

Union Calendar No.

119TH CONGRESS
1ST SESSION

H. R. 677

[Report No. 119-]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2025

Ms. HAGEMAN introduced the following bill; which was referred to the
Committee on Natural Resources

APRIL --, 2025

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 23, 2025]

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 that*
8 *files an appeal of a Department of the Interior decision de-*
9 *scribed under section 4.1(b)(2) of title 43, Code of Federal*
10 *Regulations (or any successor regulations), with the Board*
11 *of Land Appeals may submit to the Board of Land Appeals*
12 *written notice of such party’s intent to seek expedited review*
13 *of the appeal. If a party submits such written notice, the*
14 *Board of Land Appeals shall issue a final decision on the*
15 *appeal by not later than the date that is 6 months after*
16 *the date on which such written notice is received, except*
17 *such deadline may not be earlier than the date that is 18*
18 *months after the date on which the appeal was initially*
19 *filed with the Board of Land Appeals.*

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

23 *(1) the Department of the Interior decision is*
24 *deemed to be a final agency action for purposes of sec-*
25 *tion 704 of title 5, United States Code; and*

1 (2) *notwithstanding section 706 of title 5, United*
2 *States Code, judicial review of such decision shall be*
3 *de novo.*

4 (c) *APPLICABILITY.—This section shall apply to any*
5 *appeal described in subsection (a) that—*

6 (1) *is pending before the Board of Land Appeals*
7 *as of the date of enactment of this Act; or*

8 (2) *is filed with the Board of Land Appeals after*
9 *the date of enactment of this Act.*

10 (d) *CONFLICT.—In the event of a conflict between the*
11 *deadline described in subsection (a) and a deadline under*
12 *section 115(h) of the Federal Oil and Gas Royalty Manage-*
13 *ment Act of 1982 (30 U.S.C. 1724(h)) or section 525(b) of*
14 *the Surface Mining Control and Reclamation Act of 1977*
15 *(30 U.S.C. 1275(b)), the deadline described in subsection*
16 *(a) shall control.*