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2D SESSION

H. R. 4899

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2014

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lowering Gasoline
3 Prices to Fuel an America That Works Act of 2014”.

4 **SEC. 2. TABLE OF CONTENTS.**

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1 **TITLE I—OFFSHORE ENERGY**
2 **AND JOBS**

3 **Subtitle A—Outer Continental**
4 **Shelf Leasing Program Reforms**

5 **SEC. 10101. OUTER CONTINENTAL SHELF LEASING PRO-**
6 **GRAM REFORMS.**

7 Section 18(a) of the Outer Continental Shelf Lands
8 Act (43 U.S.C. 1344(a)) is amended by adding at the end
9 the following:

10 “(5)(A) In each oil and gas leasing program
11 under this section, the Secretary shall make avail-
12 able for leasing and conduct lease sales including at
13 least 50 percent of the available unleased acreage
14 within each outer Continental Shelf planning area
15 considered to have the largest undiscovered, tech-
16 nically recoverable oil and gas resources (on a total
17 btu basis) based upon the most recent national geo-
18 logic assessment of the outer Continental Shelf, with
19 an emphasis on offering the most geologically pro-
20 spective parts of the planning area.

21 “(B) The Secretary shall include in each pro-
22 posed oil and gas leasing program under this section
23 any State subdivision of an outer Continental Shelf
24 planning area that the Governor of the State that
25 represents that subdivision requests be made avail-

1 able for leasing. The Secretary may not remove such
2 a subdivision from the program until publication of
3 the final program, and shall include and consider all
4 such subdivisions in any environmental review con-
5 ducted and statement prepared for such program
6 under section 102(2) of the National Environmental
7 Policy Act of 1969 (42 U.S.C. 4332(2)).

8 “(C) In this paragraph the term ‘available un-
9 leased acreage’ means that portion of the outer Con-
10 tinental Shelf that is not under lease at the time of
11 a proposed lease sale, and that has not otherwise
12 been made unavailable for leasing by law.

13 “(6)(A) In the 5-year oil and gas leasing pro-
14 gram, the Secretary shall make available for leasing
15 any outer Continental Shelf planning areas that—

16 “(i) are estimated to contain more than
17 2,500,000,000 barrels of oil; or

18 “(ii) are estimated to contain more than
19 7,500,000,000,000 cubic feet of natural gas.

20 “(B) To determine the planning areas described
21 in subparagraph (A), the Secretary shall use the
22 document entitled ‘Minerals Management Service
23 Assessment of Undiscovered Technically Recoverable
24 Oil and Gas Resources of the Nation’s Outer Conti-
25 nental Shelf, 2006’.”.

1 **SEC. 10102. DOMESTIC OIL AND NATURAL GAS PRODUC-**
2 **TION GOAL.**

3 Section 18(b) of the Outer Continental Shelf Lands
4 Act (43 U.S.C. 1344(b)) is amended to read as follows:

5 “(b) DOMESTIC OIL AND NATURAL GAS PRODUC-
6 TION GOAL.—

7 “(1) IN GENERAL.—In developing a 5-year oil
8 and gas leasing program, and subject to paragraph
9 (2), the Secretary shall determine a domestic stra-
10 tegic production goal for the development of oil and
11 natural gas as a result of that program. Such goal
12 shall be—

13 “(A) the best estimate of the possible in-
14 crease in domestic production of oil and natural
15 gas from the outer Continental Shelf;

16 “(B) focused on meeting domestic demand
17 for oil and natural gas and reducing the de-
18 pendence of the United States on foreign en-
19 ergy; and

20 “(C) focused on the production increases
21 achieved by the leasing program at the end of
22 the 15-year period beginning on the effective
23 date of the program.

24 “(2) PROGRAM GOAL.—For purposes of the 5-
25 year oil and gas leasing program, the production

1 goal referred to in paragraph (1) shall be an in-
2 crease by 2032 of—

3 “(A) no less than 3,000,000 barrels in the
4 amount of oil produced per day; and

5 “(B) no less than 10,000,000,000 cubic
6 feet in the amount of natural gas produced per
7 day.

8 “(3) REPORTING.—The Secretary shall report
9 annually, beginning at the end of the 5-year period
10 for which the program applies, to the Committee on
11 Natural Resources of the House of Representatives
12 and the Committee on Energy and Natural Re-
13 sources of the Senate on the progress of the pro-
14 gram in meeting the production goal. The Secretary
15 shall identify in the report projections for production
16 and any problems with leasing, permitting, or pro-
17 duction that will prevent meeting the goal.”.

18 **SEC. 10103. DEVELOPMENT AND SUBMITTAL OF NEW 5-**
19 **YEAR OIL AND GAS LEASING PROGRAM.**

20 (a) IN GENERAL.—The Secretary of the Interior
21 shall—

22 (1) by not later than July 15, 2015, publish
23 and submit to Congress a new proposed oil and gas
24 leasing program under section 18 of the Outer Con-
25 tinental Shelf Lands Act (43 U.S.C. 1344) for the

1 5-year period beginning on such date and ending
2 July 15, 2021; and

3 (2) by not later than July 15, 2016, approve a
4 final oil and gas leasing program under such section
5 for such period.

6 (b) CONSIDERATION OF ALL AREAS.—In preparing
7 such program the Secretary shall include consideration of
8 areas of the Continental Shelf off the coasts of all States
9 (as such term is defined in section 2 of that Act, as
10 amended by this title), that are subject to leasing under
11 this title.

12 (c) TECHNICAL CORRECTION.—Section 18(d)(3) of
13 the Outer Continental Shelf Lands Act (43 U.S.C.
14 1344(d)(3)) is amended by striking “or after eighteen
15 months following the date of enactment of this section,
16 whichever first occurs,”.

17 **SEC. 10104. RULE OF CONSTRUCTION.**

18 Nothing in this title shall be construed to authorize
19 the issuance of a lease under the Outer Continental Shelf
20 Lands Act (43 U.S.C. 1331 et seq.) to any person des-
21 ignated for the imposition of sanctions pursuant to—

22 (1) the Iran Sanctions Act of 1996 (50 U.S.C.
23 1701 note), the Comprehensive Iran Sanctions, Ac-
24 countability and Divestiture Act of 2010 (22 U.S.C.
25 8501 et seq.), the Iran Threat Reduction and Syria

1 Human Rights Act of 2012 (22 U.S.C. 8701 et
 2 seq.), section 1245 of the National Defense Author-
 3 ization Act for Fiscal Year 2012 (22 U.S.C. 8513a),
 4 or the Iran Freedom and Counter-Proliferation Act
 5 of 2012 (22 U.S.C. 8801 et seq.);

6 (2) Executive Order No. 13622 (July 30,
 7 2012), Executive Order No. 13628 (October 9,
 8 2012), or Executive Order No. 13645 (June 3,
 9 2013);

10 (3) Executive Order No. 13224 (September 23,
 11 2001) or Executive Order No. 13338 (May 11,
 12 2004); or

13 (4) the Syria Accountability and Lebanese Sov-
 14 ereignty Restoration Act of 2003 (22 U.S.C. 2151
 15 note).

16 **SEC. 10105. ADDITION OF LEASE SALES AFTER FINALIZA-**
 17 **TION OF 5-YEAR PLAN.**

18 Section 18(d) of the Outer Continental Shelf Lands
 19 Act (43 U.S.C.1344(d)) is amended—

20 (1) in paragraph (3), by striking “After” and
 21 inserting “Except as provided in paragraph (4),
 22 after”; and

23 (2) by adding at the end the following:

24 “(4) The Secretary may add to the areas included
 25 in an approved leasing program additional areas to be

1 made available for leasing under the program, if all review
2 and documents required under section 102 of the National
3 Environmental Policy Act of 1969 (42 U.S.C. 4332) have
4 been completed with respect to leasing of each such addi-
5 tional area within the 5-year period preceding such addi-
6 tion.”.

7 **Subtitle B—Directing the President** 8 **To Conduct New OCS Sales**

9 **SEC. 10201. REQUIREMENT TO CONDUCT PROPOSED OIL** 10 **AND GAS LEASE SALE 220 ON THE OUTER** 11 **CONTINENTAL SHELF OFFSHORE VIRGINIA.**

12 (a) IN GENERAL.—Notwithstanding the exclusion of
13 Lease Sale 220 in the Final Outer Continental Shelf Oil
14 & Gas Leasing Program 2012–2017, the Secretary of the
15 Interior shall conduct offshore oil and gas Lease Sale 220
16 under section 8 of the Outer Continental Shelf Lands Act
17 (43 U.S.C. 1337) as soon as practicable, but not later
18 than one year after the date of enactment of this Act.

19 (b) REQUIREMENT TO MAKE REPLACEMENT LEASE
20 BLOCKS AVAILABLE.—For each lease block in a proposed
21 lease sale under this section for which the Secretary of
22 Defense, in consultation with the Secretary of the Interior,
23 under the Memorandum of Agreement referred to in sec-
24 tion 10205(b), issues a statement proposing deferral from
25 a lease offering due to defense-related activities that are

1 irreconcilable with mineral exploration and development,
2 the Secretary of the Interior, in consultation with the Sec-
3 retary of Defense, shall make available in the same lease
4 sale one other lease block in the Virginia lease sale plan-
5 ning area that is acceptable for oil and gas exploration
6 and production in order to mitigate conflict.

7 (c) BALANCING MILITARY AND ENERGY PRODUC-
8 TION GOALS.—In recognition that the Outer Continental
9 Shelf oil and gas leasing program and the domestic energy
10 resources produced therefrom are integral to national se-
11 curity, the Secretary of the Interior and the Secretary of
12 Defense shall work jointly in implementing this section in
13 order to ensure achievement of the following common
14 goals:

15 (1) Preserving the ability of the Armed Forces
16 of the United States to maintain an optimum state
17 of readiness through their continued use of the
18 Outer Continental Shelf.

19 (2) Allowing effective exploration, development,
20 and production of our Nation’s oil, gas, and renew-
21 able energy resources.

22 (d) DEFINITIONS.—In this section:

23 (1) LEASE SALE 220.—The term “Lease Sale
24 220” means such lease sale referred to in the Re-
25 quest for Comments on the Draft Proposed 5-Year

1 Outer Continental Shelf (OCS) Oil and Gas Leasing
2 Program for 2010–2015 and Notice of Intent To
3 Prepare an Environmental Impact Statement (EIS)
4 for the Proposed 5-Year Program published January
5 21, 2009 (74 Fed. Reg. 3631).

6 (2) VIRGINIA LEASE SALE PLANNING AREA.—
7 The term “Virginia lease sale planning area” means
8 the area of the outer Continental Shelf (as that term
9 is defined in the Outer Continental Shelf Lands Act
10 (33 U.S.C. 1331 et seq.)) that is bounded by—

11 (A) a northern boundary consisting of a
12 straight line extending from the northernmost
13 point of Virginia’s seaward boundary to the
14 point on the seaward boundary of the United
15 States exclusive economic zone located at 37 de-
16 grees 17 minutes 1 second North latitude, 71
17 degrees 5 minutes 16 seconds West longitude;
18 and

19 (B) a southern boundary consisting of a
20 straight line extending from the southernmost
21 point of Virginia’s seaward boundary to the
22 point on the seaward boundary of the United
23 States exclusive economic zone located at 36 de-
24 grees 31 minutes 58 seconds North latitude, 71
25 degrees 30 minutes 1 second West longitude.

1 **SEC. 10202. SOUTH CAROLINA LEASE SALE.**

2 Notwithstanding exclusion of the South Atlantic
3 Outer Continental Shelf Planning Area from the Final
4 Outer Continental Shelf Oil & Gas Leasing Program
5 2012–2017, the Secretary of the Interior shall conduct a
6 lease sale not later than 2 years after the date of the en-
7 actment of this Act for areas off the coast of South Caro-
8 lina determined by the Secretary to have the most geologi-
9 cally promising hydrocarbon resources and constituting
10 not less than 25 percent of the leasable area within the
11 South Carolina offshore administrative boundaries de-
12 picted in the notice entitled “Federal Outer Continental
13 Shelf (OCS) Administrative Boundaries Extending from
14 the Submerged Lands Act Boundary seaward to the Limit
15 of the United States Outer Continental Shelf”, published
16 January 3, 2006 (71 Fed. Reg. 127).

17 **SEC. 10203. SOUTHERN CALIFORNIA EXISTING INFRA-**
18 **STRUCTURE LEASE SALE.**

19 (a) IN GENERAL.—The Secretary of the Interior shall
20 offer for sale leases of tracts in the Santa Maria and
21 Santa Barbara/Ventura Basins of the Southern California
22 OCS Planning Area as soon as practicable, but not later
23 than December 31, 2015.

24 (b) USE OF EXISTING STRUCTURES OR ONSHORE-
25 BASED DRILLING.—The Secretary of the Interior shall in-
26 clude in leases offered for sale under this lease sale such

1 terms and conditions as are necessary to require that de-
 2 velopment and production may occur only from offshore
 3 infrastructure in existence on the date of the enactment
 4 of this Act or from onshore-based, extended-reach drilling.

5 **SEC. 10204. ENVIRONMENTAL IMPACT STATEMENT RE-**
 6 **QUIREMENT.**

7 (a) IN GENERAL.—For the purposes of this title, the
 8 Secretary of the Interior shall prepare a multisale environ-
 9 mental impact statement under section 102 of the Na-
 10 tional Environmental Policy Act of 1969 (42 U.S.C. 4332)
 11 for all lease sales required under this subtitle.

12 (b) ACTIONS TO BE CONSIDERED.—Notwithstanding
 13 section 102 of the National Environmental Policy Act of
 14 1969 (42 U.S.C. 4332), in such statement—

15 (1) the Secretary is not required to identify
 16 nonleasing alternative courses of action or to analyze
 17 the environmental effects of such alternative courses
 18 of action; and

19 (2) the Secretary shall only—

20 (A) identify a preferred action for leasing
 21 and not more than one alternative leasing pro-
 22 posal; and

23 (B) analyze the environmental effects and
 24 potential mitigation measures for such pre-

1 ferred action and such alternative leasing pro-
2 posal.

3 **SEC. 10205. NATIONAL DEFENSE.**

4 (a) NATIONAL DEFENSE AREAS.—This title does not
5 affect the existing authority of the Secretary of Defense,
6 with the approval of the President, to designate national
7 defense areas on the Outer Continental Shelf pursuant to
8 section 12(d) of the Outer Continental Shelf Lands Act
9 (43 U.S.C. 1341(d)).

10 (b) PROHIBITION ON CONFLICTS WITH MILITARY
11 OPERATIONS.—No person may engage in any exploration,
12 development, or production of oil or natural gas on the
13 Outer Continental Shelf under a lease issued under this
14 title that would conflict with any military operation, as
15 determined in accordance with the Memorandum of Agree-
16 ment between the Department of Defense and the Depart-
17 ment of the Interior on Mutual Concerns on the Outer
18 Continental Shelf signed July 20, 1983, and any revision
19 or replacement for that agreement that is agreed to by
20 the Secretary of Defense and the Secretary of the Interior
21 after that date but before the date of issuance of the lease
22 under which such exploration, development, or production
23 is conducted.

1 **SEC. 10206. EASTERN GULF OF MEXICO NOT INCLUDED.**

2 Nothing in this title affects restrictions on oil and gas
3 leasing under the Gulf of Mexico Energy Security Act of
4 2006 (title I of division C of Public Law 109–432; 43
5 U.S.C. 1331 note).

6 **Subtitle C—Equitable Sharing of**
7 **Outer Continental Shelf Revenues**

8 **SEC. 10301. DISPOSITION OF OUTER CONTINENTAL SHELF**
9 **REVENUES TO COASTAL STATES.**

10 (a) IN GENERAL.—Section 9 of the Outer Conti-
11 nental Shelf Lands Act (43 U.S.C. 1338) is amended—

12 (1) in the existing text—

13 (A) in the first sentence, by striking “All
14 rentals,” and inserting the following:

15 “(c) DISPOSITION OF REVENUE UNDER OLD
16 LEASES.—All rentals,”; and

17 (B) in subsection (c) (as designated by the
18 amendment made by subparagraph (A) of this
19 paragraph), by striking “for the period from
20 June 5, 1950, to date, and thereafter” and in-
21 serting “in the period beginning June 5, 1950,
22 and ending on the date of enactment of the
23 Lowering Gasoline Prices to Fuel an America
24 That Works Act of 2014”;

25 (2) by adding after subsection (c) (as so des-
26 ignated) the following:

1 “(d) DEFINITIONS.—In this section:

2 “(1) COASTAL STATE.—The term ‘coastal
3 State’ includes a territory of the United States.

4 “(2) NEW LEASING REVENUES.—The term ‘new
5 leasing revenues’—

6 “(A) means amounts received by the
7 United States as bonuses, rents, and royalties
8 under leases for oil and gas, wind, tidal, or
9 other energy exploration, development, and pro-
10 duction on new areas of the outer Continental
11 Shelf that are authorized to be made available
12 for leasing as a result of enactment of the Low-
13 ering Gasoline Prices to Fuel an America That
14 Works Act of 2014 and leasing under that Act;
15 and

16 “(B) does not include amounts received by
17 the United States under any lease of an area lo-
18 cated in the boundaries of the Central Gulf of
19 Mexico and Western Gulf of Mexico Outer Con-
20 tinental Shelf Planning Areas on the date of en-
21 actment of the Lowering Gasoline Prices to
22 Fuel an America That Works Act of 2014, in-
23 cluding a lease issued before, on, or after such
24 date of enactment.”; and

1 (3) by inserting before subsection (c) (as so
2 designated) the following:

3 “(a) PAYMENT OF NEW LEASING REVENUES TO
4 COASTAL STATES.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), of the amount of new leasing revenues re-
7 ceived by the United States each fiscal year, 37.5
8 percent shall be allocated and paid in accordance
9 with subsection (b) to coastal States that are af-
10 fected States with respect to the leases under which
11 those revenues are received by the United States.

12 “(2) PHASE-IN.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), paragraph (1) shall be ap-
15 plied—

16 “(i) with respect to new leasing reve-
17 nues under leases awarded under the first
18 leasing program under section 18(a) that
19 takes effect after the date of enactment of
20 the Lowering Gasoline Prices to Fuel an
21 America That Works Act of 2014, by sub-
22 stituting ‘12.5 percent’ for ‘37.5 percent’;
23 and

24 “(ii) with respect to new leasing reve-
25 nues under leases awarded under the sec-

1 ond leasing program under section 18(a)
2 that takes effect after the date of enact-
3 ment of the Lowering Gasoline Prices to
4 Fuel an America That Works Act of 2014,
5 by substituting ‘25 percent’ for ‘37.5 per-
6 cent’.

7 “(B) EXEMPTED LEASE SALES.—This
8 paragraph shall not apply with respect to any
9 lease issued under subtitle B of the Lowering
10 Gasoline Prices to Fuel an America That
11 Works Act of 2014.

12 “(b) ALLOCATION OF PAYMENTS.—

13 “(1) IN GENERAL.—The amount of new leasing
14 revenues received by the United States with respect
15 to a leased tract that are required to be paid to
16 coastal States in accordance with this subsection
17 each fiscal year shall be allocated among and paid
18 to coastal States that are within 200 miles of the
19 leased tract, in amounts that are inversely propor-
20 tional to the respective distances between the point
21 on the coastline of each such State that is closest to
22 the geographic center of the lease tract, as deter-
23 mined by the Secretary.

24 “(2) MINIMUM AND MAXIMUM ALLOCATION.—

25 The amount allocated to a coastal State under para-

1 graph (1) each fiscal year with respect to a leased
2 tract shall be—

3 “(A) in the case of a coastal State that is
4 the nearest State to the geographic center of
5 the leased tract, not less than 25 percent of the
6 total amounts allocated with respect to the
7 leased tract;

8 “(B) in the case of any other coastal State,
9 not less than 10 percent, and not more than 15
10 percent, of the total amounts allocated with re-
11 spect to the leased tract; and

12 “(C) in the case of a coastal State that is
13 the only coastal State within 200 miles of a
14 leased tract, 100 percent of the total amounts
15 allocated with respect to the leased tract.

16 “(3) ADMINISTRATION.—Amounts allocated to
17 a coastal State under this subsection—

18 “(A) shall be available to the coastal State
19 without further appropriation;

20 “(B) shall remain available until expended;

21 “(C) shall be in addition to any other
22 amounts available to the coastal State under
23 this Act; and

24 “(D) shall be distributed in the fiscal year
25 following receipt.

1 “(4) USE OF FUNDS.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (B), a coastal State may use
4 funds allocated and paid to it under this sub-
5 section for any purpose as determined by the
6 laws of that State.

7 “(B) RESTRICTION ON USE FOR MATCH-
8 ING.—Funds allocated and paid to a coastal
9 State under this subsection may not be used as
10 matching funds for any other Federal pro-
11 gram.”.

12 (b) LIMITATION ON APPLICATION.—This section and
13 the amendment made by this section shall not affect the
14 application of section 105 of the Gulf of Mexico Energy
15 Security Act of 2006 (title I of division C of Public Law
16 109–432; (43 U.S.C. 1331 note)), as in effect before the
17 enactment of this Act, with respect to revenues received
18 by the United States under oil and gas leases issued for
19 tracts located in the Western and Central Gulf of Mexico
20 Outer Continental Shelf Planning Areas, including such
21 leases issued on or after the date of the enactment of this
22 Act.

1 **Subtitle D—Reorganization of Min-**
2 **erals Management Agencies of**
3 **the Department of the Interior**

4 **SEC. 10401. ESTABLISHMENT OF UNDER SECRETARY FOR**
5 **ENERGY, LANDS, AND MINERALS AND ASSIST-**
6 **ANT SECRETARY OF OCEAN ENERGY AND**
7 **SAFETY.**

8 There shall be in the Department of the Interior—

9 (1) an Under Secretary for Energy, Lands, and
10 Minerals, who shall—

11 (A) be appointed by the President, by and
12 with the advise and consent of the Senate;

13 (B) report to the Secretary of the Interior
14 or, if directed by the Secretary, to the Deputy
15 Secretary of the Interior;

16 (C) be paid at the rate payable for level III
17 of the Executive Schedule; and

18 (D) be responsible for—

19 (i) the safe and responsible develop-
20 ment of our energy and mineral resources
21 on Federal lands in appropriate accordance
22 with United States energy demands; and

23 (ii) ensuring multiple-use missions of
24 the Department of the Interior that pro-
25 mote the safe and sustained development

1 of energy and minerals resources on public
2 lands (as that term is defined in the Fed-
3 eral Land Policy and Management Act of
4 1976 (43 U.S.C. 1701 et seq.));

5 (2) an Assistant Secretary of Ocean Energy
6 and Safety, who shall—

7 (A) be appointed by the President, by and
8 with the advise and consent of the Senate;

9 (B) report to the Under Secretary for En-
10 ergy, Lands, and Minerals;

11 (C) be paid at the rate payable for level IV
12 of the Executive Schedule; and

13 (D) be responsible for ensuring safe and
14 efficient development of energy and minerals on
15 the Outer Continental Shelf of the United
16 States; and

17 (3) an Assistant Secretary of Land and Min-
18 erals Management, who shall—

19 (A) be appointed by the President, by and
20 with the advise and consent of the Senate;

21 (B) report to the Under Secretary for En-
22 ergy, Lands, and Minerals;

23 (C) be paid at the rate payable for level IV
24 of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on public lands and other Federal onshore lands under the jurisdiction of the Department of the Interior, including implementation of the Mineral Leasing Act (30 U.S.C. 181 et seq.) and the Surface Mining Control and Reclamation Act (30 U.S.C. 1201 et seq.) and administration of the Office of Surface Mining.

SEC. 10402. BUREAU OF OCEAN ENERGY.

(a) ESTABLISHMENT.—There is established in the Department of the Interior a Bureau of Ocean Energy (referred to in this section as the “Bureau”), which shall—

(1) be headed by a Director of Ocean Energy (referred to in this section as the “Director”); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

1 (1) IN GENERAL.—The Secretary of the Inte-
2 rior shall carry out through the Bureau all func-
3 tions, powers, and duties vested in the Secretary re-
4 lating to the administration of a comprehensive pro-
5 gram of offshore mineral and renewable energy re-
6 sources management.

7 (2) SPECIFIC AUTHORITIES.—The Director
8 shall promulgate and implement regulations—

9 (A) for the proper issuance of leases for
10 the exploration, development, and production of
11 nonrenewable and renewable energy and min-
12 eral resources on the Outer Continental Shelf;

13 (B) relating to resource identification, ac-
14 cess, evaluation, and utilization;

15 (C) for development of leasing plans, lease
16 sales, and issuance of leases for such resources;
17 and

18 (D) regarding issuance of environmental
19 impact statements related to leasing and post
20 leasing activities including exploration, develop-
21 ment, and production, and the use of third
22 party contracting for necessary environmental
23 analysis for the development of such resources.

1 (3) LIMITATION.—The Secretary shall not carry
2 out through the Bureau any function, power, or duty
3 that is—

4 (A) required by section 10403 to be car-
5 ried out through the Ocean Energy Safety Serv-
6 ice; or

7 (B) required by section 10404 to be car-
8 ried out through the Office of Natural Re-
9 sources Revenue.

10 (d) RESPONSIBILITIES OF LAND MANAGEMENT
11 AGENCIES.—Nothing in this section shall affect the au-
12 thorities of the Bureau of Land Management under the
13 Federal Land Policy and Management Act of 1976 (43
14 U.S.C. 1701 et seq.) or of the Forest Service under the
15 National Forest Management Act of 1976 (Public Law
16 94–588).

17 **SEC. 10403. OCEAN ENERGY SAFETY SERVICE.**

18 (a) ESTABLISHMENT.—There is established in the
19 Department of the Interior an Ocean Energy Safety Serv-
20 ice (referred to in this section as the “Service”), which
21 shall—

22 (1) be headed by a Director of Energy Safety
23 (referred to in this section as the “Director”); and

24 (2) be administered under the direction of the
25 Assistant Secretary of Ocean Energy and Safety.

1 (b) DIRECTOR.—

2 (1) APPOINTMENT.—The Director shall be ap-
3 pointed by the Secretary of the Interior.

4 (2) COMPENSATION.—The Director shall be
5 compensated at the rate provided for level V of the
6 Executive Schedule under section 5316 of title 5,
7 United States Code.

8 (c) DUTIES.—

9 (1) IN GENERAL.—The Secretary of the Inte-
10 rior shall carry out through the Service all functions,
11 powers, and duties vested in the Secretary relating
12 to the administration of safety and environmental
13 enforcement activities related to offshore mineral
14 and renewable energy resources on the Outer Conti-
15 nental Shelf pursuant to the Outer Continental Shelf
16 Lands Act (43 U.S.C. 1331 et seq.) including the
17 authority to develop, promulgate, and enforce regu-
18 lations to ensure the safe and sound exploration, de-
19 velopment, and production of mineral and renewable
20 energy resources on the Outer Continental Shelf in
21 a timely fashion.

22 (2) SPECIFIC AUTHORITIES.—The Director
23 shall be responsible for all safety activities related to
24 exploration and development of renewable and min-

1 eral resources on the Outer Continental Shelf, in-
2 cluding—

3 (A) exploration, development, production,
4 and ongoing inspections of infrastructure;

5 (B) the suspending or prohibiting, on a
6 temporary basis, any operation or activity, in-
7 cluding production under leases held on the
8 Outer Continental Shelf, in accordance with
9 section 5(a)(1) of the Outer Continental Shelf
10 Lands Act (43 U.S.C. 1334(a)(1));

11 (C) cancelling any lease, permit, or right-
12 of-way on the Outer Continental Shelf, in ac-
13 cordance with section 5(a)(2) of the Outer Con-
14 tinental Shelf Lands Act (43 U.S.C.
15 1334(a)(2));

16 (D) compelling compliance with applicable
17 Federal laws and regulations relating to worker
18 safety and other matters;

19 (E) requiring comprehensive safety and en-
20 vironmental management programs for persons
21 engaged in activities connected with the explo-
22 ration, development, and production of mineral
23 or renewable energy resources;

24 (F) developing and implementing regula-
25 tions for Federal employees to carry out any in-

1 specification or investigation to ascertain compli-
2 ance with applicable regulations, including
3 health, safety, or environmental regulations;

4 (G) implementing the Offshore Technology
5 Research and Risk Assessment Program under
6 section 21 of the Outer Continental Shelf
7 Lands Act (43 U.S.C. 1347);

8 (H) summoning witnesses and directing
9 the production of evidence;

10 (I) levying fines and penalties and disquali-
11 fying operators;

12 (J) carrying out any safety, response, and
13 removal preparedness functions; and

14 (K) the processing of permits, exploration
15 plans, development plans.

16 (d) EMPLOYEES.—

17 (1) IN GENERAL.—The Secretary shall ensure
18 that the inspection force of the Bureau consists of
19 qualified, trained employees who meet qualification
20 requirements and adhere to the highest professional
21 and ethical standards.

22 (2) QUALIFICATIONS.—The qualification re-
23 quirements referred to in paragraph (1)—

24 (A) shall be determined by the Secretary,
25 subject to subparagraph (B); and

1 (B) shall include—

2 (i) 3 years of practical experience in
3 oil and gas exploration, development, or
4 production; or

5 (ii) a degree in an appropriate field of
6 engineering from an accredited institution
7 of higher learning.

8 (3) ASSIGNMENT.—In assigning oil and gas in-
9 spectors to the inspection and investigation of indi-
10 vidual operations, the Secretary shall give due con-
11 sideration to the extent possible to their previous ex-
12 perience in the particular type of oil and gas oper-
13 ation in which such inspections are to be made.

14 (4) BACKGROUND CHECKS.—The Director shall
15 require that an individual to be hired as an inspec-
16 tion officer undergo an employment investigation
17 (including a criminal history record check).

18 (5) LANGUAGE REQUIREMENTS.—Individuals
19 hired as inspectors must be able to read, speak, and
20 write English well enough to—

21 (A) carry out written and oral instructions
22 regarding the proper performance of inspection
23 duties; and

24 (B) write inspection reports and state-
25 ments and log entries in the English language.

1 (6) VETERANS PREFERENCE.—The Director
2 shall provide a preference for the hiring of an indi-
3 vidual as a inspection officer if the individual is a
4 member or former member of the Armed Forces and
5 is entitled, under statute, to retired, retirement, or
6 retainer pay on account of service as a member of
7 the Armed Forces.

8 (7) ANNUAL PROFICIENCY REVIEW.—

9 (A) ANNUAL PROFICIENCY REVIEW.—The
10 Director shall provide that an annual evaluation
11 of each individual assigned inspection duties is
12 conducted and documented.

13 (B) CONTINUATION OF EMPLOYMENT.—An
14 individual employed as an inspector may not
15 continue to be employed in that capacity unless
16 the evaluation demonstrates that the indi-
17 vidual—

18 (i) continues to meet all qualifications
19 and standards;

20 (ii) has a satisfactory record of per-
21 formance and attention to duty based on
22 the standards and requirements in the in-
23 spection program; and

24 (iii) demonstrates the current knowl-
25 edge and skills necessary to courteously,

1 vigilantly, and effectively perform inspec-
2 tion functions.

3 (8) LIMITATION ON RIGHT TO STRIKE.—Any
4 individual that conducts permitting or inspections
5 under this section may not participate in a strike, or
6 assert the right to strike.

7 (9) PERSONNEL AUTHORITY.—Notwithstanding
8 any other provision of law, the Director may employ,
9 appoint, discipline and terminate for cause, and fix
10 the compensation, terms, and conditions of employ-
11 ment of Federal service for individuals as the em-
12 ployees of the Service in order to restore and main-
13 tain the trust of the people of the United States in
14 the accountability of the management of our Na-
15 tion’s energy safety program.

16 (10) TRAINING ACADEMY.—

17 (A) IN GENERAL.—The Secretary shall es-
18 tablish and maintain a National Offshore En-
19 ergy Safety Academy (referred to in this para-
20 graph as the “Academy”) as an agency of the
21 Ocean Energy Safety Service.

22 (B) FUNCTIONS OF ACADEMY.—The Sec-
23 retary, through the Academy, shall be respon-
24 sible for—

1 (i) the initial and continued training
2 of both newly hired and experienced off-
3 shore oil and gas inspectors in all aspects
4 of health, safety, environmental, and oper-
5 ational inspections;

6 (ii) the training of technical support
7 personnel of the Bureau;

8 (iii) any other training programs for
9 offshore oil and gas inspectors, Bureau
10 personnel, Department personnel, or other
11 persons as the Secretary shall designate;
12 and

13 (iv) certification of the successful
14 completion of training programs for newly
15 hired and experienced offshore oil and gas
16 inspectors.

17 (C) COOPERATIVE AGREEMENTS.—

18 (i) IN GENERAL.—In performing func-
19 tions under this paragraph, and subject to
20 clause (ii), the Secretary may enter into
21 cooperative educational and training agree-
22 ments with educational institutions, related
23 Federal academies, other Federal agencies,
24 State governments, safety training firms,

1 and oil and gas operators and related in-
2 dustries.

3 (ii) TRAINING REQUIREMENT.—Such
4 training shall be conducted by the Acad-
5 emy in accordance with curriculum needs
6 and assignment of instructional personnel
7 established by the Secretary.

8 (11) USE OF DEPARTMENT PERSONNEL.—In
9 performing functions under this subsection, the Sec-
10 retary shall use, to the extent practicable, the facili-
11 ties and personnel of the Department of the Interior.
12 The Secretary may appoint or assign to the Acad-
13 emy such officers and employees as the Secretary
14 considers necessary for the performance of the du-
15 ties and functions of the Academy.

16 (12) ADDITIONAL TRAINING PROGRAMS.—

17 (A) IN GENERAL.—The Secretary shall
18 work with appropriate educational institutions,
19 operators, and representatives of oil and gas
20 workers to develop and maintain adequate pro-
21 grams with educational institutions and oil and
22 gas operators that are designed—

23 (i) to enable persons to qualify for po-
24 sitions in the administration of this title;
25 and

1 (ii) to provide for the continuing edu-
2 cation of inspectors or other appropriate
3 Department of the Interior personnel.

4 (B) FINANCIAL AND TECHNICAL ASSIST-
5 ANCE.—The Secretary may provide financial
6 and technical assistance to educational institu-
7 tions in carrying out this paragraph.

8 (e) LIMITATION.—The Secretary shall not carry out
9 through the Service any function, power, or duty that is—
10 (1) required by section 10402 to be carried out
11 through Bureau of Ocean Energy; or

12 (2) required by section 10404 to be carried out
13 through the Office of Natural Resources Revenue.

14 **SEC. 10404. OFFICE OF NATURAL RESOURCES REVENUE.**

15 (a) ESTABLISHMENT.—There is established in the
16 Department of the Interior an Office of Natural Resources
17 Revenue (referred to in this section as the “Office”) to
18 be headed by a Director of Natural Resources Revenue
19 (referred to in this section as the “Director”).

20 (b) APPOINTMENT AND COMPENSATION.—

21 (1) IN GENERAL.—The Director shall be ap-
22 pointed by the Secretary of the Interior.

23 (2) COMPENSATION.—The Director shall be
24 compensated at the rate provided for Level V of the

1 Executive Schedule under section 5316 of title 5,
2 United States Code.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Secretary of the Inte-
5 rior shall carry out, through the Office, all functions,
6 powers, and duties vested in the Secretary and relat-
7 ing to the administration of offshore royalty and rev-
8 enue management functions.

9 (2) SPECIFIC AUTHORITIES.—The Secretary
10 shall carry out, through the Office, all functions,
11 powers, and duties previously assigned to the Min-
12 erals Management Service (including the authority
13 to develop, promulgate, and enforce regulations) re-
14 garding offshore royalty and revenue collection; roy-
15 alty and revenue distribution; auditing and compli-
16 ance; investigation and enforcement of royalty and
17 revenue regulations; and asset management for on-
18 shore and offshore activities.

19 (d) LIMITATION.—The Secretary shall not carry out
20 through the Office any function, power, or duty that is—

21 (1) required by section 10402 to be carried out
22 through Bureau of Ocean Energy; or

23 (2) required by section 10403 to be carried out
24 through the Ocean Energy Safety Service.

1 **SEC. 10405. ETHICS AND DRUG TESTING.**

2 (a) CERTIFICATION.—The Secretary of the Interior
3 shall certify annually that all Department of the Interior
4 officers and employees having regular, direct contact with
5 lessees, contractors, concessionaires, and other businesses
6 interested before the Government as a function of their
7 official duties, or conducting investigations, issuing per-
8 mits, or responsible for oversight of energy programs, are
9 in full compliance with all Federal employee ethics laws
10 and regulations under the Ethics in Government Act of
11 1978 (5 U.S.C. App.) and part 2635 of title 5, Code of
12 Federal Regulations, and all guidance issued under sub-
13 section (c).

14 (b) DRUG TESTING.—The Secretary shall conduct a
15 random drug testing program of all Department of the
16 Interior personnel referred to in subsection (a).

17 (c) GUIDANCE.—Not later than 90 days after the
18 date of enactment of this Act, the Secretary shall issue
19 supplementary ethics and drug testing guidance for the
20 employees for which certification is required under sub-
21 section (a). The Secretary shall update the supplementary
22 ethics guidance not less than once every 3 years there-
23 after.

1 **SEC. 10406. ABOLISHMENT OF MINERALS MANAGEMENT**
2 **SERVICE.**

3 (a) ABOLISHMENT.—The Minerals Management
4 Service is abolished.

5 (b) COMPLETED ADMINISTRATIVE ACTIONS.—

6 (1) IN GENERAL.—Completed administrative
7 actions of the Minerals Management Service shall
8 not be affected by the enactment of this Act, but
9 shall continue in effect according to their terms until
10 amended, modified, superseded, terminated, set
11 aside, or revoked in accordance with law by an offi-
12 cer of the United States or a court of competent ju-
13 risdiction, or by operation of law.

14 (2) COMPLETED ADMINISTRATIVE ACTION DE-
15 FINED.—For purposes of paragraph (1), the term
16 “completed administrative action” includes orders,
17 determinations, memoranda of understanding,
18 memoranda of agreements, rules, regulations, per-
19 sonnel actions, permits, agreements, grants, con-
20 tracts, certificates, licenses, registrations, and privi-
21 leges.

22 (c) PENDING PROCEEDINGS.—Subject to the author-
23 ity of the Secretary of the Interior and the officers of the
24 Department of the Interior under this title—

25 (1) pending proceedings in the Minerals Man-
26 agement Service, including notices of proposed rule-

1 making, and applications for licenses, permits, cer-
2 tificates, grants, and financial assistance, shall con-
3 tinue, notwithstanding the enactment of this Act or
4 the vesting of functions of the Service in another
5 agency, unless discontinued or modified under the
6 same terms and conditions and to the same extent
7 that such discontinuance or modification could have
8 occurred if this title had not been enacted; and

9 (2) orders issued in such proceedings, and ap-
10 peals therefrom, and payments made pursuant to
11 such orders, shall issue in the same manner and on
12 the same terms as if this title had not been enacted,
13 and any such orders shall continue in effect until
14 amended, modified, superseded, terminated, set
15 aside, or revoked by an officer of the United States
16 or a court of competent jurisdiction, or by operation
17 of law.

18 (d) PENDING CIVIL ACTIONS.—Subject to the au-
19 thority of the Secretary of the Interior or any officer of
20 the Department of the Interior under this title, pending
21 civil actions shall continue notwithstanding the enactment
22 of this Act, and in such civil actions, proceedings shall be
23 had, appeals taken, and judgments rendered and enforced
24 in the same manner and with the same effect as if such
25 enactment had not occurred.

1 (e) REFERENCES.—References relating to the Min-
2 erals Management Service in statutes, Executive orders,
3 rules, regulations, directives, or delegations of authority
4 that precede the effective date of this Act are deemed to
5 refer, as appropriate, to the Department, to its officers,
6 employees, or agents, or to its corresponding organiza-
7 tional units or functions. Statutory reporting requirements
8 that applied in relation to the Minerals Management Serv-
9 ice immediately before the effective date of this title shall
10 continue to apply.

11 **SEC. 10407. CONFORMING AMENDMENTS TO EXECUTIVE**
12 **SCHEDULE PAY RATES.**

13 (a) UNDER SECRETARY FOR ENERGY, LANDS, AND
14 MINERALS.—Section 5314 of title 5, United States Code,
15 is amended by inserting after the item relating to “Under
16 Secretaries of the Treasury (3).” the following:

17 “Under Secretary for Energy, Lands, and Min-
18 erals, Department of the Interior.”.

19 (b) ASSISTANT SECRETARIES.—Section 5315 of title
20 5, United States Code, is amended by striking “Assistant
21 Secretaries of the Interior (6).” and inserting the fol-
22 lowing:

23 “Assistant Secretaries, Department of the Inte-
24 rior (7).”.

1 (c) DIRECTORS.—Section 5316 of title 5, United
2 States Code, is amended by striking “Director, Bureau of
3 Mines, Department of the Interior.” and inserting the fol-
4 lowing new items:

5 “Director, Bureau of Ocean Energy, Depart-
6 ment of the Interior.

7 “Director, Ocean Energy Safety Service, De-
8 partment of the Interior.

9 “Director, Office of Natural Resources Rev-
10 enue, Department of the Interior.”.

11 **SEC. 10408. OUTER CONTINENTAL SHELF ENERGY SAFETY**
12 **ADVISORY BOARD.**

13 (a) ESTABLISHMENT.—The Secretary of the Interior
14 shall establish, under the Federal Advisory Committee
15 Act, an Outer Continental Shelf Energy Safety Advisory
16 Board (referred to in this section as the “Board”)—

17 (1) to provide the Secretary and the Directors
18 established by this title with independent scientific
19 and technical advice on safe, responsible, and timely
20 mineral and renewable energy exploration, develop-
21 ment, and production activities; and

22 (2) to review operations of the National Off-
23 shore Energy Health and Safety Academy estab-
24 lished under section 10403(d), including submitting
25 to the Secretary recommendations of curriculum to

1 ensure training scientific and technical advance-
2 ments.

3 (b) MEMBERSHIP.—

4 (1) SIZE.—The Board shall consist of not more
5 than 11 members, who—

6 (A) shall be appointed by the Secretary
7 based on their expertise in oil and gas drilling,
8 well design, operations, well containment and
9 oil spill response; and

10 (B) must have significant scientific, engi-
11 neering, management, and other credentials and
12 a history of working in the field related to safe
13 energy exploration, development, and produc-
14 tion activities.

15 (2) CONSULTATION AND NOMINATIONS.—The
16 Secretary shall consult with the National Academy
17 of Sciences and the National Academy of Engineer-
18 ing to identify potential candidates for the Board
19 and shall take nominations from the public.

20 (3) TERM.—The Secretary shall appoint Board
21 members to staggered terms of not more than 4
22 years, and shall not appoint a member for more
23 than 2 consecutive terms.

1 (4) BALANCE.—In appointing members to the
2 Board, the Secretary shall ensure a balanced rep-
3 resentation of industry and research interests.

4 (c) CHAIR.—The Secretary shall appoint the Chair
5 for the Board from among its members.

6 (d) MEETINGS.—The Board shall meet not less than
7 3 times per year and shall host, at least once per year,
8 a public forum to review and assess the overall energy
9 safety performance of Outer Continental Shelf mineral
10 and renewable energy resource activities.

11 (e) OFFSHORE DRILLING SAFETY ASSESSMENTS
12 AND RECOMMENDATIONS.—As part of its duties under
13 this section, the Board shall, by not later than 180 days
14 after the date of enactment of this section and every 5
15 years thereafter, submit to the Secretary a report that—

16 (1) assesses offshore oil and gas well control
17 technologies, practices, voluntary standards, and
18 regulations in the United States and elsewhere; and

19 (2) as appropriate, recommends modifications
20 to the regulations issued under this title to ensure
21 adequate protection of safety and the environment,
22 including recommendations on how to reduce regula-
23 tions and administrative actions that are duplicative
24 or unnecessary.

1 (f) REPORTS.—Reports of the Board shall be sub-
 2 mitted by the Board to the Committee on Natural Re-
 3 sources of the House or Representatives and the Com-
 4 mittee on Energy and Natural Resources of the Senate
 5 and made available to the public in electronically acces-
 6 sible form.

7 (g) TRAVEL EXPENSES.—Members of the Board,
 8 other than full-time employees of the Federal Government,
 9 while attending meeting of the Board or while otherwise
 10 serving at the request of the Secretary or the Director
 11 while serving away from their homes or regular places of
 12 business, may be allowed travel expenses, including per
 13 diem in lieu of subsistence, as authorized by section 5703
 14 of title 5, United States Code, for individuals in the Gov-
 15 ernment serving without pay.

16 **SEC. 10409. OUTER CONTINENTAL SHELF INSPECTION**
 17 **FEES.**

18 Section 22 of the Outer Continental Shelf Lands Act
 19 (43 U.S.C. 1348) is amended by adding at the end of the
 20 section the following:

21 “(g) INSPECTION FEES.—

22 “(1) ESTABLISHMENT.—The Secretary of the
 23 Interior shall collect from the operators of facilities
 24 subject to inspection under subsection (c) non-re-
 25 fundable fees for such inspections—

1 “(A) at an aggregate level equal to the
2 amount necessary to offset the annual expenses
3 of inspections of outer Continental Shelf facili-
4 ties (including mobile offshore drilling units) by
5 the Department of the Interior; and

6 “(B) using a schedule that reflects the dif-
7 ferences in complexity among the classes of fa-
8 cilities to be inspected.

9 “(2) OCEAN ENERGY SAFETY FUND.—There is
10 established in the Treasury a fund, to be known as
11 the ‘Ocean Energy Enforcement Fund’ (referred to
12 in this subsection as the ‘Fund’), into which shall be
13 deposited all amounts collected as fees under para-
14 graph (1) and which shall be available as provided
15 under paragraph (3).

16 “(3) AVAILABILITY OF FEES.—

17 “(A) IN GENERAL.—Notwithstanding sec-
18 tion 3302 of title 31, United States Code, all
19 amounts deposited in the Fund—

20 “(i) shall be credited as offsetting col-
21 lections;

22 “(ii) shall be available for expenditure
23 for purposes of carrying out inspections of
24 outer Continental Shelf facilities (including
25 mobile offshore drilling units) and the ad-

1 ministration of the inspection program
2 under this section;

3 “(iii) shall be available only to the ex-
4 tent provided for in advance in an appro-
5 priations Act; and

6 “(iv) shall remain available until ex-
7 pended.

8 “(B) USE FOR FIELD OFFICES.—Not less
9 than 75 percent of amounts in the Fund may
10 be appropriated for use only for the respective
11 Department of the Interior field offices where
12 the amounts were originally assessed as fees.

13 “(4) INITIAL FEES.—Fees shall be established
14 under this subsection for the fiscal year in which
15 this subsection takes effect and the subsequent 10
16 years, and shall not be raised without advise and
17 consent of the Congress, except as determined by the
18 Secretary to be appropriate as an adjustment equal
19 to the percentage by which the Consumer Price
20 Index for the month of June of the calendar year
21 preceding the adjustment exceeds the Consumer
22 Price Index for the month of June of the calendar
23 year in which the claim was determined or last ad-
24 justed.

1 “(5) ANNUAL FEES.—Annual fees shall be col-
2 lected under this subsection for facilities that are
3 above the waterline, excluding drilling rigs, and are
4 in place at the start of the fiscal year. Fees for fiscal
5 year 2013 shall be—

6 “(A) \$10,500 for facilities with no wells,
7 but with processing equipment or gathering
8 lines;

9 “(B) \$17,000 for facilities with 1 to 10
10 wells, with any combination of active or inactive
11 wells; and

12 “(C) \$31,500 for facilities with more than
13 10 wells, with any combination of active or in-
14 active wells.

15 “(6) FEES FOR DRILLING RIGS.—Fees for drill-
16 ing rigs shall be assessed under this subsection for
17 all inspections completed in fiscal years 2015
18 through 2024. Fees for fiscal year 2015 shall be—

19 “(A) \$30,500 per inspection for rigs oper-
20 ating in water depths of 1,000 feet or more;
21 and

22 “(B) \$16,700 per inspection for rigs oper-
23 ating in water depths of less than 1,000 feet.

24 “(7) BILLING.—The Secretary shall bill des-
25 ignated operators under paragraph (5) within 60

1 days after the date of the inspection, with payment
2 required within 30 days of billing. The Secretary
3 shall bill designated operators under paragraph (6)
4 within 30 days of the end of the month in which the
5 inspection occurred, with payment required within
6 30 days after billing.

7 “(8) SUNSET.—No fee may be collected under
8 this subsection for any fiscal year after fiscal year
9 2024.

10 “(9) ANNUAL REPORTS.—

11 “(A) IN GENERAL.—Not later than 60
12 days after the end of each fiscal year beginning
13 with fiscal year 2015, the Secretary shall sub-
14 mit to the Committee on Energy and Natural
15 Resources of the Senate and the Committee on
16 Natural Resources of the House of Representa-
17 tives a report on the operation of the Fund dur-
18 ing the fiscal year.

19 “(B) CONTENTS.—Each report shall in-
20 clude, for the fiscal year covered by the report,
21 the following:

22 “(i) A statement of the amounts de-
23 posited into the Fund.

24 “(ii) A description of the expenditures
25 made from the Fund for the fiscal year, in-

cluding the purpose of the expenditures
and the additional hiring of personnel.

“(iii) A statement of the balance remaining in the Fund at the end of the fiscal year.

“(iv) An accounting of pace of permit approvals.

“(v) If fee increases are proposed after the initial 10-year period referred to in paragraph (5), a proper accounting of the potential adverse economic impacts such fee increases will have on offshore economic activity and overall production, conducted by the Secretary.

“(vi) Recommendations to increase the efficacy and efficiency of offshore inspections.

“(vii) Any corrective actions levied upon offshore inspectors as a result of any form of misconduct.”.

**SEC. 10410. PROHIBITION ON ACTION BASED ON NATIONAL
OCEAN POLICY DEVELOPED UNDER EXECUTIVE ORDER NO. 13547.**

(a) PROHIBITION.—The Bureau of Ocean Energy and the Ocean Energy Safety Service may not develop,

1 propose, finalize, administer, or implement, any limitation
2 on activities under their jurisdiction as a result of the
3 coastal and marine spatial planning component of the Na-
4 tional Ocean Policy developed under Executive Order No.
5 13547.

6 (b) REPORT ON EXPENDITURES.—Not later than 60
7 days after the date of enactment of this Act, the President
8 shall submit a report to the Committee on Natural Re-
9 sources of the House of Representatives and the Com-
10 mittee on Energy and Natural Resources of the Senate
11 identifying all Federal expenditures in fiscal years 2011,
12 2012, 2013, and 2014 by the Bureau of Ocean Energy
13 and the Ocean Energy Safety Service and their prede-
14 cessor agencies, by agency, account, and any pertinent
15 subaccounts, for the development, administration, or im-
16 plementation of the coastal and marine spatial planning
17 component of the National Ocean Policy developed under
18 Executive Order No. 13547, including staff time, travel,
19 and other related expenses.

**Subtitle E—United States
Territories**

**SEC. 10501. APPLICATION OF OUTER CONTINENTAL SHELF
LANDS ACT WITH RESPECT TO TERRITORIES
OF THE UNITED STATES.**

Section 2 of the Outer Continental Shelf Lands Act
(43 U.S.C. 1331) is amended—

(1) in paragraph (a), by inserting after “control” the following: “or lying within the United States exclusive economic zone and the Continental Shelf adjacent to any territory of the United States”;

(2) in paragraph (p), by striking “and” after the semicolon at the end;

(3) in paragraph (q), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(r) The term ‘State’ includes each territory of the United States.”.

Subtitle F—Miscellaneous Provisions

SEC. 10601. RULES REGARDING DISTRIBUTION OF REVENUES UNDER GULF OF MEXICO ENERGY SECURITY ACT OF 2006.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall issue rules to provide more clarity, certainty, and stability to the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

(b) CONTENTS.—The rules shall include clarification of the timing and methods of disbursements of funds under section 105(b)(2) of such Act.

SEC. 10602. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note) shall be applied by substituting “2024, and shall not exceed \$999,999,999 for each of fiscal years 2025 through 2055” for “2055”.

SEC. 10603. SOUTH ATLANTIC OUTER CONTINENTAL SHELF PLANNING AREA DEFINED.

For the purposes of this Act, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), and any regula-

1 tions or 5-year plan issued under that Act, the term
 2 “South Atlantic Outer Continental Shelf Planning Area”
 3 means the area of the outer Continental Shelf (as defined
 4 in section 2 of that Act (43 U.S.C. 1331)) that is located
 5 between the northern lateral seaward administrative
 6 boundary of the State of Virginia and the southernmost
 7 lateral seaward administrative boundary of the State of
 8 Georgia.

9 **SEC. 10604. ENHANCING GEOLOGICAL AND GEOPHYSICAL**
 10 **INFORMATION FOR AMERICA’S ENERGY FU-**
 11 **TURE.**

12 Section 11 of the Outer Continental Shelf lands Act
 13 (43 U.S.C. 1340) is amended by adding at the end the
 14 following:

15 “(i) ENHANCING GEOLOGICAL AND GEOPHYSICAL
 16 INFORMATION FOR AMERICA’S ENERGY FUTURE.—

17 “(1) The Secretary, acting through the Director
 18 of the Bureau of Ocean Energy Management, shall
 19 facilitate and support the practical study of geology
 20 and geophysics to better understand the oil, gas, and
 21 other hydrocarbon potential in the South Atlantic
 22 Outer Continental Shelf Planning Area by entering
 23 into partnerships to conduct geological and geo-
 24 physical activities on the outer Continental Shelf.

1 “(2)(A) No later than 180 days after the date
2 of enactment of the Lowering Gasoline Prices to
3 Fuel an America That Works Act of 2014, the Gov-
4 ernors of the States of Georgia, South Carolina,
5 North Carolina, and Virginia may each nominate for
6 participation in the partnerships—

7 “(i) one institution of higher education lo-
8 cated within the Governor’s State; and

9 “(ii) one institution of higher education
10 within the Governor’s State that is a histori-
11 cally black college or university, as defined in
12 section 631(a) of the Higher Education Act of
13 1965 (20 U.S.C. 1132(a)).

14 “(B) In making nominations, the Governors
15 shall give preference to those institutions of higher
16 education that demonstrate a vigorous rate of ad-
17 mission of veterans of the Armed Forces of the
18 United States.

19 “(3) The Secretary shall only select as a part-
20 ner a nominee that the Secretary determines dem-
21 onstrates excellence in geophysical sciences cur-
22 riculum, engineering curriculum, or information
23 technology or other technical studies relating to seis-
24 mic research (including data processing).

1 “(4) Notwithstanding subsection (d), nominees
2 selected as partners by the Secretary may conduct
3 geological and geophysical activities under this sec-
4 tion after filing a notice with the Secretary 30-days
5 prior to commencement of the activity without any
6 further authorization by the Secretary except those
7 activities that use solid or liquid explosives shall re-
8 quire a permit. The Secretary may not charge any
9 fee for the provision of data or other information
10 collected under this authority, other than the cost of
11 duplicating any data or information provided. Nomi-
12 nees selected as partners under this section shall
13 provide to the Secretary any data or other informa-
14 tion collected under this subsection within 60 days
15 after completion of an initial analysis of the data or
16 other information collected, if so requested by the
17 Secretary.

18 “(5) Data or other information produced as a
19 result of activities conducted by nominees selected as
20 partners under this subsection shall not be used or
21 shared for commercial purposes by the nominee, may
22 not be produced for proprietary use or sale, and
23 shall be made available by the Secretary to the pub-
24 lic.

1 “(6) The Secretary shall submit to the Com-
 2 mittee on Natural Resources of the House of Rep-
 3 resentatives and the Committee on Energy and Nat-
 4 ural Resources of the Senate reports on the data or
 5 other information produced under the partnerships
 6 under this section. Such reports shall be made no
 7 less frequently than every 180 days following the
 8 conduct of the first geological and geophysical activi-
 9 ties under this section.

10 “(7) In this subsection the term ‘geological and
 11 geophysical activities’ means any oil- or gas-related
 12 investigation conducted on the outer Continental
 13 Shelf, including geophysical surveys where magnetic,
 14 gravity, seismic, or other systems are used to detect
 15 or imply the presence of oil or gas.”.

16 **Subtitle G—Judicial Review**

17 **SEC. 10701. TIME FOR FILING COMPLAINT.**

18 (a) IN GENERAL.—Any cause of action that arises
 19 from a covered energy decision must be filed not later than
 20 the end of the 60-day period beginning on the date of the
 21 covered energy decision. Any cause of action not filed with-
 22 in this time period shall be barred.

23 (b) EXCEPTION.—Subsection (a) shall not apply to
 24 a cause of action brought by a party to a covered energy
 25 lease.

1 **SEC. 10702. DISTRICT COURT DEADLINE.**

2 (a) IN GENERAL.—All proceedings that are subject
3 to section 10701—

4 (1) shall be brought in the United States dis-
5 trict court for the district in which the Federal prop-
6 erty for which a covered energy lease is issued is lo-
7 cated or the United States District Court of the Dis-
8 trict of Columbia;

9 (2) shall be resolved as expeditiously as pos-
10 sible, and in any event not more than 180 days after
11 such cause or claim is filed; and

12 (3) shall take precedence over all other pending
13 matters before the district court.

14 (b) FAILURE TO COMPLY WITH DEADLINE.—If an
15 interlocutory or final judgment, decree, or order has not
16 been issued by the district court by the deadline described
17 under this section, the cause or claim shall be dismissed
18 with prejudice and all rights relating to such cause or
19 claim shall be terminated.

20 **SEC. 10703. ABILITY TO SEEK APPELLATE REVIEW.**

21 An interlocutory or final judgment, decree, or order
22 of the district court in a proceeding that is subject to sec-
23 tion 10701 may be reviewed by the U.S. Court of Appeals
24 for the District of Columbia Circuit. The D.C. Circuit
25 shall resolve any such appeal as expeditiously as possible
26 and, in any event, not more than 180 days after such in-

1 terlocutory or final judgment, decree, or order of the dis-
2 trict court was issued.

3 **SEC. 10704. LIMITATION ON SCOPE OF REVIEW AND RE-**
4 **LIEF.**

5 (a) ADMINISTRATIVE FINDINGS AND CONCLU-
6 SIONS.—In any judicial review of any Federal action under
7 this subtitle, any administrative findings and conclusions
8 relating to the challenged Federal action shall be pre-
9 sumed to be correct unless shown otherwise by clear and
10 convincing evidence contained in the administrative
11 record.

12 (b) LIMITATION ON PROSPECTIVE RELIEF.—In any
13 judicial review of any action, or failure to act, under this
14 subtitle, the Court shall not grant or approve any prospec-
15 tive relief unless the Court finds that such relief is nar-
16 rowly drawn, extends no further than necessary to correct
17 the violation of a Federal law requirement, and is the least
18 intrusive means necessary to correct the violation con-
19 cerned.

20 **SEC. 10705. LEGAL FEES.**

21 Any person filing a petition seeking judicial review
22 of any action, or failure to act, under this subtitle who
23 is not a prevailing party shall pay to the prevailing parties
24 (including intervening parties), other than the United
25 States, fees and other expenses incurred by that party in

1 connection with the judicial review, unless the Court finds
 2 that the position of the person was substantially justified
 3 or that special circumstances make an award unjust.

4 **SEC. 10706. EXCLUSION.**

5 This subtitle shall not apply with respect to disputes
 6 between the parties to a lease issued pursuant to an au-
 7 thorizing leasing statute regarding the obligations of such
 8 lease or the alleged breach thereof.

9 **SEC. 10707. DEFINITIONS.**

10 In this subtitle, the following definitions apply:

11 (1) COVERED ENERGY DECISION.—The term
 12 “covered energy decision” means any action or deci-
 13 sion by a Federal official regarding the issuance of
 14 a covered energy lease.

15 (2) COVERED ENERGY LEASE.—The term “cov-
 16 ered energy lease” means any lease under this title
 17 or under an oil and gas leasing program under this
 18 title.

19 **TITLE II—ONSHORE FEDERAL**
 20 **LANDS AND ENERGY SECURITY**
 21 **Subtitle A—Federal Lands Jobs**
 22 **and Energy Security**

23 **SEC. 21001. SHORT TITLE.**

24 This subtitle may be cited as the “Federal Lands
 25 Jobs and Energy Security Act”.

1 **SEC. 21002. POLICIES REGARDING BUYING, BUILDING, AND**
2 **WORKING FOR AMERICA.**

3 (a) CONGRESSIONAL INTENT.—It is the intent of the
4 Congress that—

5 (1) this subtitle will support a healthy and
6 growing United States domestic energy sector that,
7 in turn, helps to reinvigorate American manufac-
8 turing, transportation, and service sectors by em-
9 ploying the vast talents of United States workers to
10 assist in the development of energy from domestic
11 sources;

12 (2) to ensure a robust onshore energy produc-
13 tion industry and ensure that the benefits of devel-
14 opment support local communities, under this sub-
15 title, the Secretary shall make every effort to pro-
16 mote the development of onshore American energy,
17 and shall take into consideration the socioeconomic
18 impacts, infrastructure requirements, and fiscal sta-
19 bility for local communities located within areas con-
20 taining onshore energy resources; and

21 (3) the Congress will monitor the deployment of
22 personnel and material onshore to encourage the de-
23 velopment of American manufacturing to enable
24 United States workers to benefit from this subtitle
25 through good jobs and careers, as well as the estab-

1 lishment of important industrial facilities to support
 2 expanded access to American resources.

3 (b) REQUIREMENT.—The Secretary of the Interior
 4 shall when possible, and practicable, encourage the use of
 5 United States workers and equipment manufactured in
 6 the United States in all construction related to mineral
 7 resource development under this subtitle.

8 **CHAPTER 1—ONSHORE OIL AND GAS**
 9 **PERMIT STREAMLINING**

10 **SEC. 21101. SHORT TITLE.**

11 This chapter may be cited as the “Streamlining Per-
 12 mitting of American Energy Act of 2014”.

13 **Subchapter A—Application for Permits to**
 14 **Drill Process Reform**

15 **SEC. 21111. PERMIT TO DRILL APPLICATION TIMELINE.**

16 Section 17(p)(2) of the Mineral Leasing Act (30
 17 U.S.C. 226(p)(2)) is amended to read as follows:

18 “(2) APPLICATIONS FOR PERMITS TO DRILL RE-
 19 FORM AND PROCESS.—

20 “(A) TIMELINE.—The Secretary shall de-
 21 cide whether to issue a permit to drill within 30
 22 days after receiving an application for the per-
 23 mit. The Secretary may extend such period for
 24 up to 2 periods of 15 days each, if the Sec-
 25 retary has given written notice of the delay to

1 the applicant. The notice shall be in the form
2 of a letter from the Secretary or a designee of
3 the Secretary, and shall include the names and
4 titles of the persons processing the application,
5 the specific reasons for the delay, and a specific
6 date a final decision on the application is ex-
7 pected.

8 “(B) NOTICE OF REASONS FOR DENIAL.—

9 If the application is denied, the Secretary shall
10 provide the applicant—

11 “(i) in writing, clear and comprehen-
12 sive reasons why the application was not
13 accepted and detailed information con-
14 cerning any deficiencies; and

15 “(ii) an opportunity to remedy any de-
16 ficiencies.

17 “(C) APPLICATION DEEMED APPROVED.—

18 If the Secretary has not made a decision on the
19 application by the end of the 60-day period be-
20 ginning on the date the application is received
21 by the Secretary, the application is deemed ap-
22 proved, except in cases in which existing reviews
23 under the National Environmental Policy Act of
24 1969 (42 U.S.C. 4321 et seq.) or Endangered

1 Species Act of 1973 (16 U.S.C. 1531 et seq.)
2 are incomplete.

3 “(D) DENIAL OF PERMIT.—If the Sec-
4 retary decides not to issue a permit to drill in
5 accordance with subparagraph (A), the Sec-
6 retary shall—

7 “(i) provide to the applicant a descrip-
8 tion of the reasons for the denial of the
9 permit;

10 “(ii) allow the applicant to resubmit
11 an application for a permit to drill during
12 the 10-day period beginning on the date
13 the applicant receives the description of
14 the denial from the Secretary; and

15 “(iii) issue or deny any resubmitted
16 application not later than 10 days after the
17 date the application is submitted to the
18 Secretary.

19 “(E) FEE.—

20 “(i) IN GENERAL.—Notwithstanding
21 any other law, the Secretary shall collect a
22 single \$6,500 permit processing fee per ap-
23 plication from each applicant at the time
24 the final decision is made whether to issue
25 a permit under subparagraph (A). This fee

1 shall not apply to any resubmitted applica-
 2 tion.

3 “(ii) TREATMENT OF PERMIT PROC-
 4 ESSING FEE.—Of all fees collected under
 5 this paragraph, 50 percent shall be trans-
 6 ferred to the field office where they are col-
 7 lected and used to process protests, leases,
 8 and permits under this Act subject to ap-
 9 propriation.”.

10 **Subchapter B—Administrative Protest**
 11 **Documentation Reform**

12 **SEC. 21121. ADMINISTRATIVE PROTEST DOCUMENTATION**
 13 **REFORM.**

14 Section 17(p) of the Mineral Leasing Act (30 U.S.C.
 15 226(p)) is further amended by adding at the end the fol-
 16 lowing:

17 “(4) PROTEST FEE.—

18 “(A) IN GENERAL.—The Secretary shall
 19 collect a \$5,000 documentation fee to accom-
 20 pany each protest for a lease, right of way, or
 21 application for permit to drill.

22 “(B) TREATMENT OF FEES.—Of all fees
 23 collected under this paragraph, 50 percent shall
 24 remain in the field office where they are col-

1 lected and used to process protests subject to
2 appropriation.”.

3 **Subchapter C—Permit Streamlining**

4 **SEC. 21131. MAKING PILOT OFFICES PERMANENT TO IM-** 5 **PROVE ENERGY PERMITTING ON FEDERAL** 6 **LANDS.**

7 (a) ESTABLISHMENT.—The Secretary of the Interior
8 (referred to in this section as the “Secretary”) shall estab-
9 lish a Federal Permit Streamlining Project (referred to
10 in this section as the “Project”) in every Bureau of Land
11 Management field office with responsibility for permitting
12 energy projects on Federal land.

13 (b) MEMORANDUM OF UNDERSTANDING.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date of enactment of this Act, the Secretary
16 shall enter into a memorandum of understanding for
17 purposes of this section with—

18 (A) the Secretary of Agriculture;

19 (B) the Administrator of the Environ-
20 mental Protection Agency; and

21 (C) the Chief of the Army Corps of Engi-
22 neers.

23 (2) STATE PARTICIPATION.—The Secretary
24 may request that the Governor of any State with en-

1 energy projects on Federal lands to be a signatory to
2 the memorandum of understanding.

3 (c) DESIGNATION OF QUALIFIED STAFF.—

4 (1) IN GENERAL.—Not later than 30 days after
5 the date of the signing of the memorandum of un-
6 derstanding under subsection (b), all Federal signa-
7 tory parties shall, if appropriate, assign to each of
8 the Bureau of Land Management field offices an
9 employee who has expertise in the regulatory issues
10 relating to the office in which the employee is em-
11 ployed, including, as applicable, particular expertise
12 in—

13 (A) the consultations and the preparation
14 of biological opinions under section 7 of the En-
15 dangered Species Act of 1973 (16 U.S.C.
16 1536);

17 (B) permits under section 404 of Federal
18 Water Pollution Control Act (33 U.S.C. 1344);

19 (C) regulatory matters under the Clean Air
20 Act (42 U.S.C. 7401 et seq.);

21 (D) planning under the National Forest
22 Management Act of 1976 (16 U.S.C. 472a et
23 seq.); and

1 (E) the preparation of analyses under the
2 National Environmental Policy Act of 1969 (42
3 U.S.C. 4321 et seq.).

4 (2) DUTIES.—Each employee assigned under
5 paragraph (1) shall—

6 (A) not later than 90 days after the date
7 of assignment, report to the Bureau of Land
8 Management Field Managers in the office to
9 which the employee is assigned;

10 (B) be responsible for all issues relating to
11 the energy projects that arise under the au-
12 thorities of the employee's home agency; and

13 (C) participate as part of the team of per-
14 sonnel working on proposed energy projects,
15 planning, and environmental analyses on Fed-
16 eral lands.

17 (d) ADDITIONAL PERSONNEL.—The Secretary shall
18 assign to each Bureau of Land Management field office
19 identified in subsection (a) any additional personnel that
20 are necessary to ensure the effective approval and imple-
21 mentation of energy projects administered by the Bureau
22 of Land Management field offices, including inspection
23 and enforcement relating to energy development on Fed-
24 eral land, in accordance with the multiple use mandate

1 of the Federal Land Policy and Management Act of 1976
2 (43 U.S.C. 1701 et seq.).

3 (e) FUNDING.—Funding for the additional personnel
4 shall come from the Department of the Interior reforms
5 identified in sections 21111 and 21121.

6 (f) SAVINGS PROVISION.—Nothing in this section af-
7 fects—

8 (1) the operation of any Federal or State law;
9 or

10 (2) any delegation of authority made by the
11 head of a Federal agency whose employees are par-
12 ticipating in the Project.

13 (g) DEFINITION.—For purposes of this section the
14 term “energy projects” includes oil, natural gas, and other
15 energy projects as defined by the Secretary.

16 **SEC. 21132. ADMINISTRATION OF CURRENT LAW.**

17 Notwithstanding any other law, the Secretary of the
18 Interior shall not require a finding of extraordinary cir-
19 cumstances in administering section 390 of the Energy
20 Policy Act of 2005 (42 U.S.C. 15942).

21 **Subchapter D—Judicial Review**

22 **SEC. 21141. DEFINITIONS.**

23 In this subchapter—

24 (1) the term “covered civil action” means a civil
25 action containing a claim under section 702 of title

1 5, United States Code, regarding agency action (as
2 defined for the purposes of that section) affecting a
3 covered energy project on Federal lands of the
4 United States; and

5 (2) the term “covered energy project” means
6 the leasing of Federal lands of the United States for
7 the exploration, development, production, processing,
8 or transmission of oil, natural gas, or any other
9 source of energy, and any action under such a lease,
10 except that the term does not include any disputes
11 between the parties to a lease regarding the obliga-
12 tions under such lease, including regarding any al-
13 leged breach of the lease.

14 **SEC. 21142. EXCLUSIVE VENUE FOR CERTAIN CIVIL AC-**
15 **TIONS RELATING TO COVERED ENERGY**
16 **PROJECTS.**

17 Venue for any covered civil action shall lie in the dis-
18 trict court where the project or leases exist or are pro-
19 posed.

20 **SEC. 21143. TIMELY FILING.**

21 To ensure timely redress by the courts, a covered civil
22 action must be filed no later than the end of the 90-day
23 period beginning on the date of the final Federal agency
24 action to which it relates.

1 **SEC. 21144. EXPEDITION IN HEARING AND DETERMINING**
2 **THE ACTION.**

3 The court shall endeavor to hear and determine any
4 covered civil action as expeditiously as possible.

5 **SEC. 21145. STANDARD OF REVIEW.**

6 In any judicial review of a covered civil action, admin-
7 istrative findings and conclusions relating to the chal-
8 lenged Federal action or decision shall be presumed to be
9 correct, and the presumption may be rebutted only by the
10 preponderance of the evidence contained in the adminis-
11 trative record.

12 **SEC. 21146. LIMITATION ON INJUNCTION AND PROSPEC-**
13 **TIVE RELIEF.**

14 In a covered civil action, the court shall not grant
15 or approve any prospective relief unless the court finds
16 that such relief is narrowly drawn, extends no further than
17 necessary to correct the violation of a legal requirement,
18 and is the least intrusive means necessary to correct that
19 violation. In addition, courts shall limit the duration of
20 preliminary injunctions to halt covered energy projects to
21 no more than 60 days, unless the court finds clear reasons
22 to extend the injunction. In such cases of extensions, such
23 extensions shall only be in 30-day increments and shall
24 require action by the court to renew the injunction.

1 **SEC. 21147. LIMITATION ON ATTORNEYS' FEES.**

2 Sections 504 of title 5, United States Code, and 2412
3 of title 28, United States Code, (together commonly called
4 the Equal Access to Justice Act) do not apply to a covered
5 civil action, nor shall any party in such a covered civil ac-
6 tion receive payment from the Federal Government for
7 their attorneys' fees, expenses, and other court costs.

8 **SEC. 21148. LEGAL STANDING.**

9 Challengers filing appeals with the Department of the
10 Interior Board of Land Appeals shall meet the same
11 standing requirements as challengers before a United
12 States district court.

13 **Subchapter E—Knowing America's Oil and**
14 **Gas Resources**

15 **SEC. 21151. FUNDING OIL AND GAS RESOURCE ASSESS-**
16 **MENTS.**

17 (a) IN GENERAL.—The Secretary of the Interior shall
18 provide matching funding for joint projects with States to
19 conduct oil and gas resource assessments on Federal lands
20 with significant oil and gas potential.

21 (b) COST SHARING.—The Federal share of the cost
22 of activities under this section shall not exceed 50 percent.

23 (c) RESOURCE ASSESSMENT.—Any resource assess-
24 ment under this section shall be conducted by a State, in
25 consultation with the United States Geological Survey.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary to carry
3 out this section a total of \$50,000,000 for fiscal years
4 2015 through 2018.

5 **CHAPTER 2—OIL AND GAS LEASING**
6 **CERTAINTY**

7 **SEC. 21201. SHORT TITLE.**

8 This chapter may be cited as the “Providing Leasing
9 Certainty for American Energy Act of 2014”.

10 **SEC. 21202. MINIMUM ACREAGE REQUIREMENT FOR ON-**
11 **SHORE LEASE SALES.**

12 In conducting lease sales as required by section 17(a)
13 of the Mineral Leasing Act (30 U.S.C. 226(a)), each year
14 the Secretary of the Interior shall perform the following:

15 (1) The Secretary shall offer for sale no less
16 than 25 percent of the annual nominated acreage
17 not previously made available for lease. Acreage of-
18 fered for lease pursuant to this paragraph shall not
19 be subject to protest and shall be eligible for cat-
20 egorical exclusions under section 390 of the Energy
21 Policy Act of 2005 (42 U.S.C. 15942), except that
22 it shall not be subject to the test of extraordinary
23 circumstances.

24 (2) In administering this section, the Secretary
25 shall only consider leasing of Federal lands that are

1 available for leasing at the time the lease sale oc-
2 curs.

3 **SEC. 21203. LEASING CERTAINTY.**

4 Section 17(a) of the Mineral Leasing Act (30 U.S.C.
5 226(a)) is amended by inserting “(1)” before “All lands”,
6 and by adding at the end the following:

7 “(2)(A) The Secretary shall not withdraw any cov-
8 ered energy project issued under this Act without finding
9 a violation of the terms of the lease by the lessee.

10 “(B) The Secretary shall not infringe upon lease
11 rights under leases issued under this Act by indefinitely
12 delaying issuance of project approvals, drilling and seismic
13 permits, and rights of way for activities under such a
14 lease.

15 “(C) No later than 18 months after an area is des-
16 ignated as open under the current land use plan the Sec-
17 retary shall make available nominated areas for lease
18 under the criteria in section 2.

19 “(D) Notwithstanding any other law, the Secretary
20 shall issue all leases sold no later than 60 days after the
21 last payment is made.

22 “(E) The Secretary shall not cancel or withdraw any
23 lease parcel after a competitive lease sale has occurred and
24 a winning bidder has submitted the last payment for the
25 parcel.

1 “(F) After the conclusion of the public comment pe-
2 riod for a planned competitive lease sale, the Secretary
3 shall not cancel, defer, or withdraw any lease parcel an-
4 nounced to be auctioned in the lease sale.

5 “(G) Not later than 60 days after a lease sale held
6 under this Act, the Secretary shall adjudicate any lease
7 protests filed following a lease sale. If after 60 days any
8 protest is left unsettled, said protest is automatically de-
9 nied and appeal rights of the protestor begin.

10 “(H) No additional lease stipulations may be added
11 after the parcel is sold without consultation and agree-
12 ment of the lessee, unless the Secretary deems such stipu-
13 lations as emergency actions to conserve the resources of
14 the United States.”.

15 **SEC. 21204. LEASING CONSISTENCY.**

16 Federal land managers must follow existing resource
17 management plans and continue to actively lease in areas
18 designated as open when resource management plans are
19 being amended or revised, until such time as a new record
20 of decision is signed.

21 **SEC. 21205. REDUCE REDUNDANT POLICIES.**

22 Bureau of Land Management Instruction Memo-
23 randum 2010–117 shall have no force or effect.

1 **SEC. 21206. STREAMLINED CONGRESSIONAL NOTIFICA-**
2 **TION.**

3 Section 31(e) of the Mineral Leasing Act (30 U.S.C.
4 188(e)) is amended in the matter following paragraph (4)
5 by striking “at least thirty days in advance of the rein-
6 statement” and inserting “in an annual report”.

7 **CHAPTER 3—OIL SHALE**

8 **SEC. 21301. SHORT TITLE.**

9 This chapter may be cited as the “Protecting Invest-
10 ment in Oil Shale the Next Generation of Environmental,
11 Energy, and Resource Security Act” or the “PIONEERS
12 Act”.

13 **SEC. 21302. EFFECTIVENESS OF OIL SHALE REGULATIONS,**
14 **AMENDMENTS TO RESOURCE MANAGEMENT**
15 **PLANS, AND RECORD OF DECISION.**

16 (a) REGULATIONS.—Notwithstanding any other law
17 or regulation to the contrary, the final regulations regard-
18 ing oil shale management published by the Bureau of
19 Land Management on November 18, 2008 (73 Fed. Reg.
20 69,414) are deemed to satisfy all legal and procedural re-
21 quirements under any law, including the Federal Land
22 Policy and Management Act of 1976 (43 U.S.C. 1701 et
23 seq.), the Endangered Species Act of 1973 (16 U.S.C.
24 1531 et seq.), and the National Environmental Policy Act
25 of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of
26 the Interior shall implement those regulations, including

1 the oil shale leasing program authorized by the regula-
2 tions, without any other administrative action necessary.

3 (b) AMENDMENTS TO RESOURCE MANAGEMENT
4 PLANS AND RECORD OF DECISION.—Notwithstanding
5 any other law or regulation to the contrary, the November
6 17, 2008 U.S. Bureau of Land Management Approved Re-
7 source Management Plan Amendments/Record of Decision
8 for Oil Shale and Tar Sands Resources to Address Land
9 Use Allocations in Colorado, Utah, and Wyoming and
10 Final Programmatic Environmental Impact Statement are
11 deemed to satisfy all legal and procedural requirements
12 under any law, including the Federal Land Policy and
13 Management Act of 1976 (43 U.S.C. 1701 et seq.), the
14 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
15 and the National Environmental Policy Act of 1969 (42
16 U.S.C. 4321 et seq.), and the Secretary of the Interior
17 shall implement the oil shale leasing program authorized
18 by the regulations referred to in subsection (a) in those
19 areas covered by the resource management plans amended
20 by such amendments, and covered by such record of deci-
21 sion, without any other administrative action necessary.

22 **SEC. 21303. OIL SHALE LEASING.**

23 (a) ADDITIONAL RESEARCH AND DEVELOPMENT
24 LEASE SALES.—The Secretary of the Interior shall hold
25 a lease sale within 180 days after the date of enactment

1 of this Act offering an additional 10 parcels for lease for
2 research, development, and demonstration of oil shale re-
3 sources, under the terms offered in the solicitation of bids
4 for such leases published on January 15, 2009 (74 Fed.
5 Reg. 10).

6 (b) COMMERCIAL LEASE SALES.—No later than Jan-
7 uary 1, 2016, the Secretary of the Interior shall hold no
8 less than 5 separate commercial lease sales in areas con-
9 sidered to have the most potential for oil shale develop-
10 ment, as determined by the Secretary, in areas nominated
11 through public comment. Each lease sale shall be for an
12 area of not less than 25,000 acres, and in multiple lease
13 blocs.

14 **CHAPTER 4—MISCELLANEOUS**

15 **PROVISIONS**

16 **SEC. 21401. RULE OF CONSTRUCTION.**

17 Nothing in this subtitle shall be construed to author-
18 ize the issuance of a lease under the Mineral Leasing Act
19 (30 U.S.C. 181 et seq.) to any person designated for the
20 imposition of sanctions pursuant to—

21 (1) the Iran Sanctions Act of 1996 (50 U.S.C.
22 1701 note), the Comprehensive Iran Sanctions, Ac-
23 countability and Divestiture Act of 2010 (22 U.S.C.
24 8501 et seq.), the Iran Threat Reduction and Syria
25 Human Rights Act of 2012 (22 U.S.C. 8701 et

seq.), section 1245 of the National Defense Author-
 ization Act for Fiscal Year 2012 (22 U.S.C. 8513a),
 or the Iran Freedom and Counter-Proliferation Act
 of 2012 (22 U.S.C. 8801 et seq.);

(2) Executive Order No. 13622 (July 30,
 2012), Executive Order No. 13628 (October 9,
 2012), or Executive Order No. 13645 (June 3,
 2013);

(3) Executive Order No. 13224 (September 23,
 2001) or Executive Order No. 13338 (May 11,
 2004); or

(4) the Syria Accountability and Lebanese Sov-
 ereignty Restoration Act of 2003 (22 U.S.C. 2151
 note).

Subtitle B—Planning for American Energy

SEC. 22001. SHORT TITLE.

This subtitle may be cited as the “Planning for Amer-
 ican Energy Act of 2014”.

SEC. 22002. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

(a) IN GENERAL.—The Mineral Leasing Act (30
 U.S.C. 181 et seq.) is amended by redesignating section
 44 as section 45, and by inserting after section 43 the
 following:

1 **“SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE**
2 **ENERGY PRODUCTION STRATEGY.**

3 “(a) IN GENERAL.—

4 “(1) The Secretary of the Interior (hereafter in
5 this section referred to as ‘Secretary’), in consulta-
6 tion with the Secretary of Agriculture with regard to
7 lands administered by the Forest Service, shall de-
8 velop and publish every 4 years a Quadrennial Fed-
9 eral Onshore Energy Production Strategy. This
10 Strategy shall direct Federal land energy develop-
11 ment and department resource allocation in order to
12 promote the energy and national security of the
13 United States in accordance with Bureau of Land
14 Management’s mission of promoting the multiple use
15 of Federal lands as set forth in the Federal Land
16 Policy and Management Act of 1976 (43 U.S.C.
17 1701 et seq.).

18 “(2) In developing this Strategy, the Secretary
19 shall consult with the Administrator of the Energy
20 Information Administration on the projected energy
21 demands of the United States for the next 30-year
22 period, and how energy derived from Federal on-
23 shore lands can put the United States on a trajec-
24 tory to meet that demand during the next 4-year pe-
25 riod. The Secretary shall consider how Federal lands
26 will contribute to ensuring national energy security,

1 with a goal for increasing energy independence and
2 production, during the next 4-year period.

3 “(3) The Secretary shall determine a domestic
4 strategic production objective for the development of
5 energy resources from Federal onshore lands. Such
6 objective shall be—

7 “(A) the best estimate, based upon com-
8 mercial and scientific data, of the expected in-
9 crease in domestic production of oil and natural
10 gas from the Federal onshore mineral estate,
11 with a focus on lands held by the Bureau of
12 Land Management and the Forest Service;

13 “(B) the best estimate, based upon com-
14 mercial and scientific data, of the expected in-
15 crease in domestic coal production from Federal
16 lands;

17 “(C) the best estimate, based upon com-
18 mercial and scientific data, of the expected in-
19 crease in domestic production of strategic and
20 critical energy minerals from the Federal on-
21 shore mineral estate;

22 “(D) the best estimate, based upon com-
23 mercial and scientific data, of the expected in-
24 crease in megawatts for electricity production
25 from each of the following sources: wind, solar,

1 biomass, hydropower, and geothermal energy
2 produced on Federal lands administered by the
3 Bureau of Land Management and the Forest
4 Service;

5 “(E) the best estimate, based upon com-
6 mercial and scientific data, of the expected in-
7 crease in unconventional energy production,
8 such as oil shale;

9 “(F) the best estimate, based upon com-
10 mercial and scientific data, of the expected in-
11 crease in domestic production of oil, natural
12 gas, coal, and other renewable sources from
13 tribal lands for any federally recognized Indian
14 tribe that elects to participate in facilitating en-
15 ergy production on its lands;

16 “(G) the best estimate, based upon com-
17 mercial and scientific data, of the expected in-
18 crease in production of helium on Federal lands
19 administered by the Bureau of Land Manage-
20 ment and the Forest Service; and

21 “(H) the best estimate, based upon com-
22 mercial and scientific data, of the expected in-
23 crease in domestic production of geothermal,
24 solar, wind, or other renewable energy sources
25 from ‘available lands’ (as such term is defined

1 in section 203 of the Hawaiian Homes Commis-
2 sion Act, 1920 (42 Stat. 108 et seq.), and in-
3 cluding any other lands deemed by the Terri-
4 tory or State of Hawaii, as the case may be, to
5 be included within that definition) that the
6 agency or department of the government of the
7 State of Hawaii that is responsible for the ad-
8 ministration of such lands selects to be used for
9 such energy production.

10 “(4) The Secretary shall consult with the Ad-
11 ministrator of the Energy Information Administra-
12 tion regarding the methodology used to arrive at its
13 estimates for purposes of this section.

14 “(5) The Secretary has the authority to expand
15 the energy development plan to include other energy
16 production technology sources or advancements in
17 energy on Federal lands.

18 “(6) The Secretary shall include in the Strategy
19 a plan for addressing new demands for transmission
20 lines and pipelines for distribution of oil and gas
21 across Federal lands to ensure that energy produced
22 can be distributed to areas of need.

23 “(b) TRIBAL OBJECTIVES.—It is the sense of Con-
24 gress that federally recognized Indian tribes may elect to
25 set their own production objectives as part of the Strategy

1 under this section. The Secretary shall work in coopera-
2 tion with any federally recognized Indian tribe that elects
3 to participate in achieving its own strategic energy objec-
4 tives designated under this subsection.

5 “(c) EXECUTION OF THE STRATEGY.—The relevant
6 Secretary shall have all necessary authority to make deter-
7 minations regarding which additional lands will be made
8 available in order to meet the production objectives estab-
9 lished by strategies under this section. The Secretary shall
10 also take all necessary actions to achieve these production
11 objectives unless the President determines that it is not
12 in the national security and economic interests of the
13 United States to increase Federal domestic energy produc-
14 tion and to further decrease dependence upon foreign
15 sources of energy. In administering this section, the rel-
16 evant Secretary shall only consider leasing Federal lands
17 available for leasing at the time the lease sale occurs.

18 “(d) STATE, FEDERALLY RECOGNIZED INDIAN
19 TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.—In
20 developing each strategy, the Secretary shall solicit the
21 input of affected States, federally recognized Indian tribes,
22 local governments, and the public.

23 “(e) REPORTING.—The Secretary shall report annu-
24 ally to the Committee on Natural Resources of the House
25 of Representatives and the Committee on Energy and

1 Natural Resources of the Senate on the progress of meet-
2 ing the production goals set forth in the strategy. The Sec-
3 retary shall identify in the report projections for produc-
4 tion and capacity installations and any problems with leas-
5 ing, permitting, siting, or production that will prevent
6 meeting the goal. In addition, the Secretary shall make
7 suggestions to help meet any shortfalls in meeting the pro-
8 duction goals.

9 “(f) PROGRAMMATIC ENVIRONMENTAL IMPACT
10 STATEMENT.—Not later than 12 months after the date
11 of enactment of this section, in accordance with section
12 102(2)(C) of the National Environmental Policy Act of
13 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall com-
14 plete a programmatic environmental impact statement.
15 This programmatic environmental impact statement will
16 be deemed sufficient to comply with all requirements
17 under that Act for all necessary resource management and
18 land use plans associated with the implementation of the
19 strategy.

20 “(g) CONGRESSIONAL REVIEW.—At least 60 days
21 prior to publishing a proposed strategy under this section,
22 the Secretary shall submit it to the President and the Con-
23 gress, together with any comments received from States,
24 federally recognized Indian tribes, and local governments.
25 Such submission shall indicate why any specific rec-

ommendation of a State, federally recognized Indian tribe,
or local government was not accepted.

“(h) STRATEGIC AND CRITICAL ENERGY MINERALS
DEFINED.—For purposes of this section, the term ‘stra-
tegic and critical energy minerals’ means those that are
necessary for the Nation’s energy infrastructure including
pipelines, refining capacity, electrical power generation
and transmission, and renewable energy production and
those that are necessary to support domestic manufac-
turing, including but not limited to, materials used in en-
ergy generation, production, and transportation.”.

(b) FIRST QUADRENNIAL STRATEGY.—Not later
than 18 months after the date of enactment of this Act,
the Secretary of the Interior shall submit to Congress the
first Quadrennial Federal Onshore Energy Production
Strategy under the amendment made by subsection (a).

Subtitle C—National Petroleum Reserve in Alaska Access

SEC. 23001. SHORT TITLE.

This subtitle may be cited as the “National Petro-
leum Reserve Alaska Access Act”.

SEC. 23002. SENSE OF CONGRESS AND REAFFIRMING NA- TIONAL POLICY FOR THE NATIONAL PETRO- LEUM RESERVE IN ALASKA.

It is the sense of Congress that—

1 (1) the National Petroleum Reserve in Alaska
2 remains explicitly designated, both in name and legal
3 status, for purposes of providing oil and natural gas
4 resources to the United States; and

5 (2) accordingly, the national policy is to actively
6 advance oil and gas development within the Reserve
7 by facilitating the expeditious exploration, produc-
8 tion, and transportation of oil and natural gas from
9 and through the Reserve.

10 **SEC. 23003. NATIONAL PETROLEUM RESERVE IN ALASKA:**
11 **LEASE SALES.**

12 Section 107(a) of the Naval Petroleum Reserves Pro-
13 duction Act of 1976 (42 U.S.C. 6506a(a)) is amended to
14 read as follows:

15 “(a) IN GENERAL.—The Secretary shall conduct an
16 expeditious program of competitive leasing of oil and gas
17 in the reserve in accordance with this Act. Such program
18 shall include at least one lease sale annually in those areas
19 of the reserve most likely to produce commercial quantities
20 of oil and natural gas each year in the period 2014
21 through 2024.”.

1 **SEC. 23004. NATIONAL PETROLEUM RESERVE IN ALASKA:**
2 **PLANNING AND PERMITTING PIPELINE AND**
3 **ROAD CONSTRUCTION.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, the Secretary of the Interior, in consultation
6 with other appropriate Federal agencies, shall facilitate
7 and ensure permits, in a timely and environmentally re-
8 sponsible manner, for all surface development activities,
9 including for the construction of pipelines and roads, nec-
10 essary to—

11 (1) develop and bring into production any areas
12 within the National Petroleum Reserve in Alaska
13 that are subject to oil and gas leases; and

14 (2) transport oil and gas from and through the
15 National Petroleum Reserve in Alaska in the most
16 direct manner possible to existing transportation or
17 processing infrastructure on the North Slope of
18 Alaska.

19 (b) TIMELINE.—The Secretary shall ensure that any
20 Federal permitting agency shall issue permits in accord-
21 ance with the following timeline:

22 (1) Permits for such construction for transpor-
23 tation of oil and natural gas produced under existing
24 Federal oil and gas leases with respect to which the
25 Secretary has issued a permit to drill shall be ap-

1 proved within 60 days after the date of enactment
2 of this Act.

3 (2) Permits for such construction for transpor-
4 tation of oil and natural gas produced under Federal
5 oil and gas leases shall be approved within 6 months
6 after the submission to the Secretary of a request
7 for a permit to drill.

8 (c) PLAN.—To ensure timely future development of
9 the Reserve, within 270 days after the date of the enact-
10 ment of this Act, the Secretary of the Interior shall submit
11 to Congress a plan for approved rights-of-way for a plan
12 for pipeline, road, and any other surface infrastructure
13 that may be necessary infrastructure that will ensure that
14 all leasable tracts in the Reserve are within 25 miles of
15 an approved road and pipeline right-of-way that can serve
16 future development of the Reserve.

17 **SEC. 23005. ISSUANCE OF A NEW INTEGRATED ACTIVITY**
18 **PLAN AND ENVIRONMENTAL IMPACT STATE-**
19 **MENT.**

20 (a) ISSUANCE OF NEW INTEGRATED ACTIVITY
21 PLAN.—The Secretary of the Interior shall, within 180
22 days after the date of enactment of this Act, issue—

23 (1) a new proposed integrated activity plan
24 from among the non-adopted alternatives in the Na-
25 tional Petroleum Reserve Alaska Integrated Activity

1 Plan Record of Decision issued by the Secretary of
2 the Interior and dated February 21, 2013; and

3 (2) an environmental impact statement under
4 section 102(2)(C) of the National Environmental
5 Policy Act of 1969 (42 U.S.C. 4332(2)(C)) for
6 issuance of oil and gas leases in the National Petro-
7 leum Reserve-Alaska to promote efficient and max-
8 imum development of oil and natural gas resources
9 of such reserve.

10 (b) NULLIFICATION OF EXISTING RECORD OF DECI-
11 SION, IAP, AND EIS.—Except as provided in subsection
12 (a), the National Petroleum Reserve-Alaska Integrated
13 Activity Plan Record of Decision issued by the Secretary
14 of the Interior and dated February 21, 2013, including
15 the integrated activity plan and environmental impact
16 statement referred to in that record of decision, shall have
17 no force or effect.

18 **SEC. 23006. DEPARTMENTAL ACCOUNTABILITY FOR DEVEL-**
19 **OPMENT.**

20 The Secretary of the Interior shall issue regulations
21 not later than 180 days after the date of enactment of
22 this Act that establish clear requirements to ensure that
23 the Department of the Interior is supporting development
24 of oil and gas leases in the National Petroleum Reserve-
25 Alaska.

1 **SEC. 23007. DEADLINES UNDER NEW PROPOSED INTE-**
2 **GRATED ACTIVITY PLAN.**

3 At a minimum, the new proposed integrated activity
4 plan issued under section 23005(a)(1) shall—

5 (1) require the Department of the Interior to
6 respond within 5 business days to a person who sub-
7 mits an application for a permit for development of
8 oil and natural gas leases in the National Petroleum
9 Reserve-Alaska acknowledging receipt of such appli-
10 cation; and

11 (2) establish a timeline for the processing of
12 each such application, that—

13 (A) specifies deadlines for decisions and
14 actions on permit applications; and

15 (B) provide that the period for issuing
16 each permit after submission of such an appli-
17 cation shall not exceed 60 days without the con-
18 currence of the applicant.

19 **SEC. 23008. UPDATED RESOURCE ASSESSMENT.**

20 (a) IN GENERAL.—The Secretary of the Interior shall
21 complete a comprehensive assessment of all technically re-
22 coverable fossil fuel resources within the National Petro-
23 leum Reserve in Alaska, including all conventional and un-
24 conventional oil and natural gas.

25 (b) COOPERATION AND CONSULTATION.—The re-
26 source assessment required by subsection (a) shall be car-

ried out by the United States Geological Survey in co-
operation and consultation with the State of Alaska and
the American Association of Petroleum Geologists.

(c) TIMING.—The resource assessment required by
subsection (a) shall be completed within 24 months of the
date of the enactment of this Act.

(d) FUNDING.—The United States Geological Survey
may, in carrying out the duties under this section, coop-
eratively use resources and funds provided by the State
of Alaska.

Subtitle D—BLM Live Internet Auctions

SEC. 24001. SHORT TITLE.

This subtitle may be cited as the “BLM Live Internet
Auctions Act”.

SEC. 24002. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Min-
eral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence,
by inserting “, except as provided in subparagraph
(C)” after “by oral bidding”; and

(2) by adding at the end the following:

“(C) In order to diversify and expand the Nation’s
onshore leasing program to ensure the best return to the

1 Federal taxpayer, reduce fraud, and secure the leasing
2 process, the Secretary may conduct onshore lease sales
3 through Internet-based bidding methods. Each individual
4 Internet-based lease sale shall conclude within 7 days.”.

5 (b) REPORT.—Not later than 90 days after the tenth
6 Internet-based lease sale conducted under the amendment
7 made by subsection (a), the Secretary of the Interior shall
8 analyze the first 10 such lease sales and report to Con-
9 gress the findings of the analysis. The report shall in-
10 clude—

11 (1) estimates on increases or decreases in such
12 lease sales, compared to sales conducted by oral bid-
13 ding, in—

14 (A) the number of bidders;

15 (B) the average amount of bid;

16 (C) the highest amount bid; and

17 (D) the lowest bid;

18 (2) an estimate on the total cost or savings to
19 the Department of the Interior as a result of such
20 sales, compared to sales conducted by oral bidding;
21 and

22 (3) an evaluation of the demonstrated or ex-
23 pected effectiveness of different structures for lease
24 sales which may provide an opportunity to better
25 maximize bidder participation, ensure the highest re-

1 turn to the Federal taxpayers, minimize opportuni-
2 ties for fraud or collusion, and ensure the security
3 and integrity of the leasing process.

4 **TITLE III—MISCELLANEOUS**
5 **PROVISIONS**

6 **SEC. 30101. ESTABLISHMENT OF OFFICE OF ENERGY EM-**
7 **PLOYMENT AND TRAINING.**

8 (a) ESTABLISHMENT.—The Secretary of the Interior
9 shall establish an Office of Energy Employment and
10 Training, which shall oversee the hiring and training ef-
11 forts of the Department of the Interior’s energy planning,
12 permitting, and regulatory agencies.

13 (b) DIRECTOR.—

14 (1) IN GENERAL.—The Office shall be under
15 the direction of a Deputy Assistant Secretary for
16 Energy Employment and Training, who shall report
17 directly to the Assistant Secretary for Energy,
18 Lands and Minerals Management, and shall be fully
19 employed to carry out the functions of the Office.

20 (2) DUTIES.—The Deputy Assistant Secretary
21 for Energy Employment and Training shall perform
22 the following functions:

23 (A) Develop and implement systems to
24 track the Department’s hiring of trained skilled

1 workers in the energy permitting and inspection
2 agencies.

3 (B) Design and recommend to the Sec-
4 retary programs and policies aimed at expand-
5 ing the Department's hiring of women, minori-
6 ties, and veterans into the Department's work-
7 force dealing with energy permitting and in-
8 spection programs. Such programs and policies
9 shall include—

10 (i) recruiting at historically black col-
11 leges and universities, Hispanic-serving in-
12 stitutions, women's colleges, and colleges
13 that typically serve majority minority pop-
14 ulations;

15 (ii) sponsoring and recruiting at job
16 fairs in urban communities;

17 (iii) placing employment advertise-
18 ments in newspapers and magazines ori-
19 ented toward minorities, veterans, and
20 women;

21 (iv) partnering with organizations that
22 are focused on developing opportunities for
23 minorities, veterans, and women to be
24 placed in Departmental internships, sum-

mer employment, and full-time positions relating to energy;

(v) where feasible, partnering with inner-city high schools, girls' high schools, and high schools with majority minority populations to demonstrate career opportunities and the path to those opportunities available at the Department;

(vi) coordinating with the Department of Veterans Affairs and the Department of Defense in the hiring of veterans; and

(vii) any other mass media communications that the Deputy Assistant Secretary determines necessary to advertise, promote, or educate about opportunities at the Department.

(C) Develop standards for—

(i) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of the Department; and

(ii) increased participation of minority-owned, veteran-owned, and women-owned businesses in the programs and contracts with the Department.

1 (D) Review and propose for adoption the
2 best practices of entities regulated by the De-
3 partment with regards to hiring and diversity
4 policies, and publish those best practices for
5 public review.

6 (c) REPORTS.—The Secretary shall submit to Con-
7 gress an annual report regarding the actions taken by the
8 Department of the Interior agency and the Office pursu-
9 ant to this section, which shall include—

10 (1) a statement of the total amounts paid by
11 the Department to minority contractors;

12 (2) the successes achieved and challenges faced
13 by the Department in operating minority, veteran or
14 service-disabled veteran, and women outreach pro-
15 grams;

16 (3) the challenges the Department may face in
17 hiring minority, veteran, and women employees and
18 contracting with veteran or service-disabled veteran,
19 minority-owned, and women-owned businesses; and

20 (4) any other information, findings, conclusions,
21 and recommendations for legislative or Department
22 action, as the Director determines appropriate.

23 (d) DEFINITIONS.—For purposes of this section, the
24 following definitions shall apply:

1 (1) MINORITY.—The term “minority” means
2 United States citizens who are Asian Indian Amer-
3 ican, Asian Pacific American, Black American, His-
4 panic American, or Native American.

5 (2) MINORITY-OWNED BUSINESS.—The term
6 “minority-owned business” means a for-profit enter-
7 prise, regardless of size, physically located in the
8 United States or its trust territories, that is owned,
9 operated, and controlled by minority group members.
10 “Minority group members” are United States citi-
11 zens who are Asian Indian American, Asian Pacific
12 American, Black American, Hispanic American, or
13 Native American (terminology in NMSDC cat-
14 egories). Ownership by minority individuals means
15 the business is at least 51 percent owned by such in-
16 dividuals or, in the case of a publicly owned busi-
17 ness, at least 51 percent of the stock is owned by
18 one or more such individuals. Further, the manage-
19 ment and daily operations are controlled by those
20 minority group members. For purposes of NMSDC’s
21 program, a minority group member is an individual
22 who is a United States citizen with at least $\frac{1}{4}$ or
23 25 percent minimum (documentation to support
24 claim of 25 percent required from applicant) of one
25 or more of the following:

1 (A) Asian Indian American, which is a
2 United States citizen whose origins are from
3 India, Pakistan, or Bangladesh.

4 (B) Asian Pacific American, which is a
5 United States citizen whose origins are from
6 Japan, China, Indonesia, Malaysia, Taiwan,
7 Korea, Vietnam, Laos, Cambodia, the Phil-
8 ippines, Thailand, Samoa, Guam, the United
9 States Trust Territories of the Pacific, or the
10 Northern Marianas.

11 (C) Black American, which is a United
12 States citizen having origins in any of the Black
13 racial groups of Africa.

14 (D) Hispanic American, which is a United
15 States citizen of true-born Hispanic heritage,
16 from any of the Spanish-speaking areas of the
17 following regions: Mexico, Central America,
18 South America, and the Caribbean Basin only.

19 (E) Native American, which means a
20 United States citizen enrolled to a federally rec-
21 ognized tribe, or a Native as defined under the
22 Alaska Native Claims Settlement Act.

23 (3) NMSDC.—The term “NMSDC” means the
24 National Minority Supplier Development Council.

1 (4) WOMEN-OWNED BUSINESS.—The term
2 “women-owned business” means a business that can
3 verify through evidence documentation that 51 per-
4 cent or more is women-owned, managed, and con-
5 trolled. The business must be open for at least 6
6 months. The business owner must be a United
7 States citizen or legal resident alien. Evidence must
8 indicate that—

9 (A) the contribution of capital or expertise
10 by the woman business owner is real and sub-
11 stantial and in proportion to the interest owned;

12 (B) the woman business owner directs or
13 causes the direction of management, policy, fis-
14 cal, and operational matters; and

15 (C) the woman business owner has the
16 ability to perform in the area of specialty or ex-
17 pertise without reliance on either the finances
18 or resources of a firm that is not owned by a
19 woman.

20 (5) SERVICE DISABLED VETERAN.—The term
21 “Service Disabled Veteran” must have a service-con-
22 nected disability that has been determined by the
23 Department of Veterans Affairs or Department of
24 Defense. The SDVOSBC must be small under the
25 North American Industry Classification System

1 (NAICS) code assigned to the procurement; the
2 SDV must unconditionally own 51 percent of the
3 SDVOSBC; the SDVO must control the manage-
4 ment and daily operations of the SDVOSBC; and
5 the SDV must hold the highest officer position in
6 the SDVOSBC.

7 (6) VETERAN-OWNED BUSINESS.—The term
8 “veteran-owned business” means a business that can
9 verify through evidence documentation that 51 per-
10 cent or more is veteran-owned, managed, and con-
11 trolled. The business must be open for at least 6
12 months. The business owner must be a United
13 States citizen or legal resident alien and honorably
14 or service-connected disability discharged from serv-
15 ice.

Passed the House of Representatives June 26, 2014.

Attest:

KAREN L. HAAS,

Clerk.