

§ 15912. Comprehensive inventory of OCS oil and natural gas resources

(a) In general

The Secretary shall conduct an inventory and analysis of oil and natural gas resources beneath all of the waters of the United States Outer Continental Shelf (“OCS”). The inventory and analysis shall—

- (1) use available data on oil and gas resources in areas offshore of Mexico and Canada that will provide information on trends of oil and gas accumulation in areas of the OCS;
- (2) use any available technology, except drilling, but including 3-D seismic technology to obtain accurate resource estimates;
- (3) analyze how resource estimates in OCS areas have changed over time in regards to gathering geological and geophysical data, initial exploration, or full field development, including areas such as the deepwater and subsalt areas in the Gulf of Mexico;
- (4) estimate the effect that understated oil and gas resource inventories have on domestic energy investments; and
- (5) identify and explain how legislative, regulatory, and administrative programs or processes restrict or impede the development of identified resources and the extent that they affect domestic supply, such as moratoria, lease terms and conditions, operational stipulations and requirements, approval delays by the Federal Government and coastal States, and local zoning restrictions for onshore processing facilities and pipeline landings.

(b) Reports

The Secretary shall submit a report to Congress on the inventory of estimates and the analysis of restrictions or impediments, together with any recommendations, within 6 months of August 8, 2005. The report shall be publicly available and updated at least every 5 years.

(Pub. L. 109–58, title III, §357, Aug. 8, 2005, 119 Stat. 720.)

PART B—ACCESS TO FEDERAL LANDS

§ 15921. Management of Federal oil and gas leasing programs

(a) Timely action on leases and permits

(1) Secretary of the Interior

To ensure timely action on oil and gas leases and applications for permits to drill on land otherwise available for leasing, the Secretary of the Interior (referred to in this section as the “Secretary”) shall—

- (A) ensure expeditious compliance with section 4332(2)(C) of this title and any other applicable environmental and cultural resources laws;
- (B) improve consultation and coordination with the States and the public; and
- (C) improve the collection, storage, and retrieval of information relating to the oil and gas leasing activities.

(2) Secretary of Agriculture

To ensure timely action on oil and gas lease applications for permits to drill on land other-

wise available for leasing, the Secretary of Agriculture shall—

- (A) ensure expeditious compliance with all applicable environmental and cultural resources laws; and
- (B) improve the collection, storage, and retrieval of information relating to the oil and gas leasing activities.

(b) Best management practices

(1) In general

Not later than 18 months after August 8, 2005, the Secretary shall develop and implement best management practices to—

- (A) improve the administration of the onshore oil and gas leasing program under the Mineral Leasing Act (30 U.S.C. 181 et seq.); and
- (B) ensure timely action on oil and gas leases and applications for permits to drill on land otherwise available for leasing.

(2) Considerations

In developing the best management practices under paragraph (1), the Secretary shall consider any recommendations from the review under section 361.¹

(3) Regulations

Not later than 180 days after the development of the best management practices under paragraph (1), the Secretary shall publish, for public comment, proposed regulations that set forth specific timeframes for processing leases and applications in accordance with the best management practices, including deadlines for—

- (A) approving or disapproving—
 - (i) resource management plans and related documents;
 - (ii) lease applications;
 - (iii) applications for permits to drill; and
 - (iv) surface use plans; and
- (B) related administrative appeals.

(c) Improved enforcement

The Secretary and the Secretary of Agriculture shall improve inspection and enforcement of oil and gas activities, including enforcement of terms and conditions in permits to drill on land under the jurisdiction of the Secretary and the Secretary of Agriculture, respectively.

(d) Authorization of appropriations

In addition to amounts made available to carry out activities relating to oil and gas leasing on public land administered by the Secretary and National Forest System land administered by the Secretary of Agriculture, there are authorized to be appropriated for each of fiscal years 2006 through 2010—

- (1) to the Secretary, acting through the Director of the Bureau of Land Management—
 - (A) \$40,000,000 to carry out subsections (a)(1) and (b); and
 - (B) \$20,000,000 to carry out subsection (c);
- (2) to the Secretary, acting through the Director of the United States Fish and Wildlife Service, \$5,000,000 to carry out subsection (a)(1); and

¹ See References in Text note below.

(3) to the Secretary of Agriculture, acting through the Chief of the Forest Service, \$5,000,000 to carry out subsections (a)(2) and (c).

(Pub. L. 109-58, title III, §362, Aug. 8, 2005, 119 Stat. 721.)

Editorial Notes

REFERENCES IN TEXT

The Mineral Leasing Act, referred to in subsec. (b)(1)(A), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

Section 361, referred to in subsec. (b)(2), is section 361 of Pub. L. 109-58, title III, Aug. 8, 2005, 119 Stat. 720, which is not classified to the Code.

§ 15922. Consultation regarding oil and gas leasing on public land

(a) In general

Not later than 180 days after August 8, 2005, the Secretary of the Interior and the Secretary of Agriculture shall enter into a memorandum of understanding regarding oil and gas leasing on—

- (1) public land under the jurisdiction of the Secretary of the Interior; and
- (2) National Forest System land under the jurisdiction of the Secretary of Agriculture.

(b) Contents

The memorandum of understanding shall include provisions that—

- (1) establish administrative procedures and lines of authority that ensure timely processing of—
 - (A) oil and gas lease applications;
 - (B) surface use plans of operation, including steps for processing surface use plans; and
 - (C) applications for permits to drill consistent with applicable timelines;
- (2) eliminate duplication of effort by providing for coordination of planning and environmental compliance efforts;
- (3) ensure that lease stipulations are—
 - (A) applied consistently;
 - (B) coordinated between agencies; and
 - (C) only as restrictive as necessary to protect the resource for which the stipulations are applied;
- (4) establish a joint data retrieval system that is capable of—
 - (A) tracking applications and formal requests made in accordance with procedures of the Federal onshore oil and gas leasing program; and
 - (B) providing information regarding the status of the applications and requests within the Department of the Interior and the Department of Agriculture; and
- (5) establish a joint geographic information system mapping system for use in—
 - (A) tracking surface resource values to aid in resource management; and
 - (B) processing surface use plans of operation and applications for permits to drill.

(Pub. L. 109-58, title III, §363, Aug. 8, 2005, 119 Stat. 722.)

§ 15923. Methodology

The Secretary of the Interior shall use the same assessment methodology across all geological provinces, areas, and regions in preparing and issuing national geological assessments to ensure accurate comparisons of geological resources.

(Pub. L. 109-58, title III, §364(b), Aug. 8, 2005, 119 Stat. 723.)

§ 15924. Project to improve Federal permit coordination

(a) Establishment

The Secretary of the Interior (referred to in this section as the “Secretary”) shall establish a Federal Permit Streamlining Project (referred to in this section as the “Project”).

(b) Memorandum of understanding

(1) In general

Not later than 90 days after August 8, 2005, the Secretary shall enter into a memorandum of understanding for purposes of this section with—

- (A) the Secretary of Agriculture;
- (B) the Administrator of the Environmental Protection Agency; and
- (C) the Chief of Engineers.

(2) State participation

The Secretary may request that the Governors of the States in which Project offices are located be signatories to the memorandum of understanding.

(c) Designation of qualified staff

(1) In general

Not later than 30 days after the date of the signing of the memorandum of understanding under subsection (b), all Federal signatory parties shall, if appropriate, assign to each of the field offices identified in subsection (d) an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

- (A) the consultations and the preparation of biological opinions under section 1536 of title 16;
- (B) permits under section 1344 of title 33;
- (C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);
- (D) planning under the National Forest Management Act of 1976 (16 U.S.C. 472a et seq.); and
- (E) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) Duties

Each employee assigned under paragraph (1) shall—

- (A) not later than 90 days after the date of assignment, report to the Bureau of Land Management Field Managers in the office to which the employee is assigned;
- (B) be responsible for all issues relating to the jurisdiction of the home office or agency of the employee; and