

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1568, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. STANSBURY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Stansbury of New Mexico moves to recommit the bill H.R. 8446 to the Committee on Natural Resources.

The material previously referred to by Ms. STANSBURY is as follows:

Ms. Stansbury moves to recommit the bill H.R. 8446 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

#### SEC. 3. NO FEDERAL BENEFITS TO FOREIGN ADVERSARIES FOR CRITICAL MINERAL PROJECTS.

(a) PROHIBITION.—Notwithstanding any other provision of law, the Federal Government may not provide any critical mineral related Federal benefit to an entity that—

- (1) is a foreign entity of concern; or
- (2) is a subsidiary of a foreign entity of concern.

(b) DEFINITIONS.—In this section:

(1) COVERED NATION.—The term “covered nation” has the meaning given such term in section 2533c(d) of title 10, United States Code.

(2) CRITICAL MINERAL RELATED FEDERAL BENEFIT.—The term “critical mineral related Federal benefit” means any tax credit, grant, loan, loan guarantee, or expedited permitting that is available on the basis of the designation of a mineral, element, substance, or material as critical pursuant to section 7002 of the Energy Act of 2020 (30 U.S.C. 1606).

(3) FOREIGN ENTITY OF CONCERN.—The term “foreign entity of concern” has the meaning given such term in section 40207(a)(5) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5)).

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. STANSBURY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### HARNESSING ENERGY AT THERMAL SOURCES ACT

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 1568, I call up the bill (H.R. 7409) to amend the

Geothermal Steam Act of 1970 to waive the requirement for a Federal drilling permit for certain activities, to exempt certain activities from the requirements of the National Environmental Policy Act of 1969, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1568, the bill is considered read.

The text of the bill is as follows:

H.R. 7409

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Harnessing Energy At Thermal Sources Act” or the “HEATS Act”.

#### SEC. 2. NO FEDERAL PERMIT REQUIRED FOR GEOTHERMAL ACTIVITIES ON CERTAIN LAND.

The Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) is amended by adding at the end the following:

#### “SEC. 30. NO FEDERAL PERMIT REQUIRED FOR GEOTHERMAL ACTIVITIES ON CERTAIN LAND.

“(a) IN GENERAL.—The Secretary shall not require an operator to obtain a Federal drilling permit for geothermal exploration and production activities conducted on a non-Federal surface estate, provided that—

“(1) the United States holds an ownership interest of less than 50 percent of the subsurface geothermal estate to be accessed by the proposed action; and

“(2) the operator submits to the Secretary a State permit to conduct geothermal exploration and production activities on the non-Federal surface estate.

“(b) NO FEDERAL ACTION.—A geothermal exploration and production activity carried out under subsection (a)—

“(1) shall not be considered a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969;

“(2) shall require no additional Federal action;

“(3) may commence 30 days after submission of the State permit to the Secretary;

“(4) shall not be subject to section 7 of the Endangered Species Act of 1973; and

“(5) shall only be considered an undertaking under division A of subtitle III of title 54, United States Code (commonly referred to as the ‘National Historic Preservation Act’), if, with respect to the State in which the activity occurs, there is no State law in effect that addresses the preservation of historic properties in such State.

“(c) ROYALTIES AND PRODUCTION ACCOUNTABILITY.—(1) Nothing in this section shall affect the amount of royalties due to the United States under this Act from the production of electricity using geothermal resources (other than direct use of geothermal resources) or the production of any byproducts.

“(2) The Secretary may conduct onsite reviews and inspections to ensure proper accountability, measurement, and reporting of the production described in subsection (a), and payment of royalties.

“(d) EXCEPTIONS.—This section shall not apply to actions on Indian lands or resources managed in trust for the benefit of Indian Tribes.

“(e) INDIAN LAND.—In this section, the term ‘Indian land’ means—

“(1) any land located within the boundaries of an Indian reservation, pueblo, or rancheria; and

“(2) any land not located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held—

“(A) in trust by the United States for the benefit of an Indian tribe or an individual Indian;

“(B) by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

“(C) by a dependent Indian community.”.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees.

The gentleman from Arkansas (Mr. WESTERMAN) and the gentlewoman from New Mexico (Ms. STANSBURY) each will control 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. WESTERMAN).

#### GENERAL LEAVE

Mr. WESTERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7409.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 7409, the Harnessing Energy At Thermal Sources Act, or the HEATS Act.

First, I thank the gentlewoman from California (Mrs. KIM), my friend, for being a leader on this issue and working with my staff and me to bring this bipartisan bill to the floor.

H.R. 7409, the HEATS Act, is a commonsense bill that would expedite the development of geothermal energy on non-Federal lands containing Federal minerals.

Currently, geothermal operators on non-Federal land producing any amount of Federal resources must abide by all Federal laws and permitting processes, even if the share of Federal minerals is minuscule.

Under this bill, such projects would still undergo a rigorous State permitting process but would not be bogged down by duplicative and burdensome Federal permitting processes.

H.R. 7409 stipulates that geothermal wells on non-Federal lands are not subject to NEPA, ESA, or NHPA if the United States holds an ownership interest of less than 50 percent of the geothermal estate and the operator receives a drilling permit from the respective State.

Notably, the bill would not impact the royalty paid to the Federal Government. Therefore, it would not reduce the Federal revenues generated by geothermal production. In fact, it would actually increase Federal revenues by reducing the administrative responsibilities of Federal agencies and expediting the permitting process for geothermal development.

Enhanced geothermal systems, or EGS, are created by injecting fluid deep underground in carefully controlled conditions to create new fractures and causing preexisting fractures to open, increasing permeability below the surface. The process employs established technology already commonly utilized in the energy sector, and the DOE estimates that EGS could generate 60 gigawatts of electricity by 2050, which represents 8.5 percent of the U.S. generation capacity.

The best geothermal reservoirs suitable for EGS are located in States with Federal minerals, including Colorado, California, Utah, Nevada, Idaho, New Mexico, and Oregon.

□ 1315

Mr. Speaker, Federal streamlining efforts like this bill will be necessary to realize EGS' full potential. Federal minerals, however, come with red tape.

This bill provides a rational approach to streamlining the development of a proven renewable energy source. This commonsense bill will help spur geothermal energy development and promote American energy independence as part of an all-of-the-above energy strategy. I urge my colleagues to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise once again in opposition to another Natural Resources bill which, much to my dismay, I would love to have the opportunity to work on, on a bipartisan basis. Unfortunately, this bill is another technical bill that is masquerading as an effort to support energy development on public lands but is another assault on permitting processes, and, specifically, on the National Environmental Policy Act, or NEPA.

Under this bill, a geothermal project that starts on non-Federal surface lands and drills into Federal subsurface would not need a Federal drilling permit if the subsurface makes up less than 50 percent of the total area drilled.

If your eyes crossed when you heard me describe that technical language, let me explain. The Federal Government manages our Federal lands on the surface. That is where the soil, the trees, and all of that is. There is a separate permitting process for the subsurface. That is where we find oil and gas, other valuable minerals, and, in this case, geothermal resources that we may want to develop for energy sources. They are two different permitting processes.

What this says is if you have a power plant or some other energy source on a piece of private land that is adjacent to or nearby Federal lands, you don't have to go through the permitting process to figure out whether or not the drilling from here down, across, and under our Federal lands would be harmful. That is crazy.

Mr. Speaker, wouldn't we want to know as a scientific basis and a community basis whether or not the drilling under our Federal lands would be harmful for our communities? Of course we would. That is why we have Federal permitting laws. That is why we conduct scientific assessments on whether or not drilling or permitting of resource extraction in the subsurface is a good or bad idea.

As we have seen in some cases, it can cause seismic activity with certain oil and gas operations. In other cases, it can cause contamination of groundwater. In other cases, it can cause subsidence of the surface which could damage a national park or some sort of sacred site for a community or just your viewshed.

Taking away the permitting process means that folks can do things on private lands, using our Federal resources, without having to ask the public if they think it is a good idea. I am a fan of geothermal. It is a great energy resource. There is nothing wrong with geothermal, but all of our energy resources have a footprint. They all look like something.

In this case, as you can see in this picture, geothermal is also an industrial activity. So what we are talking about is building these kinds of facilities which might be an energy facility on a piece of private land, next to your favorite national park, next to your favorite BLM lands where you like to go fishing, next to Tribal lands that are sacred and important to our Tribal communities.

Don't you want the ability to weigh in with the Federal Government about whether or not you want this to be happening in your backyard? Again, it is just common sense. Why are we running bills that are trying to take away commonsense protections for our public and for the communities that would be impacted by them?

Mr. Speaker, I have great respect for Representative KIM. We have worked on a bipartisan basis on many issues including fire and science. Like I said, I am a fan of geothermal. In fact, we have been working on a bipartisan basis with our Republican colleagues on a number of geothermal permitting bills. In fact, there are two of them that passed by voice vote here on the House floor.

Representative CURTIS' GEO Act supports efficient approval of geothermal permit applications without sacrificing environmental and community review. A lot of Members on this side of the aisle think that is a good idea. Why are we not trying to pass that bill? Maybe it has something to do with what was said during the last debate about what happens on January 20.

Representative STEEL's H.R. 6474 would create a narrow categorical exclusion—again, more technical language—for geothermal exploration and development in recently studied or developed areas, giving geothermal parity with oil and gas development.

Again, going back to the science, if we have already done an assessment of subsurface and we know it is not going to have impacts, maybe it makes sense to have some sort of streamlined purpose.

Mr. Speaker, to give carte blanche to private entities that might want to use Federal resources without creating a process to look at the scientific integrity, the potential environmental impacts, the potential community impacts, to not provide a legal process for communities to weigh in and potentially hold them accountable just doesn't make sense.

We do have a problem with this particular approach. We would support responsible, well-balanced stewardship of our geothermal resources that do protect the public interest and do protect our Federal lands. This bill is not really about that.

Mr. Speaker, while I have great respect for the intent, which I hope is good, behind this bill, we do need to protect the public interest as we develop these large-scale projects, big or small, that are adjacent to and that would impact the Federal subsurface.

No matter what, we are seeing time and time again in the final waning hours of this Congress that our friends are trying to advance bills that we know are really a setup for the next administration. I urge my colleagues to oppose this bill. We have other bills that would address the needs of this industry.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we lived in a place called Utopia, a lot of this might be possible. I come from an engineering background. Some of the things I remember from those classes long ago, laws like energy can't be created or destroyed, it just changes form.

It would be nice if we could get electricity in the wire without a geothermal plant or to mine coal or to mine gas or to build the solar farm. We haven't figured out how to do that yet.

If we want energy, we are going to have to use the sources that we have got where they are. If we want minerals, we are going to have to get them out of the ground. That can be a good thing because that can create jobs, that can create economic growth. We can do it in a responsible way.

Mr. Speaker, this bill does not remove all permitting. It requires landowners to still get permits from States. It has protections built in for the environment. It gives States and local communities a bigger seat at the table than to rely on some permit coming out of Washington, D.C., to develop a project that has a slight interest in Federal minerals.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. KIM) and commend her for bringing this bill forward.

Mrs. KIM of California. Mr. Speaker, I thank Chairman WESTERMAN for yielding and for his leadership in moving this bill forward.

Mr. Speaker, I rise in strong support of my bipartisan bill, H.R. 7409, Harnessing Energy At Thermal Sources Act, or the HEATS Act.

Geothermal energy is a clean, renewable source of energy that can generate electricity, heat homes and buildings, and power industrial processes. More geothermal energy production will lower our environmental footprint and benefit the climate.

Despite having a similar extraction process to that of oil and gas, geothermal energy is constrained by Federal permitting restrictions. Currently geothermal operators on non-Federal land that produce any Federal resources are subject to all Federal laws and permitting processes, even if minimal amounts of Federal minerals are present.

My State of California is a major producer of geothermal energy and has ample energy resources below the earth ready to be tapped into. The current Federal permitting process and State regulations have hurt progress in harnessing this clean energy source.

The HEATS Act would waive Federal drilling permit requirements for geothermal wells that are on State and private lands. This means geothermal operators would not need a Federal drilling permit for wells that are on State and private lands on which the subsurface geothermal estate is less than 50 percent Federal.

Operators must still go through a rigorous permitting process at the State level. They will, however, no longer be burdened by the Federal process, allowing us to harness this untapped energy source faster.

Mr. Speaker, H.R. 7409 is a common-sense measure that will lower costs for Americans, reduce emissions, protect our national security, and expand our energy portfolio. The Natural Resources Committee passed the HEATS Act by a bipartisan vote, and I look forward to this bill passing out of the House in a timely bipartisan manner.

I thank my colleague Representative DUARTE for co-leading the HEATS Act with me and, also, House Committee on Natural Resources Chairman WESTERMAN for his commitment to accelerating geothermal production and promoting energy independence.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 7409.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will start by agreeing with my colleague across the aisle. We do not live in a Utopia where energy just magically appears.

I completely agree that we are in a massive transition where we have to explore all options to produce and to supply the energy needs that our Nation needs in order for people to survive and to thrive, as long as it is done

in a way that informs the community, it is done in a responsible, environmentally friendly way, and a way that does not affect climate. Of course we want our communities to have a say in what we do.

I want to address what we heard: Well, it will be protected under the States. We are not talking about State resources. We are talking about Federal resources. The United States public lands belong to all of us. The surface, our national parks, our favorite streams on BLM lands and in our national forests, the subsurface belongs to the American people.

All of the things that we have been talking about today are the American people's resources. The minerals that will be mined are the American people's minerals. The geothermal resources are the American people's resources. Even the oil and gas are the American people's resources.

The reason why we have permitting processes is because the American people get to decide: Do we want to give the great riches of this Nation over to private companies who want to provide a good or service to the American people? The American people get to decide because those are our resources.

Mr. Speaker, that is why we have Federal processes to determine, one, if it is a good idea from a scientific and engineering standpoint; and two, to decide if it is going to impact our communities adversely.

Imagine going to your favorite stream to go fishing and find out that a permit for subsurface materials had caused the bottom to drop out and a land subsidence that destroyed your favorite fishing spot and nobody ever told you because the geothermal plant had gone in a few miles away and drilled underneath it.

That is why we have Federal permitting processes. It is so that the American people can decide if this is what we want to do with our precious lands, our precious resources, and the things that belong to all of us.

Mr. Speaker, there are solutions here in Congress. There are solutions that are supported by the vast majority of Members across the aisle that would protect the public interest, that would protect the environment, and would protect American interests in our resources.

Unfortunately, permit streamlining that does away with subsurface permit authority and public comment of our democratically owned natural resources is not the solution. For these reasons, I oppose this bill.

Mr. Speaker, I reserve the balance of my time.

□ 1330

Mr. WESTERMAN. Mr. Speaker, I guess things depend on the perspective from which you look at them. They took the geothermal plant picture down that was up on the other side of the aisle, but I will point out that if that plant were to be built on Federal

lands, it would go fully under Federal permitting process.

We are talking about facilities that are built on State or private lands that are close to Federal lands. What we are really talking about is not what is on the surface; it is what is below the surface.

If the geothermal energy that is going to this facility, if 50 percent or less of that is coming off of the Federal estate, then the developer would not have to go through the Federal permitting process but would go through the State permitting process.

They would still pay the Federal Government the royalty for the geothermal energy that is coming off of the Federal estate, but they just wouldn't have to go through the Federal permitting process.

You can look at that and say, oh, they are being exempted from the Federal permitting process, but if you look at it from the other perspective, why should a State or private landowner be subject to the Federal permitting process on their private or State land just because less than half of the energy that is going into this facility is coming off of the Federal Government?

Should the Federal Government be dictating to States and private businesses and private landowners what gets developed on their land?

Again, I guess it is just the perspective of how you look at it, but the one thing we know is, you can't harvest and harness this renewable geothermal energy that could make up 8½ percent of our electricity generation without getting it out of the ground and having a facility to utilize that.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Speaker, I rise today in support of H.R. 7409, the HEATS Act, introduced by my good friend from California, Mrs. KIM.

This is an important piece of legislation that will increase our energy security and reliability and help lower energy costs for Americans across this great Nation.

As is the case with much of our domestic energy production, geothermal energy is often developed on checkerboard parcels of land. Such a project often has a footprint encompassing Federal, State, and private lands.

When that is the case, it is a headache for our energy producers as it often means more red tape and more regulatory hoops for energy developers to jump through.

These duplicative regulatory requirements increase the time it takes to get projects online, along with price tags for these projects to get moving. Ultimately, that means higher energy costs for the American people.

Mr. Speaker, the bill before us today will help fix this project for geothermal projects by cutting down on the number of duplicative regulatory reviews a project developer needs to go through.

This bill would prevent the BLM from having to permit geothermal wells on State and private lands where the Federal Government holds an ownership interest of less than 50 percent of the geothermal estate. These projects, which have already gone through a rigorous State permitting process, would not be bogged down by the duplicative and burdensome Federal process.

Contrary to what some may argue, this bill doesn't waive the permitting process; it simply reduces the redundancy.

It is a commonsense fix. It will bring much-needed geothermal energy production online, providing much-needed energy to the American people at a much lower cost.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume. While I appreciate that part of the debate has been framed as a difference in perspective, it is actually a difference in the actual facts on the page of what the bill says.

Let me read to you from the bill that is being proposed to be passed right now.

In General, the Secretary—they are talking about the Department of the Interior—shall not require an operator to obtain a Federal drilling permit for geothermal exploration and production activities conducted on non-Federal subsurface estates.

I know this is confusing. They are talking about those lands that the Feds manage for the American people. The claim that was just made was that, oh, this isn't about exempting Federal permitting, that is what the bill says. Mr. Speaker, I am reading from their bill.

Now, it has the specific reasons under which the permit would be allowed to be excluded, and, as was stated, it says: "The United States holds an ownership interest of less than 50 percent of the subsurface estate. . . ."

Now, I love when my colleagues across the aisle claim that industry is so confused and that is why we have to streamline these bills.

I ask the American people: When you hear this language, does it sound streamlined? I don't think so.

Mr. Speaker, I have a very high-tech drawing I will use to help the American people understand what they are talking about here.

You have got this geothermal energy producer. Here is a good example of a power plant using geothermal. If they are taking subsurface geothermal resources from private lands, let's say this side, and over 50 percent of their geothermal resources are coming from the private side, they are saying, if you drill down underneath this plant and go under your favorite national park, your favorite stream on BLM lands, your favorite place to go fishing on public lands, they don't have to get a

permit. They can just do it. That is what the bill says.

This isn't a difference of perspective, it is literally what the bill is trying to do, and that is to exempt Federal permit requirements on the Federal subsurface estate adjacent to private lands.

The claim that State permitting would apply is not true. State permitting only applies to private lands. State permitting requirements do not apply to Federal lands. Even if you have a State permitting regime like States that protect the environment, it is not going to help you over here on the Federal estate.

If you live in a State where there are not State environmental protections for the environment, then guess what? You are screwed.

That is why we are trying to protect the Federal estate and the community and environmental interests here. We are not trying to stop geothermal. As I said, we are fans. Let's do this, but let's do it in an environmentally responsible and community-informed way.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume. I appreciate the gentlewoman pointing out the language on page 3 of the bill. I will point that out too because it says, "The Secretary shall not require an operator to obtain a Federal drilling permit for geothermal exploration and production activities conducted on a non-Federal surface estate. . . ."

I think most people would agree that we don't want the Federal Government telling States and private landowners that they have to obtain a Federal permit to extract energy off of their land. That is exactly why we are proposing this bill, and it is not coming from the standpoint that the government knows best, that somebody sitting here in D.C. in a nondescript cubicle should be telling somebody thousands of miles away how to develop their land. No.

We shouldn't require Federal permitting on State and private land, which is what we are talking about. That is what this bill would do. It is only in the case where when you get below the surface, if more than 50 percent of the geothermal energy is coming off of Federal land, then you still have to go through the Federal permitting.

If it is less than 50 percent, then the State permitting would rule. It is a commonsense bill. It would promote economic development. It would promote renewable energy development. It is a bill that needs to be passed.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DUARTE), who also worked closely on this bill.

Mr. DUARTE. Mr. Speaker, I rise today to support H.R. 7409, the HEATS Act.

This bill will assist working families, small businesses, and the geothermal

energy producers streamline the permitting process for one of the cheapest and cleanest energy sources. We are talking about steam coming out of the ground and creating electricity. That is what we are talking about today.

Geothermal is a big word. Let's not miss that. This is simply turning steam out of the ground into electricity.

One of the cheapest and cleanest energy sources in the United States is prioritized and supported by the Federal Government. During a Natural Resources hearing earlier this year, I asked Federal regulators what we, the people, gain by requiring a Federal permitting process on geothermal energy, one of the cleanest, cheapest energy sources in the world.

There was no coherent answer. Instead of restricting geothermal energy, we should be supporting and encouraging advancements in this field. Currently, the Bureau of Land Management is practicing regulation by imagination, with no real instances of negatives of geothermal energy production.

I am proud to work with Representative KIM to take the necessary steps to make it easier to produce clean, affordable geothermal energy in California.

California produces more geothermal energy than any other State, but the Bureau of Land Management is preventing California from growing our clean energy to our fullest potential. This bill ensures that geothermal energy producers do not need to obtain a Federal permit if they are drilling on land that is not owned by the Federal Government.

With this commonsense change, we can grow our geothermal energy production. This would provide cheaper energy to working families, create good-paying jobs in California, and cement California and the United States as a global clean energy leader.

Mr. Speaker, I urge my colleagues to support H.R. 7409. It is a commonsense bill that will lower energy costs for working families.

Mr. WESTERMAN. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume. I will go back to the language of the text. As I read the text as it appears on the page as introduced, it is seeking to exempt Federal permitting requirements for the subsurface estate, so that means Federal resources.

They are saying, if it is private land on top but public on the bottom, you don't have to get a permit. That is what they are saying.

Now, I know that boggles the mind for some folks, but that is essentially an American resource. The people of this country should have a say as to whether or not they want an energy plant to go in, for drilling to happen under their lands, for resources to be extracted. It is just common sense.

Mr. Speaker, I will also make the point that there were some comments

made about the administration trying to restrict geothermal. That is just patently untrue.

This is not about trying to restrict or trying to stop geothermal; this is just about maintaining the existing requirements that we have in protecting American resources in the subsurface so that the taxpayers get a fair shake and that the American public can say whether or not they think it is a good idea to have a private company drilling and removing resources under our feet. It is common sense.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, H.R. 7409 is another loophole disguised as permitting reform and streamlining. It would create a path for geothermal projects to bypass critical environmental and community reviews based on arbitrary line drawings and new convoluted, not streamlined, language regarding the Federal subsurface estate.

It sets a dangerous precedent. I know they keep saying this is about streamlining and making it easier. This bill is not common sense when you read it. It would allow more energy projects to move forward without community input and oversight.

We have already worked on bipartisan solutions. We already have some bills that we all agree on, but here we are debating, in the final hours of this Congress, a bill that would do away with just basic, commonsense public input through the process.

□ 1345

We didn't spend a lot of time talking about it today, but the Federal agency that manages our subsurface, the Bureau of Land Management, has raised legitimate concerns about this bill, opposes this bill, and has warned that it would undermine our ability to enforce safety regulations, to uphold environmental laws, to do Tribal consultation, and to ensure that these projects are aligned with our multiple-use mandate, meaning we can protect our public lands for other uses.

As experts on the process, we have to listen to these folks. This is what they do every day.

We understand that there are opportunities to improve permitting. It is part of why we passed the Inflation Reduction Act. It is part of why we are making an over \$1 billion investment in expediting the permitting process and helping to get energy projects on the ground.

We are in the middle of a major energy transition, but we can't do that in an irresponsible manner by fast-tracking projects that need public input.

All energy projects have impacts, and this bill takes away the opportunity to just take a look and give the opportunity for the public to weigh in.

We have to keep this in mind as we move forward and work to build a more

just and sustainable future where our communities continue to have a say in what we do with the Federal estate, whether it is on the top or it is underneath our feet.

For these reasons I urge a "no" vote on H.R. 7409, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself the balance of my time.

In closing, I would like to urge my colleagues to vote in support of H.R. 7409. The HEATS Act would expedite geothermal energy production by removing the requirement that geothermal operators receive a Federal drilling permit for wells on State and private lands where the subsurface geothermal estate is less than 50 percent Federal.

Operators would still be required to receive State permits and approval but would be exempt from Federal permitting regulations like NEPA, the ESA, and section 106 of the National Historic Preservation Act. That is a mouthful of words, but let's look at in practicality.

We are talking about a geothermal production facility that is going to have a footprint on the surface of the land. It is going to be on the surface of State or private land. Then we are going to drill a hole thousands of feet into the ground, an 8- to 12-inch in diameter hole that is going to go a mile or so deeper, maybe 2 miles deep into the ground. Then it is going to turn horizontal, and it is going to start picking up geothermal energy from a large area.

What my friends across the aisle seem to want to do is to invoke a NEPA permit on a hole in the ground 2 miles deep. They want to be able to implement the ESA because of a hole in the ground 2 miles deep. They want to do a National Historic Preservation assessment because of a hole in the ground 2 miles deep.

What they really want to do is be able to link this private facility on State or private land back to the Federal Government so they can use these laws that are well-intentioned, well-meaning laws to stop that facility from being built on State or private land.

There is no environmental benefit of doing an ESA analysis on a hole in the ground 2 miles deep. There is no historical preservation that is going to be improved by permitting a hole 2 miles deep, not when this has already been through a robust State permitting process and these States have requirements and regulations for developing energy resources within their borders. What this does is it eliminates duplicative bureaucracy at the Federal level that has no intent or purpose other than to impede geothermal energy development.

This bill will lower emissions and energy costs for American families and strengthen U.S. energy independence. Accelerating renewable geothermal production and deployment is a win for our economy, our national security, and the environment.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1568, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. STANSBURY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Stansbury of New Mexico moves to recommit the bill H.R. 7409 to the Committee on Natural Resources.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. STANSBURY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to recommit on H.R. 8446;  
Passage of H.R. 8446, if ordered;  
Motion to recommit on H.R. 7409; and  
Passage of H.R. 7409, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

#### CRITICAL MINERAL CONSISTENCY ACT OF 2024

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to recommit on the bill (H.R. 8446) to amend the Energy Act of 2020 to include critical materials in the definition of critical mineral, and for other purposes, offered by the gentlewoman from New Mexico (Ms. STANSBURY), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.