

117TH CONGRESS
2D SESSION

H. R. 7012

To provide appropriations for certain activities relating to Ukraine, prohibit the importation of certain petroleum products from Russia, Iran, and Venezuela, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2022

Mrs. BOEBERT (for herself, Mr. HARRIS, Mrs. MILLER of Illinois, Mr. TIFFANY, and Mr. BISHOP of North Carolina) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, Transportation and Infrastructure, Agriculture, Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide appropriations for certain activities relating to Ukraine, prohibit the importation of certain petroleum products from Russia, Iran, and Venezuela, and for other purposes.

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 “Ukraine Assistance
5 and American Energy Acceleration Act”.

1 **SEC. 2. APPROPRIATIONS FOR DEPARTMENT OF DEFENSE**
2 **FOR EMERGENCY ASSISTANCE.**

3 (a) PROVISION OF DEFENSE ASSISTANCE TO
4 UKRAINE.—There is appropriated, out of any money in
5 the Treasury not otherwise appropriated, \$1,000,000,000
6 to the Secretary of Defense for fiscal years 2022 and
7 2023, to remain available until expended, for “Procure-
8 ment, Defense-wide” to provide the Government of
9 Ukraine the following:

10 (1) Small arms, grenade launchers, and ammu-
11 nition previously allocated for provision to Afghan
12 Security Forces under the Afghan Security Forces
13 Fund.

14 (2) Man-portable missiles and rockets in a
15 ready-to-fire configuration, including Dragon, Jav-
16 elin, FIM–92 Stinger Missiles, and other light anti-
17 tank weapons (66mm), shoulder-launched multipur-
18 pose assault weapon rockets (83mm), M136 (AT4)
19 anti-armor launchers, and cartridges (84mm).

20 (3) Night vision devices, including fused pano-
21 ramic night-vision goggles, squad binocular night vi-
22 sion goggles, and night vision and thermal and infra-
23 red sights for crew-served weapons.

24 (4) Unmanned aerial vehicles (tactical and
25 armed) and crew-served weapons ammunition with
26 low-light and infrared night sights.

1 (5) Secure, commercial-off-the-shelf commu-
2 nications capabilities, including hand-held secure
3 communications devices.

4 (6) Individual protective equipment.

5 (7) Field rations.

6 (8) Field medical kits.

7 (b) PROVISION OF DEFENSE ASSISTANCE TO NORTH
8 ATLANTIC TREATY ORGANIZATION MEMBERS.—There is
9 appropriated, out of any money in the Treasury not other-
10 wise appropriated, \$1,000,000,000 to the Secretary of De-
11 fense for fiscal years 2022 and 2023, to remain available
12 until expended, for “Procurement, Defense-wide” to pro-
13 vide the Governments of the North Atlantic Treaty Orga-
14 nization with planes, tanks, munitions, and anti-air and
15 anti-tank weaponry to bolster the deterrence efforts of
16 those Governments against an invasion by the Russian
17 Federation and to replace equipment donated by those
18 Governments to the Government of Ukraine.

19 (c) PROCUREMENT OF REPLACEMENT DEFENSE AR-
20 TICLES.—

21 (1) IN GENERAL.—There is appropriated, out
22 of any money in the Treasury not otherwise appro-
23 priated, \$1,000,000,000 to the Secretary of Defense
24 for fiscal years 2022 and 2023, to remain available
25 until expended, for “Procurement” to procure de-

1 fense articles to replace defense articles transferred
2 to Ukraine and members of the North Atlantic Trea-
3 ty Organization.

4 (2) DEFINITION OF DEFENSE ARTICLE.—In
5 this subsection, the term “defense article” has the
6 meaning given that term in section 47 of the Arms
7 Export Control Act (22 U.S.C. 2794).

8 **SEC. 3. APPROPRIATIONS FOR DEPARTMENT OF STATE**
9 **FOR EMERGENCY HUMANITARIAN ASSIST-**
10 **ANCE.**

11 (a) INTERNATIONAL DISASTER ASSISTANCE.—There
12 is appropriated, out of any money in the Treasury not oth-
13 erwise appropriated, \$500,000,000 to the Secretary of
14 State for fiscal years 2022 and 2023, to remain available
15 until expended, for “International Disaster Assistance” to
16 address humanitarian needs in Ukraine due to the impact
17 caused by the Russian Federation’s invasion.

18 (b) REFUGEE RELOCATION ASSISTANCE.—There is
19 appropriated, out of any money in the Treasury not other-
20 wise appropriated, \$250,000,000 to the Secretary of State
21 for fiscal years 2022 and 2023, to remain available until
22 expended, for “Refugee Relocation Assistance” to provide
23 monetary and personnel assistance for the Polish,
24 Moldovan, and European Union member states that are
25 accepting Ukrainian refugees.

1 **SEC. 4. APPROPRIATIONS FOR DEPARTMENT OF ENERGY**
2 **FOR EMERGENCY ASSISTANCE.**

3 (a) **ELECTRICAL GRID INTEGRATION.**—There is ap-
4 propriated, out of any money in the Treasury not other-
5 wise appropriated, \$30,000,000, to the Secretary of En-
6 ergy for fiscal years 2022 and 2023, to remain available
7 until expended, for “Electrical Grid Integration”, to inte-
8 grate the Ukraine electrical grid European Network of
9 Transmission System Operators for Electricity.

10 **SEC. 5. PROHIBITION ON IMPORTATION OF RUSSIAN, IRA-**
11 **NIAN, AND VENEZUELAN PETROLEUM PROD-**
12 **UCTS.**

13 (a) **PROHIBITION.**—The President shall prohibit the
14 importation of all petroleum products (as such term is de-
15 fined in section 3 of the Energy Policy and Conservation
16 Act (42 U.S.C. 6202)) originating from Russia, Iran, or
17 Venezuela into the customs territory of the United States
18 (as such term is defined in General Note 2 of the Har-
19 monized Tariff Schedule).

20 (b) **PENALTIES.**—The President is authorized to use
21 appropriate authorities to impose such civil or criminal
22 penalties as may be necessary to enforce the prohibition
23 under subsection (a).

24 (c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—
25 For purposes of this section, the term “appropriate con-
26 gressional committees” means—

1 (1) the Speaker of the House of Representa-
2 tives and the President pro tempore of the Senate;

3 (2) the Committee on Appropriations, the Com-
4 mittee on Foreign Affairs, the Committee on Armed
5 Services, the Committee on Energy and Commerce,
6 and the Permanent Select Committee on Intelligence
7 of the House of Representatives; and

8 (3) the Committee on Appropriations, the Com-
9 mittee on Foreign Relations, the Committee on
10 Armed Services, the Committee on Energy and Nat-
11 ural Resources, and the Select Committee on Intel-
12 ligence of the Senate.

13 **SEC. 6. AUTHORIZATION OF KEYSTONE XL PIPELINE.**

14 (a) **AUTHORIZATION.**—TransCanada Keystone Pipe-
15 line, L.P. may construct, connect, operate, and maintain
16 the pipeline facilities at the international border of the
17 United States and Canada at Phillips County, Montana,
18 for the import of oil from Canada to the United States
19 described in the Presidential Permit of March 29, 2019
20 (84 Fed. Reg. 1310).

21 (b) **PRESIDENTIAL PERMITS.**—No Presidential per-
22 mit or any other Executive order shall be required for the
23 construction, connection, operation, or maintenance of the
24 pipeline facilities described in subsection (a).

1 **SEC. 7. PROHIBITION ON MORATORIA OF NEW ENERGY**
2 **LEASES ON FEDERAL LAND AND WATERS.**

3 (a) DEFINITIONS.—In this section:

4 (1) CRITICAL MINERAL.—The term “critical
5 mineral” has the meaning given the term in section
6 7002(a) of the Energy Act of 2020 (30 U.S.C.
7 1601(a)).

8 (2) FEDERAL LAND.—

9 (A) IN GENERAL.—The term “Federal
10 land” means—

11 (i) National Forest System land;

12 (ii) public lands (as defined in section
13 103 of the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1702));

15 (iii) the outer Continental Shelf in
16 section 2 of the Outer Continental Shelf
17 Lands Act (43 U.S.C. 1331); and

18 (iv) land managed by the Secretary of
19 Energy.

20 (B) INCLUSIONS.—The term “Federal
21 land” includes land described in clauses (i)
22 through (iv) in subparagraph (A) for which the
23 rights to the surface estate or subsurface estate
24 are owned by a non-Federal entity.

1 (3) PRESIDENT.—The term “President” means
2 the President or any designee of the President, in-
3 cluding—

4 (A) the Secretary of Agriculture;

5 (B) the Secretary of Energy; and

6 (C) the Secretary.

7 (b) PROHIBITIONS.—

8 (1) IN GENERAL.—Notwithstanding any other
9 provision of law, the President may officially not
10 carry out any action that would prohibit or substan-
11 tially delay the issuance of any of the following on
12 Federal land, unless such an action has been author-
13 ized by an Act of Congress:

14 (A) New oil and gas leases, drill permits,
15 approvals, or authorizations.

16 (B) New coal leases, permits, approvals, or
17 authorizations.

18 (C) New hardrock leases, permits, approv-
19 als, or authorizations.

20 (D) New critical minerals leases, permits,
21 approvals, or authorizations.

22 (2) PROHIBITION ON WITHDRAWAL.—Notwith-
23 standing any other provision of law, the President
24 may not withdraw any Federal land from forms of
25 entry, appropriation, or disposal under the public

1 land laws, location, entry, and patent under the min-
2 ing laws, or disposition under laws pertaining to
3 mineral and geothermal leasing or mineral materials
4 unless the withdrawal has been authorized by an Act
5 of Congress.

6 **SEC. 8. OIL AND NATURAL GAS LEASING.**

7 (a) ONSHORE LEASE SALES.—

8 (1) REQUIREMENT TO IMMEDIATELY RESUME
9 ONSHORE OIL AND GAS LEASE SALES.—

10 (A) IN GENERAL.—The Secretary of the
11 Interior (referred to in this Act as the “Sec-
12 retary”) shall immediately resume oil and gas
13 lease sales in compliance with the Mineral Leas-
14 ing Act (30 U.S.C. 181 et seq.).

15 (B) REQUIREMENT.—The Secretary shall
16 ensure that any oil and gas lease sale under
17 subparagraph (A) is conducted immediately on
18 completion of all applicable scoping, public com-
19 ment, and environment analysis requirements
20 under the Mineral Leasing Act (30 U.S.C. 181
21 et seq.) and the National Environmental Policy
22 Act of 1969 (42 U.S.C. 4321 et seq.).

23 (2) ANNUAL OIL AND NATURAL GAS LEASE
24 SALES.—

1 (A) IN GENERAL.—Notwithstanding any
2 other provision of law, in accordance with the
3 Mineral Leasing Act (30 U.S.C. 181 et seq.),
4 April 1, 2022, the Secretary shall conduct a
5 minimum of 4 oil and natural gas lease sales
6 annually in each of the following States:

7 (i) Wyoming.

8 (ii) New Mexico.

9 (iii) Colorado.

10 (iv) Utah.

11 (v) Montana.

12 (vi) North Dakota.

13 (vii) Oklahoma.

14 (viii) Nevada.

15 (ix) Any other State in which there is
16 land available for oil and natural gas leas-
17 ing under that Act.

18 (B) REQUIREMENT.—In conducting a lease
19 sale under subparagraph (A) in a State de-
20 scribed in that subparagraph, the Secretary
21 shall offer all parcels eligible for oil and gas de-
22 velopment under the resource management plan
23 in effect for the State.

24 (C) REPLACEMENT SALES.—If, for any
25 reason, a lease sale under subparagraph (A) for

1 a calendar year is canceled, delayed, or de-
2 ferred, including for lack of eligible parcels, the
3 Secretary shall conduct a replacement sale dur-
4 ing the same calendar year.

5 (b) OFFSHORE LEASE SALES.—

6 (1) IN GENERAL.—The Secretary shall conduct
7 all lease sales described in the 2017–2022 Outer
8 Continental Shelf Oil and Gas Leasing Proposed
9 Final Program (November 2016) that have not been
10 conducted as of the date of enactment of this Act by
11 not later than April 1, 2022.

12 (2) GULF OF MEXICO REGION ANNUAL LEASE
13 SALES.—Notwithstanding any other provisions of
14 law, no later than 30 days following the enactment
15 of this Act, the Secretary shall conduct a minimum
16 of 4 region-wide oil and natural gas lease sales an-
17 nually in the Gulf of Mexico Region of the outer
18 Continental Shelf, which shall include the following
19 areas described in the 2017–2022 Outer Continental
20 Shelf Oil and Gas Leasing Proposed Final Program
21 (November 2016):

22 (A) The Central Gulf of Mexico Planning
23 Area.

24 (B) The Western Gulf of Mexico Planning
25 Area.

1 (3) ALASKA REGION ANNUAL LEASE SALES.—
2 Notwithstanding any other provision of law, begin-
3 ning 30 days after the enactment of this Act, the
4 Secretary shall conduct a minimum of 2 region-wide
5 oil and natural gas lease sales annually in the Alas-
6 ka Region of the outer Continental Shelf, as de-
7 scribed in the 2017–2022 Outer Continental Shelf
8 Oil and Gas Leasing Proposed Final Program (No-
9 vember 2016).

10 (4) REQUIREMENTS.—In conducting lease sales
11 under paragraphs (2) and (3) the Secretary shall—

12 (A) issue leases to the highest responsibly
13 qualified bidder or bidders; and

14 (B) include in each lease sale all unleased
15 areas that are not subject to restrictions as of
16 the date of the lease sale.

17 (5) OUTER CONTINENTAL SHELF OIL AND GAS
18 LEASING PROGRAM.—Section 18 of the Outer Conti-
19 nental Shelf Lands Act (43 U.S.C. 1344) is amend-
20 ed—

21 (A) in subsection (a), in the first sentence
22 of the matter preceding paragraph (1), by strik-
23 ing “subsections (c) and (d) of this section”
24 and inserting “subsections (c) through (f)”;

1 (B) by redesignating subsections (f)
 2 through (h) as subsections (g) through (i), re-
 3 spectively; and

4 (C) by inserting after subsection (e) the
 5 following:

6 “(f) **SUBSEQUENT LEASING PROGRAMS.**—

7 “(1) **IN GENERAL.**—Not later than 36 months
 8 after conducting the first lease sale under an oil and
 9 gas leasing program prepared pursuant to this sec-
 10 tion, the Secretary shall begin preparing the subse-
 11 quent oil and gas leasing program under this sec-
 12 tion.

13 “(2) **REQUIREMENT.**—Each subsequent oil and
 14 gas leasing program under this section shall be ap-
 15 proved not later than 180 days before the expiration
 16 of the previous oil and gas leasing program.”.

17 **SEC. 9. EXPEDITED APPROVAL FOR NATURAL GAS INTER-**
 18 **STATE PIPELINES.**

19 Subsection (c) of section 7 of the Natural Gas Act
 20 (15 U.S.C. 717F(c)) is amended to read as follows:

21 “(c) **CERTIFICATES OF PUBLIC CONVENIENCE AND**
 22 **NECESSITY.**—

23 “(1) **APPLICATION.**—

24 “(A) **REQUIREMENT TO APPLY FOR CER-**
 25 **TIFICATE.**—

1 “(i) IN GENERAL.—No natural-gas
2 company or person which will be a natural-
3 gas company upon completion of any pro-
4 posed construction or extension shall en-
5 gage in the transportation or sale of nat-
6 ural gas, subject to the jurisdiction of the
7 Commission, or undertake the construction
8 or extension of any facilities therefor, or
9 acquire or operate any such facilities or ex-
10 tensions thereof, unless there is in force
11 with respect to such natural-gas company
12 a certificate of public convenience and ne-
13 cessity issued by the Commission author-
14 izing such acts or operations.

15 “(ii) PRIOR OPERATIONS.—If any
16 such natural-gas company or predecessor
17 in interest was bona fide engaged in trans-
18 portation or sale of natural gas, subject to
19 the jurisdiction of the Commission, on the
20 effective date of this amendatory Act, over
21 the route or routes or within the area for
22 which application is made and has so oper-
23 ated since that time, the Commission shall
24 issue such certificate without requiring fur-
25 ther proof that public convenience and ne-

1 cessity will be served by such operation,
2 and without further proceedings, if applica-
3 tion for such certificate is made to the
4 Commission within ninety days after the
5 effective date of this amendatory Act.
6 Pending the determination of any such ap-
7 plication, the continuance of such oper-
8 ation shall be lawful.

9 “(iii) PROJECTS THAT MEET SAFETY
10 REGULATIONS.—With respect to any appli-
11 cation for a certificate of public conven-
12 ience and necessity under clause (i) for
13 which the Commission determines that
14 project covered by the application meets all
15 safety regulations in effect as of the date
16 of the application, the Commission shall
17 issue the certificate without requiring fur-
18 ther proof that public convenience and ne-
19 cessity will be served by the project, and
20 without further proceedings.

21 “(B) HEARINGS.—In all cases other than
22 the cases described in clauses (ii) and (iii) of
23 subparagraph (A), the Commission shall set the
24 matter for hearing and shall give such reason-
25 able notice of the hearing thereon to all inter-

1 ested persons as in its judgment may be nec-
2 essary under rules and regulations to be pre-
3 scribed by the Commission; and the application
4 shall be decided in accordance with the proce-
5 dure provided in subsection (e) of this section
6 and such certificate shall be issued or denied
7 accordingly: *Provided, however,* That the Com-
8 mission may issue a temporary certificate in
9 cases of emergency, to assure maintenance of
10 adequate service or to serve particular cus-
11 tomers, without notice or hearing, pending the
12 determination of an application for a certificate,
13 and may by regulation exempt from the require-
14 ments of this section temporary acts or oper-
15 ations for which the issuance of a certificate
16 will not be required in the public interest.”.

17 **SEC. 10. DOMESTIC ENVIRONMENTAL IMPACTS.**

18 (a) IN GENERAL.—Section 102(2) of the National
19 Environmental Policy Act of 1969 (42 U.S.C. 4332(2))
20 is amended—

21 (1) in subparagraph (C)—

22 (A) in the matter preceding clause (i), by
23 inserting “in the United States” after “human
24 environment”;

1 (B) in clause (i), by inserting “in the
2 United States” after “proposed action”; and

3 (C) in clause (ii), by inserting “in the
4 United States” after “environmental effects”;
5 and

6 (2) in subparagraph (F), by inserting “in any
7 proposal or other major Federal action that involves
8 the funding or development of projects outside the
9 United States or the exclusive economic zone of the
10 United States,” before “recognize”.

11 (b) IMPLEMENTING REGULATIONS.—Not later than
12 1 year after the date of enactment of this Act, the Council
13 on Environmental Quality shall revise the implementing
14 regulations of the National Environmental Policy Act of
15 1969 (42 U.S.C. 4321 et seq.) under subchapter A of
16 chapter V of title 40, Code of Federal Regulations (or suc-
17 cessor regulations), in accordance with the amendments
18 made by subsection (a).

19 **SEC. 11. LIMITATION.**

20 None of the funds made available by this Act may
21 be used to carry out Federal Energy Regulatory Commis-
22 sion Updated Pipeline Certificate Policy Statement (Pub-
23 lic Law 18–1–000) updated February 17, 2022.

1 **SEC. 12. RESPONSIBLE ENERGY PRODUCTION IN THE ARC-**
2 **TIC NATIONAL WILDLIFE REFUGE.**

3 (a) APPLICABILITY TO SECTION 1002 OF THE ARC-
4 TIC NATIONAL WILDLIFE REFUGE.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law, title II of Public Law 115–97 is the
7 law of the land and any Executive order, secretarial
8 order or regulation aiming to block this title shall
9 have no force or effect.

10 **SEC. 13. NATURAL GAS EXPORTS.**

11 (a) FINDINGS.—Congress finds that—

12 (1) increasing clean and safe natural gas ex-
13 ports will lead to increased investment and develop-
14 ment of domestic supplies of natural gas that will
15 contribute to job growth and economic development;
16 and

17 (2) the export of clean and safe natural gas to
18 other nations is of vital national interest to the
19 United States.

20 (b) NATURAL GAS EXPORTS.—Section 3(c) of the
21 Natural Gas Act (15 U.S.C. 717b(c)) is amended—

22 (1) by inserting “or any other nation not ex-
23 cluded by this section” after “trade in natural gas”;

24 (2) by inserting “and in any event by not later
25 than 60 days after the date on which the application
26 is received” before the period at the end;

1 (3) by striking “(c) For purposes” and insert-
2 ing the following:

3 “(c) EXPEDITED APPLICATION AND APPROVAL
4 PROCESS.—

5 “(1) IN GENERAL.—For purposes”; and

6 (4) by adding at the end the following:

7 “(2) EXCLUSIONS.—

8 “(A) IN GENERAL.—Any nation subject to
9 sanctions or trade restrictions imposed by the
10 United States is excluded from expedited ap-
11 proval under paragraph (1).

12 “(B) DESIGNATION BY PRESIDENT OR
13 CONGRESS.—The President or Congress may
14 designate nations that may be excluded from
15 expedited approval under paragraph (1) for rea-
16 sons of national security.

17 “(3) ORDER NOT REQUIRED.—No order is re-
18 quired under subsection (a) to authorize the export
19 or import of any natural gas to or from Canada or
20 Mexico.”.

21 **SEC. 14. PENDING APPLICATIONS TO EXPORT NATURAL**
22 **GAS.**

23 All applications to export natural gas from the United
24 States to a foreign country submitted under section 3(a)
25 of the Natural Gas Act (15 U.S.C. 717b(a)) during the

1 period beginning on January 1, 2020, and ending on Jan-
2 uary 1, 2025, are deemed approved.

○