

106TH CONGRESS
1ST SESSION

H. R. 2823

To amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1999

Mr. CANNON introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy.

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. CONTINUATION OF DEPARTMENT OF ENERGY**
4 **CONTROL AND ADMINISTRATION OF OIL**
5 **SHALE RESERVE NUMBERED 2.**

6 Section 3405 of the Strom Thurmond National De-
7 fense Authorization Act for Fiscal Year 1999 (Public Law

1 105–261; 112 Stat. 2267; 10 U.S.C. 7420 note) is amend-
2 ed to read as follows:

3 **“SEC. 3405. RETENTION AND ADMINISTRATION OF OIL**
4 **SHALE RESERVE NUMBERED 2.**

5 “(a) RETENTION AND ADMINISTRATION.—The Sec-
6 retary of Energy shall administer Oil Shale Reserve Num-
7 bered 2 in accordance with this section and chapter 641
8 of title 10, United States Code.

9 “(b) COOPERATIVE MANAGEMENT AND RESOURCE
10 ASSESSMENT.—

11 “(1) COOPERATIVE AGREEMENT REQUIRED.—
12 Within 180 days after the date of the enactment of
13 this Act, the Secretary of Energy shall enter into a
14 cooperative management and resources assessment
15 agreement with the Ute Indian Tribe of the Uintah
16 and Ouray Reservation for the management, admin-
17 istration, and development of Oil Shale Reserve
18 Numbered 2.

19 “(2) ELEMENTS.—The cooperative agreement
20 shall recognize and implement the concurrent juris-
21 dictional and governmental authority of the Ute In-
22 dian Tribe over the lands comprising Oil Shale Re-
23 serve Numbered 2 and provide a framework for the
24 Ute Indian Tribe and the Department of Energy to
25 jointly identify and assess the mineral, natural, cul-

1 tural, wildlife and religious resources located within
2 Oil Shale Reserve Numbered 2.

3 “(c) OIL AND GAS LEASE.—Within 180 days after
4 the date of the enactment of this Act, the Secretary of
5 Energy shall enter into an oil and gas lease with the Ute
6 Indian Tribe to explore, prospect, conserve, develop, use,
7 operate, market, and sell the petroleum (as defined in sec-
8 tion 7420 of title 10, United States Code) of Oil Shale
9 Reserve Numbered 2. The negotiated lease shall contain
10 standard terms and conditions, but the royalty rate of re-
11 turn to the United States shall be commensurate with the
12 rate of return realized by the United States under oil and
13 gas leases issued and administered by the Bureau of Land
14 Management.

15 “(d) OTHER COMMODITIES.—The Secretary of En-
16 ergy may enter into contracts, leases, or other agreements
17 with the Ute Indian Tribe for activities described in sub-
18 section (c) with respect to minerals other than petroleum,
19 and other commodities such as, but not limited to, build-
20 ing stone, on lands within Oil Shale Reserve Numbered
21 2.

22 “(e) FUNDING.—From amounts appropriated pursu-
23 ant to the authorization for appropriations in section
24 3402(a), \$2,000,000 shall be available for use by the Sec-

1 retary of Energy in carrying out the activities required
2 by this section.

3 “(f) WAIVER OF REQUIREMENTS REGARDING CON-
4 SULTATION AND APPROVAL.—Section 7431 of title 10,
5 United States Code, shall not apply to cooperative man-
6 agement, resource assessment, or administration under
7 this section.”.

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