To require applicable Federal agencies to take action on applications for Federal energy authorizations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Scott of Florida introduced the following bill; which was read twice and referred to the Committee on ___________________

A BILL

To require applicable Federal agencies to take action on applications for Federal energy authorizations, 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 “Furthering Resource Exploration and Empowering American Energy Act” or the “FREE American Energy Act”.

5 SEC. 2. FEDERAL ENERGY AUTHORIZATIONS.

6 (a) DEFINITION OF FEDERAL ENERGY AUTHORIZA-
7 TION.—In this section, the term “Federal energy author-
"Authorization" means a permit, waiver, license, or other authorization required from a Federal agency relating to—

(1) a natural gas transmission project;

(2) a natural gas interstate project;

(3) the exportation of natural gas;

(4) oil and gas lease sales;

(5) onshore and offshore oil and gas drilling exploration; or

(6) alternative energy production, including—

(A) geothermal production;

(B) solar production;

(C) wind production; and

(D) mineral production.

(b) Agency Action.—

(1) In General.—The President, acting through the Director of the Office of Management and Budget, shall require each applicable Federal agency to, not later than 60 days after the date of enactment of this Act, review and approve or deny each application for a Federal energy authorization that is pending with the Federal agency on the date of enactment of this Act.

(2) Subsequent Applications.—The President, acting through the Director of the Office of Management and Budget, shall require each applica-
ble Federal agency to, not later than 60 days after the date on which the Federal agency receives an application for a Federal energy authorization, review and approve or deny the application.

(c) DENIAL.—If a Federal agency denies an application for a Federal energy authorization under paragraph (1) or (2) of subsection (b), not later than 5 days after the date of the denial, the Federal agency shall submit to Congress a detailed explanation of the reasons for the denial.

(d) EXTENSION.—On request by the head of a Federal agency, the President, acting through the Director of the Office of Management and Budget, may grant an extension of the deadline under paragraph (1) or (2) of subsection (b) of not more than 30 days, on the condition that the head of the Federal agency submits to Congress an explanation of the reasons why the extension is necessary.

SEC. 3. FERC AUTHORIZATIONS.

(a) DEFINITIONS.—In this section:

 (1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

 (2) FERC AUTHORIZATION.—The term “FERC authorization” means a permit, waiver, license, or
other authorization required from the Commission relating to—

(A) transportation of oil by pipeline in interstate commerce;

(B) construction of new interstate natural gas pipelines or natural gas storage projects;

(C) liquefied natural gas terminal projects;

or

(D) projects relating to hydropower.

(b) FERC ACTION.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Commission shall review and approve or deny each application for a FERC authorization that is pending on the date of enactment of this Act.

(2) SUBSEQUENT APPLICATIONS.—Not later than 60 days after the date on which the Commission receives an application for a FERC authorization, the Commission shall review and approve or deny the application.

(c) DENIAL.—If the Commission denies an application for a FERC authorization under paragraph (1) or (2) of subsection (b), not later than 5 days after the date of the denial, the Commission shall submit to Congress a detailed explanation of the reasons for the denial.
(d) Extension.—

(1) In general.—The Commission may submit to Congress a request for an extension of the deadline under paragraph (1) or (2) subsection (b) of not more than 30 days, which shall include an explanation of the reasons why the extension is necessary.

(2) Congressional approval.—A request for an extension under paragraph (1) may only be approved by an Act of Congress.

SEC. 4. RESCISSION OF EXECUTIVE ORDER.

Executive Order 13990 (42 U.S.C. 4321 note; relating to protecting public health and the environment and restoring science to tackle the climate crisis) is rescinded and shall have no force or effect.

SEC. 5. CONSTRUCTION, CONNECTION, OPERATION, AND MAINTENANCE OF OIL OR NATURAL GAS PIPELINES OR ELECTRIC TRANSMISSION FACILITIES.

ary 26, 1978)), Executive Order 10485 (18 Fed. Reg. 5397 (September 9, 1953)), or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility or any cross-border segment thereof.

(b) **Congressional Authority.**—The construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof, may be approved by an Act of Congress.

**SEC. 6. ENERGY PRODUCTION PERMITS ON FEDERAL LAND.**

(a) **Definitions.**—In this section:

(1) **Agency; Rule Making.**—The terms “agency” and “rule making” have the meanings given the terms in section 551 of title 5, United States Code.

(2) **Federal Land.**—The term “Federal land” means public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(b) **Delegation.**—Not later than 180 days after the date of enactment of this Act, the President, acting through the Director of the Office of Management and Budget, shall initiate a rule making to develop an inter-
agency process under which any authority or requirement of an agency to issue a permit or other required authorization necessary to identify, develop, extract, and transport oil or natural gas on Federal land shall be delegated to the State within the borders of which the Federal land is located, on written request of the State to assume such authority.

SEC. 7. CODIFICATION OF NEPA IMPLEMENTING REGULATIONS REFORM RULE.

The final rule of the Council on Environmental Quality entitled “Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act” (85 Fed. Reg. 43304 (July 16, 2020)) is enacted into law.

SEC. 8. NAVIGABLE WATERS PROTECTION RULE.

The final rule of the Corps of Engineers and the Environmental Protection Agency entitled “The Navigable Waters Protection Rule: Definition of ‘Waters of the United States’” (85 Fed. Reg. 22250 (April 21, 2020)) is enacted into law.

SEC. 9. TERMINATION OF CREDIT FOR NEW QUALIFIED PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES.

Section 30D of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:
“(h) TERMINATION.—This section shall not apply with respect to any vehicle acquired after December 31, 2022.”.