

# Comparative Print: Changes in Existing Law for Bill number:

## Notice

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Omitted text is shown ~~stricken~~, new matter that is proposed is in underlined italics, and existing text in which no change is being proposed is shown in regular roman. Typesetting and stylistic characteristics, particularly in the headings and indentations, may not conform to how the text, if adopted, would be illustrated in subsequent versions of legislation or public law.

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## Summary

- (1) 3 amendments.
- (2) 0 automated notifications.

## Current Law(s) being amended

[1. Energy Policy Act of 2005](#)

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## Comparative Print: Changes in Existing Law

### 1. Energy Policy Act of 2005

[As Amended Through P.L. 117–328, Enacted December 29,  
2022]

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## TITLE III—OIL AND GAS

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## SUBTITLE G—Miscellaneous

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## Sec. 390. NEPA REVIEW.

(a) **NEPA Review.**— Action by the Secretary of the Interior in managing the public lands, or the Secretary of Agriculture in managing National Forest System Lands, with respect to any of the activities described in subsection (b) shall be subject to a rebuttable presumption that the use of a categorical exclusion under the National Environmental Policy Act of 1969 (NEPA) would apply if the activity is conducted pursuant to the Mineral Leasing Act for the purpose of exploration or development of oil or gas, or the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) for the purpose of exploration or development of geothermal resources.

(b) **Activities Described.**— The activities referred to in subsection (a) are the following:

- (1) Individual surface disturbances of less than 5 acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed.
- (2) Drilling an oil ~~or gas~~ , gas, or geothermal well at a location or well pad site at which drilling has occurred previously within 5 years prior to the date of spudding the well.
- (3) Drilling an oil ~~or gas~~ , gas, or geothermal well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed such drilling as a reasonably foreseeable activity, so long as such plan or document was approved within 5 years prior to the date of spudding the well.
- (4) Placement of a pipeline in an approved right-of-way corridor, so long as the corridor was approved within 5 years prior to the date of placement of the pipeline.
- (5) Maintenance of a minor activity, other than any construction or major renovation or a building or facility.

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### Summary

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- (2) 0 automated notifications.

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### About this report

*U.S. Code release point 118-22, dated 11/16/2023*

*Version of Current Law database:*

*CSS version: 2.0.2*

*Version of the system: Bill to Law Report Generator 2.0.2; AMPL 2.0.6*

