



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Energy and Mineral Resources Republican Members
From: Subcommittee on Energy and Mineral Resources Staff: Annie Caputo
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Date: Monday, March 23, 2026
Subject: Legislative Hearing on 5 Bills

The Subcommittee on Energy and Minerals Resources will hold a legislative hearing on five bills: H.R. 1555 (Rep. Bice), “*Bureau of Land Management Mineral Spacing Act*”; H.R. 5639 (Rep. Kennedy of UT), “*Co-Location Energy Act*”; H.R. 7831 (Rep. Kennedy of UT), “*License to Drill Act*”; H.R. 7872 (Rep. Hageman), To amend the Mineral Leasing Act to provide for the payment of bonus payments of certain coal leases issued under that Act; and H.R. 7882 (Rep. Stauber), To provide for the leasing of certain deposits of minerals located within the City of Carlsbad, New Mexico.

The hearing will take place on **Wednesday, March 25, 2026, at 10:15 a.m., in room 1324 Longworth House Office Building.**

Member offices are requested to notify Kenna Cline (Kenna.Cline@mail.house.gov) by 4:30 p.m. on Tuesday, March 24, 2026, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- Advancements in oil and gas drilling techniques have turned existing Bureau of Land Management (BLM) regulations into needless barriers to energy development. Congress can boost domestic energy production by allowing operators to abide by state laws and regulations for development on non-federal lands, while ensuring that such operators still pay applicable federal royalties, fees, and taxes.
- Another way to increase the amount of energy being developed on public lands is to allow the co-location of energy generation sources on the same lease.
- Reauthorizing fees for oil and gas drilling permits will ensure BLM has adequate staffing to process permits in a timely fashion.
- Current BLM regulations force coal operators to pay significant upfront bidding costs, which deters greater participation in federal leasing. Extending coal lease payment schedules will incentivize coal producers to invest in increased domestic production.
- Horizontal drilling techniques make it possible to safely drill in areas without any surface disturbance. Authorizing BLM to lease federal mineral estates beneath the City of Carlsbad, New Mexico, will enable additional energy production and increased revenues for the state and the federal government.

II. WITNESSES

Panel I (Members of Congress):

- *To Be Announced*

Panel II (Administration Witness)

- **Mr. Mitchell Leverette**, Eastern States Director, Bureau of Land Management, Washington, D.C. (*All bills*)

Panel III (Outside Experts)

- **Mr. Daniel T. Naatz**, Executive Vice President and Chief Policy Officer, Independent Petroleum Association of America, Washington, D.C. (*H.R. 1555, H.R. 7831, and H.R. 7882*)
- **Adam Met**, Ph.D., Executive Director, Planet Reimagined, New York, NY (*H.R. 5639*)
- **Mr. Kyle Wendtland**, Director of Fossil Fuel Development, Wyoming Energy Authority, Cheyenne, WY (*H.R. 7872*)
- **Dr. Barbara Vasquez**, Member of the Board, Western Organization of Resource Councils & Western Colorado Alliance, Cowdrey, CO [*Minority Witness*] (*H.R. 1555, H.R. 5639, and H.R. 7831*)

III. BACKGROUND

H.R. 1555 (Rep. Bice), “Bureau of Land Management Mineral Spacing Act”

BLM administers the federal surface lands and subsurface estate under its jurisdiction pursuant to the Federal Land Policy and Management Act (FLPMA).¹ Onshore federal lands include all federal surface lands and the federal mineral estate, covering 713 million acres.² BLM “manages energy production and mineral development from these subsurface lands, including lands whose surface is managed by other federal agencies or for split estate lands.”³

BLM’s split-estate policy commonly applies to situations where the surface rights are in private or state ownership, while the rights to development of the mineral resources are publicly held and managed by the federal government.⁴ BLM commonly refers to wells whose bores produce federal minerals from well pads located entirely on non-federal land as “Fee/Fee/Fed”.⁵ For purposes of federal and Indian oil and gas management, BLM’s jurisdiction extends to surface facilities on entirely non-federal lands only to the extent of assuring production accountability for royalties from federal and Indian oil and gas.⁶

¹ Lexie Ryan, “Revenues and Disbursements from Oil and Natural Gas Leases on Onshore Federal Lands,” Congressional Research Service, February 12, 2026, <https://www.congress.gov/crs-product/R46537>.

² *Id.*

³ *Id.*

⁴ “Leasing and Development of Split Estate,” Bureau of Land Management, <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/split-estate>.

⁵ “Directional Drilling into Federal Mineral Estate from Well Pads on Non-Federal Locations,” Bureau of Land Management, June 12, 2018, <https://www.blm.gov/policy/pim-2018-014#:~:text=Policy/Action:%20These%20policies%20and,Fee/Fee/Fed%20situations>.

⁶ *Id.*

Advancements in directional drilling have allowed oil and gas operators to reach multiple formations and leases from the same well pad, thereby reducing the surface disturbance required to develop an oil and gas field relative to traditional vertical wells.⁷ Historically,

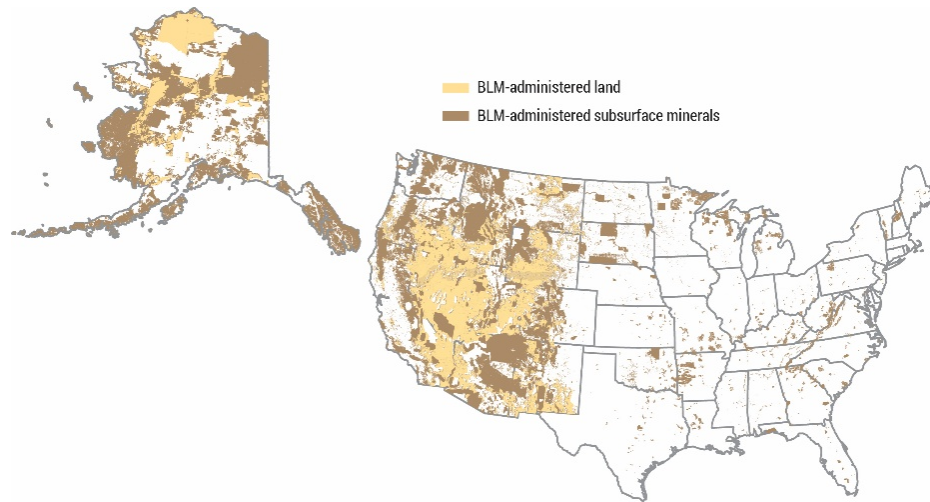


Figure 1: Overlay of BLM administered land and BLM administered subsurface minerals across the U.S. Source: Public Lands Foundation.

through conventional drilling, operators encountered split-estate scenarios less frequently. However, with technological developments such as directional drilling, operators increasingly encounter federal minerals within the proposed spacing unit while drilling on private or state surface land.⁸

When this occurs, the operator is required to submit an Application for a Permit to Drill (APD) to BLM before commencing any drilling activities. During this phase, BLM must comply with the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA), creating long delays for the applicant. Moreover, operators are required to go through state processes to obtain state permits for surface disturbance and the development of state and private mineral resources.

Duplicative requirements often pose significant challenges to operators and can prevent landowners from exercising their rights. Tedious processes that involve federal agencies frequently discourage optimal mineral production. If a producer faces uncertainty or encounters delays obtaining a federal APD, projects may be scaled back as recovery becomes uneconomical. This can lead to circumstances where minerals are stranded after a project has been completed and the government misses out on the potential return of production revenue. Further, the requirement for BLM to process APDs on non-federal lands strains the agency's workloads and limits its ability to address other areas of need.

H.R. 1555, sponsored by Representative Stephanie Bice (R-OK-05), lessens these regulatory burdens by removing the requirement to obtain an APD from BLM in instances when: (1) less than half of the subsurface minerals within a drilling spacing unit are owned by the federal government, and (2) the federal government does not own or lease the surface rights.⁹ The bill still requires operators to abide by all state laws, regulations, and guidance governing covered

⁷ *Id.*

⁸ *Id.*

⁹ H.R. 1557, 119th Congress, <https://www.congress.gov/bill/119th-congress/house-bill/1555?s=1&r=13>.

activities in each relevant jurisdiction and to pay all royalties to the federal government for utilization of federal resources.¹⁰

This legislation furthers the goals outlined in President Trump’s Executive Order (E.O.) 14154, titled “Unleashing American Energy,”¹¹ and E.O. 14156, titled “Declaring a National Energy Emergency.”¹²

H.R. 5639 (Rep. Kennedy of UT), “Co-Location Energy Act”

BLM administers hundreds of millions of acres of surface and subsurface federal estate throughout the country.¹³ The agency develops and revises Resource Management Plans (RMPs) for the lands it manages, taking into account both present and potential future uses. RMPs are the first step in determining which lands may be subject to energy leasing, as all activities performed on BLM lands must be consistent with the applicable RMPs.¹⁴

Some federal lands have topography considered suitable for certain types of renewable energy projects, leading to consistent interest in siting such projects on federal lands.¹⁵ As with leasing for oil, gas, and coal, the use of federal lands for renewable energy must be consistent with the land management planning process established by FLPMA and other applicable statutes.

Production of wind or solar energy on federal lands requires authorization under Title V of FLPMA.¹⁶ Specifically, Section 501(a)(4) of FLPMA authorizes the Secretaries of the Interior and Agriculture to “grant, issue or renew rights-of-way over, upon, under or through such lands for ... systems for generation, transmission, and distribution of electric energy.” Parties applying for BLM rights-of-way for development of wind or solar energy projects must satisfy several requirements in their applications, as set forth by the Secretary of the Interior. These include disclosures regarding the use of the right-of-way, the identification of business partners and other affiliated entities, and plans for use of the right-of-way.¹⁷

Oil and gas leases are granted under the Mineral Leasing Act (MLA) and generally cover subsurface rights, with surface use authorizations granted in certain cases.¹⁸ Accordingly, there is growing interest in co-locating solar energy on existing mineral leases on federal lands.¹⁹ Although BLM has previously exercised its authority to co-locate energy sources on federal lands, H.R. 5639 seeks to expand those efforts by formalizing the process requiring the

¹⁰ *Id.*

¹¹ “Unleashing American Energy,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>.

¹² “Declaring a National Energy Emergency,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>.

¹³ Adam Vann, “Energy Production on Federal Lands: Leasing and authorization,” Congressional Research Service, July 19, 2024, <https://www.congress.gov/crs-product/R48130>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ P.L. 119–21, <https://www.govinfo.gov/content/pkg/COMPS-8336/pdf/COMPS-8336.pdf>

¹⁹ BLM National NEPA Register, Bureau of Land Management, accessed March 6, 2026, <https://eplanning.blm.gov/Project-Home/?id=7657b2e3-a7f2-f011-8406-001dd802fdea>.

leaseholder’s consent.²⁰ By allowing renewable energy developers to evaluate and—with the leaseholder’s consent—construct solar and wind projects on oil, gas, coal, and geothermal leased areas, BLM will maximize utilization of our public lands and increase returns for taxpayers. Lastly, the bill directs the Department of the Interior (DOI) to analyze whether wind and solar production could qualify for a categorical exclusion under NEPA.²¹

Collections for wind and solar are considered annual rentals (including both acreage rents and megawatt capacity rents) collected under rights-of-way authorizations issued under FLPMA for the granting of solar and wind power production rights. In 2022 and 2023, the BLM collected approximately \$13.5 million and \$14.7 million, respectively, through wind and solar collections.²²

H.R. 7831 (Rep. Kennedy of UT), “License to Drill Act”

Once a leaseholder or operator identifies an oil and gas deposit on its federal lease, the operator must submit an APD to the BLM prior to commencing any drilling activities.²³ Following receipt of an APD, BLM ensures that the operator meets all applicable laws and regulations, including the NHPA, ESA, and NEPA.²⁴ Additionally, BLM resource specialists typically participate in an onsite inspection prior to APD approval. Such extensive requirements strain agency workloads and create bloated permitting timelines.

To provide BLM permitting staff with the resources needed for timely APDs approvals, Section 365 of the Energy Policy Act of 2005 created the Permit Process Improvement Fund (PPIF), which dispersed funds to seven pilot program field offices processing APDs.²⁵ Subsequently, the National Defense Authorization Act of 2015 (NDAA) authorized an APD application fee to help fund the PPIF and shorten permit processing timelines. Indexed to inflation, the fee is \$12,850 for Fiscal Year (FY) 2026.²⁶ The majority of PPIF funds are spent on labor costs, while a smaller portion is allocated to operational overhead and electronic database upkeep.²⁷

While APD permitting timelines depend largely on administration priorities, many operators and industry stakeholders have applauded PPIF and support its reauthorization, having observed more reliable and timely permit approvals since PPIF’s implementation.²⁸

²⁰ H.R. 5639, 119th Congress, <https://www.congress.gov/bill/119th-congress/house-bill/5639?s=2&r=9>.

²¹ *Id.*

²² U.S. Department of the Interior Budget Justification, 2024, https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-os-dwp-greenbook_1.pdf

²³ “Applications for Permits to Drill,” Bureau of Land Management, <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/permitting/applications-permits-drill>.

²⁴ *Id.*

²⁵ *Id.*

²⁶ “Fiscal Year 2025 Annual Adjustment Calculation,” Bureau of Land Management, <https://www.blm.gov/sites/default/files/docs/2024-09/FY2025-Annual-Adjustment-Calculation.pdf>; see also “Fixed Filing Fees,” Bureau of Land Management, <https://www.blm.gov/fixed-filing-fee-schedule-blm-energy-and-minerals>; 43 C.F.R. § 3000.120; and “Minerals Management: Annual Adjustment of Cost Recovery Fees,” Bureau of Land Management, 91 Federal Register 1194, January 12, 2026.

²⁷ Subcommittee on Energy and Mineral Resources, Majority Staff correspondence with Bureau of Land Management, March 2, 2026.

²⁸ Subcommittee on Energy and Mineral Resources Majority Staff communications with industry stakeholders, March 4, 2026.

Since 2020, 100 percent of the NDAA-authorized APD fee has been directed into the PPIF. H.R. 7831, introduced by Representative Mike Kennedy (R-UT-03), reauthorizes the fee structure established in the NDAA, as it has operated since 2020, allowing for continued reliable and timely permitting processing. The bill authorizes the fees through FY 2037.

This legislation would advance the goals outlined in President Trump’s E.O. 14154, titled “Unleashing American Energy,”²⁹ and E.O. 14156, titled “Declaring a National Energy Emergency.”³⁰

H.R. 7872 (Rep. Hageman), To amend the Mineral Leasing Act to provide for the payment of bonus payments of certain coal leases issued under that Act.

The MLA grants the Secretary of the Interior, acting through BLM, the authority to lease coal resources on federal lands.³¹ All federal coal leasing is conducted through a lease by application (LBA) process initiated by operators. Prior to holding a coal lease sale, BLM must first review LBAs to ensure that proposed tracts conform to existing land use plans.³² If a decision to move forward with leasing is reached, BLM will then formulate a “fair market value” (FMV) estimate of the coal in the proposed area and offer the tracts for competitive lease sale.³³ The winning bid in a competitive LBA sale is the highest “bonus bid” that meets or exceeds the coal tract’s presale estimated FMV.³⁴

Under current regulations, the winning bidder in a coal lease sale must pay 20 percent of its bonus bid to BLM at the time of the sale, followed by annual installments of 20 percent over the first four years following the sale.³⁵ This payment schedule is fundamentally inconsistent with coal mine development timelines, in which permitting alone can take up to 5 years before construction begins.³⁶ As a result, operators are forced to pay high upfront costs well in advance of generating revenue from the production and sale of federal coal, which ultimately deters LBA participation in some cases.³⁷

H.R. 7872, sponsored by Representative Harriet Hageman (R-WY-At Large), would address this issue by extending coal lease payment schedules, allowing operators to submit bonus bids to BLM in annual 10 percent installments over a 10-year period, beginning at the time of a lease sale. This commonsense legislation will encourage greater participation in coal leases mandated

²⁹ “Unleashing American Energy,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>.

³⁰ “Declaring a National Energy Emergency,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>.

³¹ 30 U.S.C. § 201 - Leases and exploration, <https://www.law.cornell.edu/uscode/text/30/201>.

³² “Fair Market Value of Coal,” Bureau of Land Management, <https://www.google.com/url?q=https://www.blm.gov/programs/energy-and-minerals/coal/background&sa=D&source=docs&ust=1773783020228821&usg=AOvVaw1z-9fF79NSJKR1VdFGOC7I>

³³ *Id.*

³⁴ *Id.*

³⁵ 43 CFR 3422.4, Award of Lease, <https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-C/part-3420>.

³⁶ NACCO Natural Resources Comments on the Department of the Interior’s Request for Information Regarding Regulatory Reform, July 21, 2025, https://downloads.regulations.gov/DOI-2025-0005-0518/attachment_1.pdf.

³⁷ Energy Ventures Analysis, Wyoming Coal Study, February 2026, <https://wyoenergy.org/wp-content/uploads/2026/02/Wyoming-Coal-Study-Final-Report-Public.pdf>.

under H.R. 1, the “Working Families Tax Cuts Act,”³⁸ unlock more capital for development, and allow more affordable, reliable baseload power to be brought online.

These critical reforms also further the goals outlined in President Trump’s E.O. 14241, which directs the Secretary of the Interior to prioritize coal leasing and address impediments to mining coal on federal lands. Lastly, not only does H.R. 7872 provide for greater flexibility in the coal leasing process, but it also has the potential to increase federal revenues from coal leasing through LBA bonus bids and royalties from new projects that would not otherwise be initiated.

H.R. 7882 (Rep. Stauber), To provide for the leasing of certain deposits of minerals located within the City of Carlsbad, New Mexico

In the early 20th century, Congress decided that oil and natural gas resources on onshore federal lands should remain under federal ownership. Then, the 1920 enactment of the MLA³⁹ authorized the Secretary of the Interior to establish a leasing framework for the production of oil, coal, or natural gas on federal lands, with the federal government retaining title to the lands.⁴⁰ BLM currently administers the leasing program for subsurface mineral rights, not only for the land BLM manages, but also for lands controlled by other federal agencies, such as the U.S. Forest Service.⁴¹

The MLA excludes numerous categories of land from mineral leasing, including national parks and monuments, as well as lands in incorporated cities, towns, and villages. In certain cases, however, Congress has provided an exemption to this provision.⁴² In 1984, for example, Congress exempted the incorporated cities of Corpus Christi, Texas, and Port Hueneme, California.⁴³

This exclusion of eligible lands from leasing can be problematic, ultimately leading to the underdevelopment of federal minerals and the forfeiture of the revenues that such development would have provided. Prior to the advent of directional drilling, conventional drilling was the prominent method of mineral extraction. Advances in directional drilling have enabled oil and gas operators to reach multiple formations and leases from the same well pad, thereby reducing the surface disturbance required to develop an oil and gas field.⁴⁴

³⁸ H.R. 1, 119th Congress, <https://www.congress.gov/bill/119th-congress/house-bill/1/text>

³⁹ 30 U.S.C. §181 et seq

⁴⁰ Adam Vann, “Energy Production on Federal Lands: Leasing and authorization,” Congressional Research Service, July 19, 2024. <https://www.congress.gov/crs-product/R48130>.

⁴¹ *Id.*

⁴² P.L. 98–529.

⁴³ *Id.*

⁴⁴ “Directional drilling into federal mineral estate from well pads on non-federal locations,” Bureau of Land Management, June 12, 2018, <https://www.blm.gov/policy/pim-2018-014#:~:text=Policy/Action:%20These%20policies%20and,Fee/Fee/Fed%20situations>.

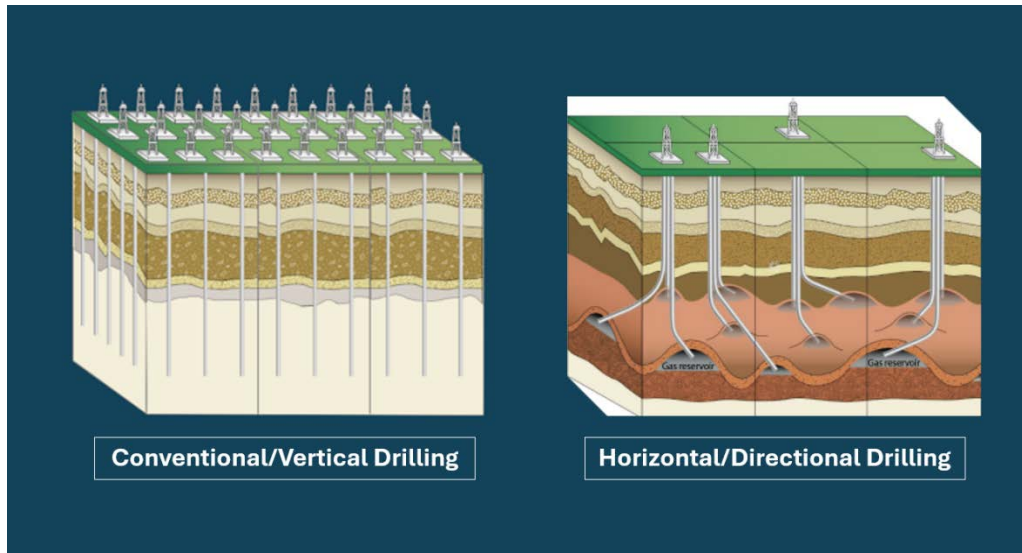


Figure 2. Demonstrating the difference in capabilities amongst conventional and horizontal drilling techniques. Source: AXPC

H.R. 7882, introduced by Representative Pete Stauber (R-MN-08) follows historical precedent by making the mineral estate underneath the incorporated City of Carlsbad, New Mexico, in the Permian Basin eligible for development of

federal minerals. Using modern horizontal drilling technology, operators will be able to safely access minerals beneath the city without conducting any surface-disturbing activities in Carlsbad itself. This legislation is supported by the City of Carlsbad, whose representatives have published a letter supporting the bill, which states “we believe [the bill] effectively addresses the issue of ‘orphaned’ mineral rights on federal land. We appreciate the opportunity to support your efforts, as well as those of your fellow committee members, in advancing this legislation.”⁴⁵

Unlocking the resources below the city will help provide low-cost energy for the nation and generate increased federal revenue, while also bolstering the local economy by creating jobs and contributing significant tax proceeds to local governments, schools, and programs.

Finally, this bill would further the goals outlined in President Trump’s E.O. 14154, titled “Unleashing American Energy,”⁴⁶ and E.O. 14156, titled “Declaring a National Energy Emergency.”⁴⁷

IV. MAJOR PROVISIONS & ANALYSIS

H.R. 1555 (Rep. Bice), “Bureau of Land Management Mineral Spacing Act”

Section 2. Access to Federal Energy Resources from Non-Federal Surface Estate.

- Amends the MLA to remove the requirement for a federal drilling permit in cases where (1) the U.S. owns less than 50 percent of the extracted minerals and (2) the operator

⁴⁵ Letter to Representative Pete Stauber from Mayor Richard Lopez, City of Carlsbad, New Mexico, received March 17, 2026, https://naturalresources.house.gov/uploadedfiles/carlsbad_letter.pdf

⁴⁶ “Unleashing American Energy,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>.

⁴⁷ “Declaring a National Energy Emergency,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>.

submits to the Secretary of the Interior a state permit to conduct exploration and production activities.

- Stipulates that the activities described in this section do not constitute a major federal action for NEPA purposes, shall require no federal action, may commence within 30 days of the submission of a state permit, and shall not be subject to the NHPA or Section 7 of the ESA.
- Clarifies that nothing in the amendment shall remove federal royalty requirements from the operator or the Secretary of the Interior's authority to conduct audits and collect civil penalties pursuant to the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA).
- Preserves the Secretary of the Interior's authority to conduct onsite reviews and inspections.
- Excludes Indian lands from the changes contained within the amendment.

H.R. 5639 (Rep. Kennedy of UT), "Co-Location Energy Act"

Section 2. Co-Location of Renewable Energy Projects

- Allows the Secretary of the Interior, in addition to the authority found in the Outer Continental Shelf Lands Act (OCSLA) and FLPMA, to authorize a person to evaluate an area of an existing federal energy lease for solar or wind energy development.
- Requires the Secretary of the Interior to obtain consent from the applicable leaseholder prior to authorizing the evaluation.
- Gives the Secretary of the Interior authority—in addition to that found in OCSLA and FLPMA—to issue a permit to co-locate wind and solar energy projects on an area of an existing federal energy lease.
- Requires the Secretary of the Interior to obtain consent from the applicable leaseholder prior to issuing the permit.
- Directs the Secretary of the Interior to determine within 180 days whether the permitted activities under this section are eligible for a categorical exclusion under NEPA.
- Directs the Secretary of the Interior to issue a rule to carry out the section.

H.R. 7831 (Rep. Kennedy of UT), To amend the Mineral Leasing Act to extend the period of time during which the Secretary of the Interior is required to collect a fee for each new application for a permit to drill, and for other purposes.

Section 2. BLM Oil and Gas Permit Processing Fee.

- Amends the MLA to reauthorize the existing APD fee for an additional ten years.

H.R. 7872 (Rep. Hageman), To amend the Mineral Leasing Act to provide for the payment of bonus payments of certain coal leases issued under that Act.

Section 1. Bonus Payments for Certain Coal Leases Issued Under the Mineral Leasing Act.

- Allows coal operators to submit coal lease sale bonus bid payments to BLM in annual 10 percent installments over a 10-year period, beginning at the time of a lease sale.

H.R. 7882 (Rep. Stauber), To provide for the leasing of certain deposits of minerals located within the City of Carlsbad, New Mexico.

Section 1. Leasing of Certain Deposits of Minerals Located Within City of Carlsbad, New Mexico.

- Specifically exempts the City of Carlsbad, New Mexico, from the MLA's prohibition relating to the leasing of federal mineral estates located beneath incorporated cities.
- Leasing of the federal estate located beneath the City of Carlsbad is subject to written consent provided by the City of Carlsbad to the Secretary of the Interior.
- Requires the Secretary to abide by other existing leasing laws throughout the leasing process.

V. COST

A formal cost estimate from the Congressional Budget Office is not yet available for the bills.

VI. ADMINISTRATION POSITION

The Trump administration's position on any of the bills is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

H.R. 1555

H.R. 7872

H.R. 7831