

Comparative Print: Changes in Existing Law for Bill number:

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Summary

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

Current Law(s) being amended

[1. Geothermal Steam Act of 1970](#)

Comparative Print: Changes in Existing Law

1. Geothermal Steam Act of 1970

[As Amended Through P.L. 116–260, Enacted December 27,
2020]

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Sec. 4. LEASING PROCEDURES.

(a) **Nominations.**— The Secretary shall accept nominations of land to be leased at any time from qualified companies and individuals under this Act.

(b) **Competitive Lease Sale Required.**—

(1) **In general.**— Except as otherwise specifically provided by this Act, all land to be leased that is not subject to leasing under subsection (c) shall be leased as provided in this subsection to the highest responsible qualified bidder, as determined by the Secretary.

(2) **Competitive lease sales.**— The Secretary shall hold a competitive lease sale at least once every 2 years for land in a State that has nominations pending under subsection (a) if the land is otherwise available for leasing.

(3) **Lands subject to mining claims.**— Lands that are subject to a mining claim for which a plan of operations has been approved by the relevant Federal land management agency may be available for noncompetitive leasing under this section to the mining claim holder.

(4) **Land subject to oil and gas lease.**— Land under an oil and gas lease issued pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) that is subject to an approved application for permit to drill and from which oil and gas production is occurring may be available for noncompetitive leasing under subsection (c) by the holder of the oil and gas lease—

(A) on a determination that geothermal energy will be produced from a well producing or capable of producing oil and gas; and

(B) to provide for the coproduction of geothermal energy with oil and gas.

(c) **Noncompetitive Leasing.**— The Secretary shall make available for a period of 2 years for noncompetitive leasing any tract for which a competitive lease sale is held, but for which the Secretary does not receive any bids in a competitive lease sale.

(d) **Pending Lease Applications.**—

(1) **In general.**— It shall be a priority for the Secretary, and for the Secretary of Agriculture with respect to National Forest Systems land, to ensure timely completion of administrative actions, including amendments to applicable forest plans and resource management plans, necessary to process applications for geothermal leasing pending on the date of enactment of this subsection. All future forest plans and resource management plans for areas with high geothermal resource potential shall consider geothermal leasing and development.

(2) **Administration.**— An application described in paragraph (1) and any lease issued pursuant to the application—

(A) except as provided in subparagraph (B), shall be subject to this section as in effect on the day before the date of enactment of this paragraph; or

(B) at the election of the applicant, shall be subject to this section as in effect on the effective date of this paragraph.

(e) **Leases Sold as a Block.**— If information is available to the Secretary indicating a geothermal resource that could be produced as 1 unit can reasonably be expected to underlie more than 1 parcel to be offered in a competitive lease sale, the parcels for such a resource may be offered for bidding as a block in the competitive lease sale.

(f) **Leasing for Direct Use of Geothermal Resources.**— Notwithstanding subsection (b), the Secretary may identify areas in which the land to be leased under this Act exclusively for direct use of geothermal resources, without sale for purposes other than commercial generation of electricity, may be leased to any qualified applicant that first applies for such a lease under regulations issued by the Secretary, if the Secretary—

(1) publishes a notice of the land proposed for leasing not later than 90 days before the date of the issuance of the lease;

(2) does not receive during the 90-day period beginning on the date of the publication any nomination to include the land concerned in the next competitive lease sale; and

(3) determines there is no competitive interest in the geothermal resources in the land to be leased.

(g) Area Subject to Lease for Direct Use.—

(1) In general.— Subject to paragraph (2), a geothermal lease for the direct use of geothermal resources shall cover not more than the quantity of acreage determined by the Secretary to be reasonably necessary for the proposed use.

(2) Limitations.— The quantity of acreage covered by the lease shall not exceed the limitations established under section 7.

(h) EFFECT OF PENDING CIVIL ACTIONS ON PROCESSING APPLICATIONS RELATED TO GEOTHERMAL LEASING.

(1) REQUIREMENT TO PROCESS APPLICATIONS.— *Notwithstanding the existence of any pending civil action that affects an application for a geothermal drilling permit, sundry notice, notice to proceed, right-of-way, or any other authorization under a valid existing geothermal lease, the Secretary shall, unless a United States Federal court vacates or provides injunctive relief for the applicable geothermal lease, geothermal drilling permit, sundry notice, notice to proceed, right-of-way, or other authorization, approve and issue, or deny, each such application not later than 60 days after completing all requirements under applicable Federal laws and regulations, including the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and division A of subtitle III of title 54, United States Code.*

(2) NO NEW AUTHORITY FOR FEDERAL COURTS.— *Nothing in this subsection shall be construed as modifying any existing authority of a Federal court to vacate or provide injunctive relief for a geothermal lease, geothermal drilling permit, sundry notice, notice to proceed, right-of-way, or other authorization.*

(3) DEFINITION OF AUTHORIZATION.— *In this subsection, the term “authorization” means any license, permit, approval, finding, determination, or other administrative decision issued by a Federal agency, or any interagency consultation, that is required or authorized under Federal law or regulations in order to site, construct, reconstruct, or commence operations of a geothermal project administered by a Federal agency.*

Summary

- (1) 1 amendments.
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About this report

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