

118TH CONGRESS
2D SESSION

H. R. 10005

To establish a process to expedite the review of appeals of certain decisions
by the Department of the Interior.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2024

Ms. HAGEMAN (for herself, Mr. HUNT, Mr. STAUBER, Mr. CARL, Mr. TIF-
FANY, Mr. GOSAR, and Mr. NEWHOUSE) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To establish a process to expedite the review of appeals
of certain decisions by the Department of the Interior.

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 “Expedited Appeals Re-
5 view Act” or the “EARA”.

6 **SEC. 2. EXPEDITED REVIEWS.**

7 (a) REQUEST FOR EXPEDITED REVIEW.—A party
8 that files an appeal of a Department of the Interior deci-
9 sion described under section 4.1(b)(2) of title 43, Code
10 of Federal Regulations (or any successor regulations),

1 with the Board of Land Appeals may submit to the Board
2 of Land Appeals written notice of such party's intent to
3 seek expedited review of the appeal. If a party submits
4 such written notice, the Board of Land Appeals shall issue
5 a final decision on the appeal by not later than the date
6 that is 6 months after the date on which such written no-
7 tice is received, except such deadline may not be earlier
8 than the date that is 18 months after the date on which
9 the appeal was initially filed with the Board of Land Ap-
10 peals.

11 (b) NO FINAL DECISION.—If the Board of Land Ap-
12 peals does not issue a final decision on an appeal by the
13 deadline described in subsection (a)—

14 (1) the Department of the Interior decision is
15 deemed to be a final agency action for purposes of
16 section 704 of title 5, United States Code; and

17 (2) judicial review of such decision shall be de
18 novo.

19 (c) APPLICABILITY.—This section shall apply to any
20 appeal described in subsection (a) that—

21 (1) is pending before the Board of Land Ap-
22 peals as of the date of enactment of this Act; or

23 (2) is filed with the Board of Land Appeals
24 after the date of enactment of this Act.