

Union Calendar No. 63

119TH CONGRESS
1ST SESSION

H. R. 677

[Report No. 119–88]

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

MAY 5, 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.*

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