

111TH CONGRESS  
2D SESSION

# H. R. 5102

To direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore lands that are subject to a lease for production of oil or natural gas under which production is not occurring, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2010

Mr. MARKEY of Massachusetts (for himself, Mr. FRANK of Massachusetts, Mrs. CAPPS, Mr. GRIJALVA, Mr. HINCHEY, Mr. HODES, Mr. YARMUTH, Mr. WELCH, and Ms. SUTTON) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore lands that are subject to a lease for production of oil or natural gas under which production is not occurring, 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 “United States Explo-  
5       ration on Idle Tracts Act” or the “USE IT Act”.

1 **SEC. 2. PRODUCTION INCENTIVE FEE.**

2 (a) ESTABLISHMENT.—The Secretary of the Interior  
3 shall, within 180 days after the date of enactment of this  
4 Act, issue regulations to establish an annual production  
5 incentive fee with respect to Federal onshore and offshore  
6 lands that are subject to a lease for production of oil or  
7 natural gas under which production is not occurring. Such  
8 fee shall apply with respect to lands that are subject to  
9 such a lease that is in effect on the date final regulations  
10 are promulgated under this subsection or that is issued  
11 thereafter.

12 (b) AMOUNT.—The amount of the fee shall be, for  
13 each acre of land from which oil or natural gas is produced  
14 for less than 90 days in a calendar year—

15 (1) for each of the first 3 years of the lease, \$4  
16 per acre in 2010 dollars;

17 (2) for the fourth year of the lease, \$6 per acre  
18 in 2010 dollars; and

19 (3) for the fifth year of the lease and each year  
20 thereafter for which the lease is otherwise in effect,  
21 \$8 per acre in 2010 dollars.

22 (c) ASSESSMENT AND COLLECTION.—The Secretary  
23 shall assess and collect the fee established under this sec-  
24 tion.

1       (d) DEPOSIT.—Amounts received by the United  
2 States as the fee under this section shall be deposited in  
3 the general fund of the Treasury.

4       (e) REGULATIONS.—The Secretary of the Interior  
5 may issue regulations to prevent evasion of the fee under  
6 this section.

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