

114TH CONGRESS
1ST SESSION

H. R. 1647

To recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2015

Mr. FLORES introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

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 “Protecting States’
5 Rights to Promote American Energy Security Act”.

6 **SEC. 2. STATE AUTHORITY FOR HYDRAULIC FRACTURING**
7 **REGULATION.**

8 The Mineral Leasing Act (30 U.S.C. 181 et seq.) is
9 amended by redesignating section 44 as section 45, and
10 by inserting after section 43 the following:

1 **“SEC. 44. STATE AUTHORITY FOR HYDRAULIC FRACTURING**
2 **REGULATION.**

3 “(a) IN GENERAL.—The Department of the Interior
4 shall not enforce any Federal regulation, guidance, or per-
5 mit requirement regarding hydraulic fracturing, or any
6 component of that process, relating to oil, gas, or geo-
7 thermal production activities on or under any land in any
8 State that has regulations, guidance, or permit require-
9 ments for that activity.

10 “(b) STATE AUTHORITY.—The Department of the
11 Interior shall recognize and defer to State regulations,
12 permitting, and guidance, for all activities related to hy-
13 draulic fracturing, or any component of that process, re-
14 lating to oil, gas, or geothermal production activities on
15 Federal land.

16 “(c) TRANSPARENCY OF STATE REGULATIONS.—

17 “(1) IN GENERAL.—Each State shall submit to
18 the Bureau of Land Management a copy of its regu-
19 lations that apply to hydraulic fracturing operations
20 on Federal land.

21 “(2) AVAILABILITY.—The Secretary of the In-
22 terior shall make available to the public State regu-
23 lations submitted under this subsection.

24 “(d) TRANSPARENCY OF STATE DISCLOSURE RE-
25 QUIREMENTS.—

1 “(1) IN GENERAL.—Each State shall submit to
2 the Bureau of Land Management a copy of any reg-
3 ulations of the State that require disclosure of
4 chemicals used in hydraulic fracturing operations on
5 Federal land.

6 “(2) AVAILABILITY.—The Secretary of the In-
7 terior shall make available to the public State regu-
8 lations submitted under this subsection.

9 “(e) HYDRAULIC FRACTURING DEFINED.—In this
10 section the term ‘hydraulic fracturing’ means the process
11 by which fracturing fluids (or a fracturing fluid system)
12 are pumped into an underground geologic formation at a
13 calculated, predetermined rate and pressure to generate
14 fractures or cracks in the target formation and thereby
15 increase the permeability of the rock near the wellbore and
16 improve production of natural gas or oil.”.

17 **SEC. 3. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**

18 (a) STUDY.—The Comptroller General of the United
19 States shall conduct a study examining the economic bene-
20 fits of domestic shale oil and gas production resulting from
21 the process of hydraulic fracturing. This study will include
22 identification of—

23 (1) State and Federal revenue generated as a
24 result of shale gas production;

1 (2) jobs created both directly and indirectly as
2 a result of shale oil and gas production; and
3 (3) an estimate of potential energy prices with-
4 out domestic shale oil and gas production.

5 (b) REPORT.—The Comptroller General shall submit
6 a report on the findings of such study to the Committee
7 on Natural Resources of the House of Representatives
8 within 30 days after completion of the study.

9 **SEC. 4. TRIBAL AUTHORITY ON TRUST LAND.**

10 The Department of the Interior shall not enforce any
11 Federal regulation, guidance, or permit requirement re-
12 garding the process of hydraulic fracturing (as that term
13 is defined in section 44 of the Mineral Leasing Act, as
14 amended by section 2 of this Act), or any component of
15 that process, relating to oil, gas, or geothermal production
16 activities on any land held in trust or restricted status for
17 the benefit of Indians except with the express consent of
18 the beneficiary on whose behalf such land is held in trust
19 or restricted status.

20 **SEC. 5. REVIEW OF STATE ACTIVITIES.**

21 The Secretary of the Interior shall annually review
22 and report to Congress on all State activities relating to
23 hydraulic fracturing.

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