

118TH CONGRESS
1ST SESSION

H. R. 4302

To provide for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2023

Ms. PORTER (for herself, Mr. GRIJALVA, Mr. HUFFMAN, and Mr. LEVIN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land, 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 “Transparency in En-
5 ergy Production Act of 2023”.

6 **SEC. 2. DISCLOSURE REQUIREMENTS.**

7 (a) **REPORT REQUIRED FOR AN ENTITY SEEKING A**
8 **LEASE.**—The Secretary concerned shall require any entity

1 seeking a lease to develop covered operations on public
2 land or Indian land to submit to the Secretary concerned
3 a report, at the time of submission of a bid to develop
4 covered operations. Such report shall—

5 (1) make the disclosures described in the Sus-
6 tainable Accounting Standard for the Extractives
7 and Minerals Processing Sector and the Renewable
8 Resources and Alternative Energy Sector in effect
9 on the date the report is filed (that is produced by
10 the Sustainability Accounting Standards Board) for
11 the covered operations developed by the entity and
12 in effect at the date of such bid; and

13 (2) disaggregate the information in paragraph
14 (1) by State and by type of covered operation.

15 (b) REPORT REQUIRED FOR AN ENTITY HOLDING A
16 LEASE.—The Secretary concerned shall require any entity
17 holding a lease to develop covered operations on public
18 land or Indian land to submit to the Secretary concerned
19 a report annually. Such report shall—

20 (1) make the disclosures described in the Sus-
21 tainable Accounting Standard for the Extractives
22 and Minerals Processing Sector and the Renewable
23 Resources and Alternative Energy Sector in effect
24 on the date the report is filed (that is produced by

1 the Sustainability Accounting Standards Board);
2 and

3 (2) disaggregate the information in paragraph
4 (1) by State and by type of covered operation.

5 (c) FAILURE TO COMPLY.—If the Secretary con-
6 cerned determines that an entity did not meet the require-
7 ments of subsection (a), the Secretary concerned—

8 (1) may not issue to such entity a lease for a
9 covered operation; and

10 (2) may suspend a lease for a covered operation
11 held by such entity.

12 **SEC. 3. ONLINE PUBLICATION OF DISCLOSURE.**

13 The Secretary concerned shall make the information
14 reported under section 2 available to the public on an
15 internet website in a machine readable format.

16 **SEC. 4. REPORT TO CONGRESS.**

17 Not later than 2 years after the date of the enact-
18 ment of this Act and every 2 years thereafter, the Sec-
19 retary concerned shall submit a report to Congress that
20 includes—

21 (1) with respect to covered operations, the an-
22 nual and 2-year totals of greenhouse gas emissions,
23 air quality, water management, biodiversity impacts,
24 production, and number of sites according to the
25 metrics described in the Sustainable Accounting

1 Standard for Oil and Gas Exploration and Produc-
2 tion in effect on the date the report is filed (that is
3 produced by the Sustainability Accounting Stand-
4 ards Board) for covered operations on public land or
5 Indian land;

6 (2) the changes in the information in paragraph
7 (1);

8 (3) the projected future changes for 5, 10, and
9 25 years;

10 (4) for renewable energy operations, an esti-
11 mate of the greenhouse gas emissions that would re-
12 sult from production of the same amount of energy
13 using fossil fuels and water management, including
14 water use, biodiversity impacts, production, number
15 of sites, and acres including associated transmission
16 lines;

17 (5) the emission produced during the construc-
18 tion of solar panels and wind turbines that would be
19 used for renewable energy operations;

20 (6) a determination as to whether the materials
21 or labor for the construction of solar panels and
22 wind turbines used for renewable energy operations
23 would be sourced from the Xinjiang Autonomous Re-
24 gion in China;

1 (7) the environmental impacts of the decommissioning and disposal of renewable energy products
2 and electronic waste, including batteries, solar panels, and products that have exceeded their life cycle;

3 (8) with respect to lands on which covered operations occur, the annual and 2-year totals of greenhouse gas emissions, air quality, water management,
4 and biodiversity impacts of catastrophic wildfires, the number of acres identified as being at high or
5 very high risk of wildfire, and the number of acres in need of treatment or fuels reduction activities;
6 and
7

8 (9) an assessment of the environmental and human rights impacts in the production of renewable
9 energy products for the lifecycle of such products, including such impacts from source materials for
10 and the disposal of such products.

11 **SEC. 5. DEFINITIONS.**

12 In this Act—

13 (1) the term “covered operation” means—

14 (A) any renewable energy operations;

15 (B) any fossil fuel operation; and

16 (C) any operation using any right-of-way or special use permit that would cross public
17
18
19
20
21
22
23
24

1 lands, Indian lands, or national forests that
2 would facilitate fossil fuel development;

3 (2) the term “fossil fuel” means oil, natural
4 gas, natural gas liquids, coal, and any derivative of
5 these that is used for fuel;

6 (3) the term “Indian land” has the meaning
7 given such term in section 2601(2) of the Energy
8 Policy Act of 1992 (25 U.S.C. 3501(2));

9 (4) the term “public land” means any land, in-
10 terest in land, or submerged land owned by the
11 United States;

12 (5) the term “renewable energy” means a
13 project carried out on public land or Indian land
14 that uses wind, solar, geothermal, wave, current,
15 tidal, or ocean thermal energy to generate electricity;
16 and

17 (6) the term “Secretary concerned” means—

18 (A) the Secretary of the Interior, with re-
19 spect to public lands and Indian lands; and

20 (B) the Secretary of Agriculture, with re-
21 spect to National Forest System land.

22 **SEC. 6. EFFECTIVE DATE.**

23 This Act shall take effect 180 days after the date of
24 enactment of this Act.

○