

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

To appoint a Geothermal Ombudsman and establish a Geothermal Permitting Task Force from within the Bureau of Land Management, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO (for herself and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To appoint a Geothermal Ombudsman and establish a Geothermal Permitting Task Force from within the Bureau of Land Management, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Geothermal Ombuds-  
5 man for National Deployment and Optimal Reviews Act”.

6 **SEC. 2. GEOTHERMAL OMBUDSMAN AND PERMITTING TASK**  
7 **FORCE.**

8 (a) DEFINITIONS.—In this section:

1           (1) GEOTHERMAL AUTHORIZATION.—The term  
2           “geothermal authorization” means any license, per-  
3           mit, approval, finding, determination, or other ad-  
4           ministrative decision issued by the Bureau of Land  
5           Management and any interagency consultation that  
6           is required or authorized under Federal law in order  
7           to site, construct, reconstruct, or commence oper-  
8           ations of a geothermal energy project administered  
9           by the Bureau of Land Management.

10           (2) GEOTHERMAL ENERGY PROJECT.—The  
11           term “geothermal energy project” means a project  
12           wholly or partially located on public land that uses  
13           geothermal energy to generate heat or electricity.

14           (3) PUBLIC LAND.—The term “public land”  
15           means lands subject to geothermal leasing under  
16           section 3 of the Geothermal Steam Act of 1970 (30  
17           U.S.C. 1002).

18           (4) SECRETARY.—The term “Secretary” means  
19           the Secretary of the Interior.

20           (5) TASK FORCE.—The term “Task Force”  
21           means the Geothermal Permitting Task Force estab-  
22           lished under subsection (c).

23           (b) GEOTHERMAL OMBUDSMAN.—

24           (1) IN GENERAL.—Not later than 60 days after  
25           the date of enactment of this Act, the Secretary

1 shall appoint from within the Bureau of Land Man-  
2 agement a Geothermal Ombudsman.

3 (2) DUTIES.—The Geothermal Ombudsman ap-  
4 pointed under paragraph (1) shall—

5 (A) act as a liaison between—

6 (i) the individual field, district, and  
7 State offices of the Bureau of Land Man-  
8 agement;

9 (ii) the Division Chief of the National  
10 Renewable Energy Coordination Office of  
11 the Bureau of Land Management; and

12 (iii) the Director of the Bureau of  
13 Land Management;

14 (B) provide dispute resolution services be-  
15 tween the individual field, district, and State of-  
16 fices of the Bureau of Land Management and  
17 applicants for geothermal authorizations;

18 (C) monitor and facilitate permit proc-  
19 essing practices and timelines across individual  
20 field offices of the Bureau of Land Manage-  
21 ment;

22 (D) develop best practices for the permit-  
23 ting and leasing process for geothermal re-  
24 sources; and

1 (E) coordinate with the Federal Permitting  
2 Improvement Steering Council.

3 (c) GEOTHERMAL PERMITTING TASK FORCE.—

4 (1) ESTABLISHMENT.—Not later than 60 days  
5 after the date of enactment of this Act, the Sec-  
6 retary shall establish within the Bureau of Land  
7 Management a Geothermal Permitting Task Force.

8 (2) LEADERSHIP.—The Task Force shall be  
9 headed by the Geothermal Ombudsman appointed  
10 under subsection (b).

11 (3) PERMITTING SUPPORT.—The Task Force  
12 shall support the duties of the Geothermal Ombuds-  
13 man appointed under subsection (b).

14 (4) CROSS-OFFICE PERSONNEL ASSIGN-  
15 MENTS.—

16 (A) IN GENERAL.—In their capacity as  
17 head of the Task Force, the Geothermal Om-  
18 budsman may coordinate with any Depart-  
19 mental bureau or office to assign personnel with  
20 relevant expertise to assist with completion of  
21 geothermal authorizations in field, district, or  
22 State offices other than the official duty station  
23 where such personnel are located if—

24 (i) the Departmental bureau or office  
25 determines that such assignment will not

1 materially delay ongoing completion of au-  
2 thorizations within the office where the  
3 employee is located; and

4 (ii) approval is received from the head  
5 of the official duty station where the as-  
6 signed employee is located.

7 (B) ASSIGNED PERSONNEL REQUIRE-  
8 MENTS.—Department personnel assigned to as-  
9 sist with completion of geothermal authoriza-  
10 tions under subparagraph (A) shall—

11 (i) work in-person full-time at an offi-  
12 cial Department office;

13 (ii) if necessary as determined by the  
14 Geothermal Ombudsman, travel to the Bu-  
15 reau of Land Management field, district,  
16 or State office with jurisdiction over the  
17 geothermal authorization to which the em-  
18 ployee has been assigned by the Geo-  
19 thermal Ombudsman;

20 (iii) participate as part of the team of  
21 personnel working on geothermal author-  
22 izations to which the employee has been  
23 assigned by the Geothermal Ombudsman;  
24 and

1 (iv) regularly report to the head of the  
2 field, district, or State office of the Bureau  
3 of Land Management with jurisdiction over  
4 geothermal authorizations to which the em-  
5 ployee has been assigned by the Geo-  
6 thermal Ombudsman.

7 (C) RETENTION ALLOWANCES.—

8 (i) IN GENERAL.—Subject to the  
9 availability of appropriations, the Geo-  
10 thermal Ombudsman may pay a retention  
11 allowance to an employee assigned to assist  
12 with the completion of geothermal author-  
13 izations under subparagraph (A). Reten-  
14 tion allowances—

15 (I) shall be stated as the percent-  
16 age of the rate of basic pay of an em-  
17 ployee, and may not exceed 25 percent  
18 of such rate of basic pay;

19 (II) may not be considered to be  
20 part of the basic pay of an employee,  
21 and the reduction or elimination of a  
22 retention allowance may not be ap-  
23 pealed; and

1 (III) shall be paid at the same  
2 time and in the same manner as the  
3 employee's basic pay is paid.

4 (ii) CONSIDERATIONS.—In exercising  
5 the retention allowance authority described  
6 in clause (i), the Geothermal Ombudsman  
7 shall consider—

8 (I) an employee's specialized ex-  
9 pertise related to geothermal author-  
10 izations;

11 (II) the demonstrated need to re-  
12 tain an employee to meet the perform-  
13 ance improvement objectives for geo-  
14 thermal authorization timelines and  
15 develop best practices for completion  
16 of geothermal authorizations; and

17 (III) the difficulty in recruiting  
18 or replacing qualified personnel with  
19 relevant expertise related to geo-  
20 thermal authorizations.

21 (D) SAVINGS CLAUSE.—Cross-office per-  
22 sonnel assignments carried out under this para-  
23 graph shall not alter the underlying jurisdiction  
24 of other offices of the Bureau of Land Manage-  
25 ment over applicable geothermal authorizations.

1           (d) REPORT.—The Geothermal Ombudsman shall  
2 submit to the Committee on Energy and Natural Re-  
3 sources of the Senate and the Committee on Natural Re-  
4 sources of the House of Representatives an annual report  
5 that describes the activities of the Task Force and evalu-  
6 ates the effectiveness of geothermal permit processing dur-  
7 ing the preceding 1-year period.