

117TH CONGRESS  
2D SESSION

# H. R. 8068

To amend the Energy Policy Act of 2005 to include in a report the amount available to the Secretary of Energy to make certain loan guarantees, to amend the Energy Policy Act of 1992 to provide for direct loans to Indian tribes and tribal energy development organizations for energy development, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2022

Ms. LEGER FERNANDEZ (for herself, Mr. COLE, Mr. O'HALLERAN, and Ms. DAVIDS of Kansas) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Natural Resources, 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

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## A BILL

To amend the Energy Policy Act of 2005 to include in a report the amount available to the Secretary of Energy to make certain loan guarantees, to amend the Energy Policy Act of 1992 to provide for direct loans to Indian tribes and tribal energy development organizations for energy development, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Tribal Energy Invest-  
3 ment Act of 2022”.

4 **SEC. 2. REPORT ON CERTAIN DEPARTMENT OF ENERGY**  
5 **LOAN GUARANTEES.**

6 Section 1702(q) of the Energy Policy Act of 2005  
7 (42 U.S.C. 16512(q)) is amended—

8 (1) in paragraph (1), by striking “3” and in-  
9 serting “2”;

10 (2) by redesignating paragraphs (8) and (9) as  
11 paragraphs (9) and (10), respectively; and

12 (3) by inserting after paragraph (7) the fol-  
13 lowing:

14 “(8) the amount available to the Secretary to  
15 make guarantees under this title;”.

16 **SEC. 3. DIRECT LOANS.**

17 (a) **IN GENERAL.**—Section 2602(c) of the Energy  
18 Policy Act of 1992 (25 U.S.C. 3502(c)) is amended—

19 (1) in the heading, by striking “GUARANTEE”;

20 (2) in paragraph (1), by inserting “and in addi-  
21 tion to the authority provided by paragraph (8),”  
22 after “Subject to paragraphs (2) and (4),”;

23 (3) in paragraph (2), by inserting “, or a direct  
24 loan,” after “providing a loan guarantee”;

25 (4) by amending paragraph (4) to read as fol-  
26 lows:

1           “(4) At any time, the sum of the aggregate out-  
2           standing amount guaranteed and the aggregate out-  
3           standing amount of direct loans provided pursuant  
4           to this subsection shall not exceed \$2,000,000,000.”;  
5           and

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

7           “(8)(A) Subject to paragraphs (2) and (4), and  
8           in addition to the authority provided by paragraph  
9           (1), the Secretary of Energy may provide direct  
10          loans (as defined in section 502 of the Federal Cred-  
11          it Reform Act of 1990 (2 U.S.C. 661a)) to an In-  
12          dian tribe or a tribal energy development organiza-  
13          tion for energy development.

14          “(B) Direct loans provided under this sub-  
15          section shall be made through the Federal Financing  
16          Bank, with the full faith and credit of the United  
17          States Government on the principal and interest.”.

18          (b) PREVIOUS FUNDING.—Amounts appropriated or  
19          otherwise made available for the cost of loan guarantees  
20          under section 2602(c) of the Energy Policy Act of 1992  
21          (25 U.S.C. 3502(c)) as in effect on the day before the  
22          date of the enactment of this Act may also be made avail-  
23          able for the cost of direct loans as authorized by the  
24          amendments made by this Act.

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