

117TH CONGRESS
2D SESSION

H. R. 8224

To require the Secretary of the Interior to carry out certain offshore oil and gas lease sales and finalize the next offshore oil and gas leasing program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2022

Mrs. BOEBERT (for herself, Mr. ROSENDALE, Mr. TIFFANY, Mr. GOHMERT, Mr. GOSAR, Mr. NEHLS, Mr. BIGGS, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of the Interior to carry out certain offshore oil and gas lease sales and finalize the next offshore oil and gas leasing program, 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 “Fueling American
5 Prosperity Act”.

6 **SEC. 2. DEADLINE FOR CERTAIN OFFSHORE LEASE SALES.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, by not later than June 30, 2022, the Secretary

1 of the Interior shall hold the following lease sales, as pro-
 2 vided under the 2017–2022 Outer Continental Shelf Oil
 3 and Gas Leasing Proposed Final Program (November
 4 2016):

5 (1) Lease Sale 258, relating to the Cook Inlet
 6 Planning Area.

7 (2) Lease Sales 259 and 261, relating to the
 8 Gulf of Mexico Region.

9 (b) NEPA EXEMPTION.—Any lease sale held under
 10 this section shall not be considered a major Federal action
 11 under section 102(2)(C) of the National Environmental
 12 Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

13 **SEC. 3. DEADLINE TO FINALIZE OFFSHORE OIL AND GAS**
 14 **LEASING PROGRAM.**

15 (a) DEADLINE.—Not later than June 30, 2022, the
 16 Secretary of the Interior shall, under section 18 of the
 17 Outer Continental Shelf Lands Act (43 U.S.C. 1344), fi-
 18 nalize an offshore oil and gas leasing program for 2022
 19 through 2027.

20 (b) LEASE SALES.—The program finalized under
 21 subsection (a) shall provide for at least 11 oil and gas
 22 lease sales.

23 (c) NEPA EXEMPTION.—The finalization of an off-
 24 shore oil and gas leasing program under this section shall
 25 not be considered a major Federal action under section

1 102(2)(C) of the National Environmental Policy Act of
2 1969 (42 U.S.C. 4332(2)(C)).

3 **SEC. 4. ONSHORE OIL AND GAS LEASING.**

4 (a) REQUIREMENT TO IMMEDIATELY RESUME ON-
5 SHORE OIL AND GAS LEASE SALES.—

6 (1) IN GENERAL.—The Secretary of the Inte-
7 rior shall immediately resume onshore oil and gas
8 lease sales in compliance with the Mineral Leasing
9 Act (30 U.S.C. 181 et seq.).

10 (2) REQUIREMENT.—The Secretary of the Inte-
11 rior shall ensure that any oil and gas lease sale pur-
12 suant to paragraph (1) is conducted immediately on
13 completion of all applicable scoping, public comment,
14 and environmental analysis requirements under the
15 Mineral Leasing Act (30 U.S.C. 181 et seq.) and the
16 National Environmental Policy Act of 1969 (42
17 U.S.C. 4321 et seq.).

18 (b) ANNUAL LEASE SALES.—

19 (1) IN GENERAL.—In accordance with the Min-
20 eral Leasing Act (30 U.S.C. 181 et seq.), beginning
21 in fiscal year 2022, the Secretary of the Interior
22 shall annually conduct a minimum of four oil and
23 gas lease sales in each of the following States:

24 (A) Wyoming.

25 (B) New Mexico.

1 (C) Colorado.

2 (D) Utah.

3 (E) Montana.

4 (F) North Dakota.

5 (G) Oklahoma.

6 (H) Nevada.

7 (I) Any other State in which there is land
8 available for oil and gas leasing under the Min-
9 eral Leasing Act (30 U.S.C. 181 et seq.) or any
10 other mineral leasing law.

11 (2) REQUIREMENT.—In conducting a lease sale
12 under paragraph (1) in a State described in that
13 paragraph, the Secretary of the Interior shall offer
14 all parcels eligible for oil and gas exploration, devel-
15 opment, and production under the resource manage-
16 ment plan in effect for the State.

17 (3) REPLACEMENT SALES.—If, for any reason,
18 a lease sale under paragraph (1) for a fiscal year is
19 canceled, delayed, or deferred, including for a lack of
20 eligible parcels, the Secretary of the Interior shall
21 conduct a replacement sale during the same fiscal
22 year.

23 (c) ONSHORE OIL AND GAS LEASING DELAYS.—Sec-
24 tion 17 of the Mineral Leasing Act (30 U.S.C. 226) is
25 amended by adding at the end the following:

1 “(q) UNREASONABLE DELAYS.—

2 “(1) IN GENERAL.—The President shall not,
3 through Executive order or any other administrative
4 procedure, unreasonably pause, cancel, delay, defer,
5 or otherwise impede or circumvent any Federal en-
6 ergy mineral leasing processes under this Act, or a
7 related rulemaking process required by subchapter II
8 of chapter 5, and chapter 7, of title 5, United States
9 Code (commonly known as the ‘Administrative Pro-
10 cedure Act’), without congressional approval.

11 “(2) REBUTTABLE PRESUMPTION.—There shall
12 be a rebuttable presumption that any attempt by the
13 President to pause, cancel, delay, defer, or otherwise
14 impede or circumvent any Federal energy mineral
15 leasing process, or a related rulemaking process, de-
16 scribed in paragraph (1), without congressional ap-
17 proval, is considered unreasonable for purposes of
18 paragraph (1).”.

19 **SEC. 5. EFFECT OF GASOLINE PRICE INCREASES ON ENVI-**
20 **RONMENTAL REVIEWS.**

21 (a) DEADLINE FOR CERTAIN ENVIRONMENTAL RE-
22 VIEWS.—During any period of time in which the national
23 average price of a gallon of gas is greater than \$3.99 per
24 gallon (as determined by the Energy Information Adminis-
25 tration)—

1 (1) any environmental assessment required pur-
2 suant to the National Environmental Policy Act of
3 1969 (42 U.S.C. 4321 et seq.) during such period
4 of time shall be finalized by not later than 1 year
5 after the date on which a Federal agency begins pre-
6 paring such environmental assessment; and

7 (2) any environmental impact statement re-
8 quired pursuant to the National Environmental Pol-
9 icy Act of 1969 (42 U.S.C. 4321 et seq.) during
10 such period of time shall be finalized by not later
11 than 2 years after the date on which a Federal agen-
12 cy begins preparing such environmental impact
13 statement.

14 (b) EFFECT OF DEADLINE ON NEPA.—If an envi-
15 ronmental assessment or environmental impact statement
16 described in subsection (a) is not finalized by the applica-
17 ble deadline provided in such subsection, then the major
18 Federal action that is the subject of the environmental as-
19 sessment or environmental impact statement shall not be
20 subject to the requirements of the National Environmental
21 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

22 (c) APPLICABILITY OF REQUIREMENT.—This section
23 shall not apply to any environmental assessment or envi-
24 ronmental impact statement finalized before the date of
25 enactment of this section.

1 **SEC. 6. HIRING FREEZE AND OTHER LIMITATIONS.**

2 (a) IN GENERAL.—If each of the requirements under
3 sections 2, 3, and 4(a) of this Act are not met on or before
4 June 30, 2022, during the period beginning on July 1,
5 2022, and ending on the date that each of such require-
6 ment is met—

7 (1) no individual may be appointed to any posi-
8 tion within the Department of the Interior;

9 (2) no new position may be established at the
10 Department;

11 (3) no officer or employee of the Department on
12 July 1, 2022, may be assigned any duties not as-
13 signed to that employee on that date; and

14 (4) except as provided in subsection (b), no offi-
15 cer or employee of the Department may be trans-
16 ferred to a duty station other than the duty station
17 applicable to such officer or employee on July 1,
18 2022.

19 (b) EXCEPTION.—During the period any limitation
20 on transfer is in effect under subsection (a)(4), an officer
21 or employee of the Bureau of Land Management whose
22 duty station is in Washington, DC, may be transferred
23 to a duty station in Grand Junction, Colorado.

24 (c) LIMITATION ON FUNDS.—No Federal funds may
25 be obligated or expended to pay the salaries or expenses

1 of any individual appointed, assigned duties, or trans-
2 ferred in contravention of subsections (a) and (b).

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