

**(3) Secretary**

The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

**(4) Survey**

The term “Survey” means the United States Geological Survey.

**(k) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2021 through 2029, to remain available until expended.

(Pub. L. 109–58, title III, §351, Aug. 8, 2005, 119 Stat. 711; Pub. L. 116–260, div. Z, title VII, §7002(l), Dec. 27, 2020, 134 Stat. 2575; Pub. L. 117–58, div. D, title II, §40203, Nov. 15, 2021, 135 Stat. 959.)

**Editorial Notes**

## REFERENCES IN TEXT

The National Geologic Mapping Act of 1992, referred to in subsec. (f)(2), is Pub. L. 102–285, May 18, 1992, 106 Stat. 166, which is classified principally to sections 31a to 31h of Title 43, Public Lands. Par. (3) of section 5(b) of the Act was redesignated par. (4) by Pub. L. 111–11, title XI, §11001(f)(2)(B), Mar. 30, 2009, 123 Stat. 1415, and is now classified to section 31d(b)(4) of Title 43. For complete classification of this Act to the Code, see Short Title note set out under section 31a of Title 43 and Tables.

## AMENDMENTS

2021—Subsec. (b)(4). Pub. L. 117–58 added par. (4).  
2020—Subsec. (k). Pub. L. 116–260 substituted “\$5,000,000 for each of fiscal years 2021 through 2029, to remain available until expended” for “\$30,000,000 for each of fiscal years 2006 through 2010”.

**Statutory Notes and Related Subsidiaries**

## WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117–58, including authority of Secretary of Labor, see section 18851 of this title.

**§ 15909. Gas hydrate production incentive****(a) Purpose**

The purpose of this section is to promote natural gas production from the natural gas hydrate resources on the outer Continental Shelf and Federal lands in Alaska by providing royalty incentives.

**(b) Suspension of royalties****(1) In general**

The Secretary may grant royalty relief in accordance with this section for natural gas produced from gas hydrate resources under an eligible lease.

**(2) Eligible leases**

A lease shall be an eligible lease for purposes of this section if—

(A) it is issued under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), or is an oil and gas lease issued for onshore Federal lands in Alaska;

(B) it is issued prior to January 1, 2016; and  
(C) production under the lease of natural gas from gas hydrate resources commences prior to January 1, 2018.

**(3) Amount of relief**

The Secretary shall conduct a rulemaking and grant royalty relief under this section as a suspension volume if the Secretary determines that such royalty relief would encourage production of natural gas from gas hydrate resources from an eligible lease. The maximum suspension volume shall be 30 billion cubic feet of natural gas per lease. Such relief shall be in addition to any other royalty relief under any other provision applicable to the lease that does not specifically grant a gas hydrate production incentive. Such royalty suspension volume shall be applied to any eligible production occurring on or after the date of publication of the advanced notice of proposed rulemaking.

**(4) Limitation**

The Secretary may place limitations on royalty relief granted under this section based on market price.

**(c) Application**

This section shall apply to any eligible lease issued before, on, or after August 8, 2005.

**(d) Rulemakings****(1) Requirement**

The Secretary shall publish the advanced notice of proposed rulemaking within 180 days after August 8, 2005, and complete the rulemaking implementing this section within 365 days after August 8, 2005.

**(2) Gas hydrate resources defined**

Such regulations shall define the term “gas hydrate resources” to include both the natural gas content of gas hydrates within the hydrate stability zone and free natural gas trapped by and beneath the hydrate stability zone.

**(e) Review**

Not later than 365 days after August 8, 2005, the Secretary, in consultation with the Secretary of Energy, shall carry out a review of, and submit to Congress a report on, further opportunities to enhance production of natural gas from gas hydrate resources on the outer Continental Shelf and on Federal lands in Alaska through the provision of other production incentives or through technical or financial assistance.

(Pub. L. 109–58, title III, §353, Aug. 8, 2005, 119 Stat. 714.)

**Editorial Notes**

## REFERENCES IN TEXT

The Outer Continental Shelf Lands Act, referred to in subsec. (b)(2)(A), is act Aug. 7, 1953, ch. 345, 67 Stat. 462, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

**§ 15910. Enhanced oil and natural gas production through carbon dioxide injection**

**(a) Production incentive**

**(1) Findings**

Congress finds the following:

(A) Approximately two-thirds of the original oil in place in the United States remains unproduced.

(B) Enhanced oil and natural gas production from the sequestering of carbon dioxide and other appropriate gases has the potential to increase oil and natural gas production.

(C) Capturing and productively using carbon dioxide would help reduce the carbon intensity of the economy.

**(2) Purpose**

The purpose of this section is—

(A) to promote the capturing, transportation, and injection of produced carbon dioxide, natural carbon dioxide, and other appropriate gases or other matter for sequestration into oil and gas fields; and

(B) to promote oil and natural gas production from the outer Continental Shelf and onshore Federal lands under lease by providing royalty incentives to use enhanced recovery techniques using injection of the substances referred to in subparagraph (A).

**(b) Suspension of royalties**

**(1) In general**

If the Secretary determines that reduction of the royalty under a Federal oil and gas lease that is an eligible lease is in the public interest and promotes the purposes of this section, the Secretary shall undertake a rulemaking to provide for such reduction for an eligible lease.

**(2) Rulemakings**

The Secretary shall publish the advanced notice of proposed rulemaking within 180 days after August 8, 2005, and complete the rulemaking implementing this section within 365 days after August 8, 2005.

**(3) Eligible leases**

A lease shall be an eligible lease for purposes of this section if—

(A) it is a lease for production of oil and gas from the outer Continental Shelf or Federal onshore lands;

(B) the injection of the substances referred to in subsection (a)(2)(A) will be used as an enhanced recovery technique on such lease; and

(C) the Secretary determines that the lease contains oil or gas that would not likely be produced without the royalty reduction provided under this section.

**(4) Amount of relief**

The rulemaking shall provide for a suspension volume, which shall not exceed 5,000,000 barrels of oil equivalent for each eligible lease. Such suspension volume shall be applied to any production from an eligible lease occurring on or after the date of publication of any advanced notice of proposed rulemaking under this subsection.

**(5) Limitation**

The Secretary may place limitations on the royalty reduction granted under this section based on market price.

**(6) Application**

This section shall apply to any eligible lease issued before, on, or after August 8, 2005.

**(c) Demonstration program**

**(1) Establishment**

**(A) In general**

The Secretary of Energy shall establish a competitive grant program to provide grants to producers of oil and gas to carry out projects to inject carbon dioxide for the purpose of enhancing recovery of oil or natural gas while increasing the sequestration of carbon dioxide.

**(B) Projects**

The demonstration program shall provide for—

(i) not more than 10 projects in the Williston Basin in North Dakota and Montana; and

(ii) 1 project in the Cook Inlet Basin in Alaska.

**(2) Requirements**

**(A) In general**

The Secretary of Energy shall issue requirements relating to applications for grants under paragraph (1).

**(B) Rulemaking**

The issuance of requirements under subparagraph (A) shall not require a rulemaking.

**(C) Minimum requirements**

At a minimum, the Secretary shall require under subparagraph (A) that an application for a grant include—

(i) a description of the project proposed in the application;

(ii) an estimate of the production increase and the duration of the production increase from the project, as compared to conventional recovery techniques, including water flooding;

(iii) an estimate of the carbon dioxide sequestered by project, over the life of the project;

(iv) a plan to collect and disseminate data relating to each project to be funded by the grant;

(v) a description of the means by which the project will be sustainable without Federal assistance after the completion of the term of the grant;

(vi) a complete description of the costs of the project, including acquisition, construction, operation, and maintenance costs over the expected life of the project;

(vii) a description of which costs of the project will be supported by Federal assistance under this section; and

(viii) a description of any secondary or tertiary recovery efforts in the field and the efficacy of water flood recovery techniques used.