACTION ON
10 PROCESSING APPLICATIONS FOR PERMITS TO
11 DRILL.—Pursuant to the requirements of paragraph
12 (2), notwithstanding the existence of any pending
13 civil actions affecting the application or related
14 lease, the Secretary shall process an application for
15 a permit to drill or other authorizations or approvals
16 under a valid existing lease, unless a United States
17 Federal court vacated such lease. Nothing in this
18 paragraph shall be construed as providing authority
19 to a Federal court to vacate a lease.”.

20 (b) TERM OF PERMIT TO DRILL.—Section 17 of the
21 Mineral Leasing Act (30 U.S.C. 226) is further amended
22 by adding at the end the following:

23 “(t) TERM OF PERMIT TO DRILL.—A permit to drill
24 issued under this section after the date of the enactment
25 of this subsection shall be valid for one four-year term
26 from the date that the permit is approved, or until the

1 lease regarding which the permit is issued expires, which-
2 ever occurs first.”.

3 **SEC. 3. LEASE SALE LITIGATION.**

4 (a) Notwithstanding any other provision of law, any
5 oil and gas lease sale held under section 17 of the Mineral
6 Leasing Act (26 U.S.C. 226) or the Outer Continental
7 Shelf Lands Act (43 U.S.C. 1331 et seq.) shall not be
8 vacated and activities on leases awarded in the sale shall
9 not be otherwise limited, delayed, or enjoined unless the
10 court concludes allowing the development of the challenged
11 lease will pose a risk of an imminent and substantial envi-
12 ronmental harm and there is no other equitable remedy
13 available as a matter of law.

14 (b) No court, in response to an action brought pursu-
15 ant to the National Environmental Policy Act of 1969 (42
16 U.S.C. et seq.), may enjoin or issue any order preventing
17 the award of leases to a bidder in a lease sale conducted
18 pursuant to section 17 of the Mineral Leasing Act (26
19 U.S.C. 226) or the Outer Continental Shelf Lands Act (43
20 U.S.C. 1331 et seq.) if the Department of the Interior
21 has previously opened bids for such leases or disclosed the
22 high bidder for any tract that was included in such lease
23 sale.