



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: House Committee on Natural Resources Republican Staff
Date: Wednesday, July 19, 2023
Subject: Markup of 3 bills: H.R. 4374, H.R. 1607, and H.R. 2839

The House Committee on Natural Resources will hold a markup on **Wednesday, July 19, 2023, at 9:15 a.m.** in room 1324 Longworth House Office Building. The bills to be considered include H.R. 4374 (Rep. Crane), H.R. 1607 (Rep. Schweikert), and H.R. 2839 (Rep. Hoyle).

Member offices are requested to notify Madeline Bryant (Madeline.Bryant@mail.house.gov) by 4:30 p.m. on Tuesday, July 18, 2023, to confirm their Members attendance at the mark-up.

I. KEY MESSAGES & TOP LINE ACTIONS

- The bill expected to move by regular order is H.R. 4374 (Rep. Crane), “*Energy Opportunities for All Act*.”
- Bills expected to move by unanimous consent are H.R. 1607 (Rep. Schweikert), To clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, and for other purposes, and H.R. 2839 (Rep. Hoyle), To amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes.

II. EXPECTED LEGISLATION

[H.R. 4374](#) (Rep. Crane, R-AZ), “*Energy Opportunities for All Act*”

In June 2023, the Biden administration issued a Public Land Order officially withdrawing 336,404.42 acres of federal mineral estate surrounding the Chaco Canyon National Historic Park (CCNHP) for 20 years.¹ This withdrawal prevents mineral development on Bureau of Land Management (BLM) land where BLM also manages the federal mineral estate, as well as on non-federal land where the BLM manages the mineral estate. The withdrawal prevents the federal government from leasing under the Mineral Leasing Act. Furthermore, the withdrawal effectively prevents all private landowners and Navajo allottees from accessing non-federal minerals, given the checkerboarded nature of the area’s land ownership. The withdrawal would decrease domestic energy production and cost Navajo Nation tribal members who own impacted

¹ U.S. Department of the Interior Bureau of Land Management, Public Land Order No. 7923 for Public Lands Withdrawal surrounding Chaco Culture National Historical Park Boundary; San Juan, Sandoval, and McKinley Counties, New Mexico, https://eplanning.blm.gov/public_projects/2016892/200507928/20079948/250086130/plo-chaco-fr-notice-6.2.23-508.pdf.

mineral rights in the area (Navajo allottees) an estimated \$194.3 million over the next 20 years. The United States stands to lose over \$1 billion in lost royalties and revenue during that same time frame.² H.R. 4374, the “Energy Opportunities for All Act,” introduced by Representative Crane (AZ-02), would nullify the BLM’s Public Land Order. The bill has four Republican cosponsors including Representatives Gosar (R-AZ), Boebert (R-CO) and Rosendale (R-MT).

Hearing information, including testimony, may be viewed [here](#) and the hearing memo may be viewed [here](#).

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H.R. 1607 (Rep. Schweikert, R-AZ), To clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, and for other purposes

H.R. 1607 would allow for the withdrawal of approximately 17,095 acres federal land from the National Forest System to the Bureau of Reclamation (Reclamation) for the development, generation, and transmission of electrical power and energy for the use of and benefit of the Salt River Project (SRP) in Arizona. Since 1903, there have been over 50 federal land withdrawals made by Congress and the Department of the Interior on the Salt and Verde Rivers and the East Clear Creek watersheds to develop the SRP. The management of the withdrawn lands would be consistent with the existing Memorandum of Understanding between the U.S. Forest Service, the SRP, and Reclamation, also known as the “Tri-party Agreement.” This ensures that these lands are managed the same as the preexisting adjoining withdrawn lands.

Hearing information, including testimony, may be viewed [here](#) and the hearing memo may be viewed [here](#).

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H.R. 2839 (Rep. Hoyle, D-OR), To amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes

H.R. 2839 is a bipartisan House bill that would amend the Siletz Reservation Act to provide a process by which the Confederated Tribes of Siletz Indians and the State of Oregon may negotiate, amend, or replace the current agreement governing the tribe’s hunting, fishing, trapping, and animal gathering rights that was made effective by a May 2, 1980, consent decree.

The legislation also requires that the U.S. District Court of Oregon adjudicate any change to the consent decree on the merits of the case and prevents any modification request from being dismissed from court because the matter has already been decided. The legislation also includes language preserving all other hunting and fishing treaty rights held by other treaty tribes.

² Feds to Forego \$1B, Cost Navajos \$194M with Chaco Canyon Mineral Withdrawal, Western Energy Alliance, 12/12/22, <https://www.westernenergyalliance.org/pressreleases/feds-to-forego-1b-cost-navajos-194m-with-chaco-canyon-mineral-withdrawal>.

The Confederated Tribes of Siletz Indians (Siletz) was terminated in 1954, and then restored to federal recognition in 1977. As a condition of restoring the tribe and their reservation, a consent decree limiting the tribe's hunting, fishing, trapping, and animal gathering rights on their traditional lands was entered into by the tribe, the State of Oregon, and the United States. This consent decree serves as the final determination of the tribe's hunting, fishing, trapping, and gathering rights and provides limited allocations for salmon fishing and deer and elk hunting, and otherwise prohibits tribal hunting, fishing, gathering, and trapping, except as authorized under Oregon state law. After this consent decree was put in place, it was incorporated into the Siletz Reservation Act of 1980 (P.L. 96-310) which officially reestablished the Siletz reservation.

Hearing information, including testimony, may be viewed [here](#) and the hearing memo may be viewed [here](#).

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III. CBO SCORES

CBO scores are not presently available for these bills.

IV. EFFECT ON CURRENT LAW (RAMSEYER)

[H.R. 2839](#)