

**AMENDMENT TO H.R. 415, AS REPORTED
OFFERED BY MR. YOUNG OF ALASKA**

Before section 1 insert the following:

1 **TITLE I—DESIGNATION OF**
2 **TAUNTON RIVER, MASSACHU-**
3 **SETTS, UNDER WILD AND**
4 **SCENIC RIVERS ACT**

In section 2(a)(1), strike “consistent with this Act”
and insert “consistent with this title”.

Add at the end the following:

5 **TITLE II—AMERICAN ENERGY**
6 **INDEPENDENCE AND PRICE**
7 **REDUCTION**

8 **SEC. 201. SHORT TITLE.**

9 this title may be cited as the “American Energy Inde-
10 pendence and Price Reduction Act”.

11 **SEC. 202. DEFINITIONS.**

12 In this title:

13 (1) **COASTAL PLAIN.**—The term “Coastal
14 Plain” means that area described in appendix I to
15 part 37 of title 50, Code of Federal Regulations.

1 (2) SECRETARY.—The term “Secretary”, except
2 as otherwise provided, means the Secretary of the
3 Interior or the Secretary’s designee.

4 **SEC. 203. LEASING PROGRAM FOR LANDS WITHIN THE**
5 **COASTAL PLAIN.**

6 (a) IN GENERAL.—The Secretary shall take such ac-
7 tions as are necessary—

8 (1) to establish and implement, in accordance
9 with this title and acting through the Director of the
10 Bureau of Land Management in consultation with
11 the Director of the United States Fish and Wildlife
12 Service, a competitive oil and gas leasing program
13 that will result in an environmentally sound program
14 for the exploration, development, and production of
15 the oil and gas resources of the Coastal Plain; and

16 (2) to administer the provisions of this title
17 through regulations, lease terms, conditions, restric-
18 tions, prohibitions, stipulations, and other provisions
19 that ensure the oil and gas exploration, development,
20 and production activities on the Coastal Plain will
21 result in no significant adverse effect on fish and
22 wildlife, their habitat, subsistence resources, and the
23 environment, including, in furtherance of this goal,
24 by requiring the application of the best commercially
25 available technology for oil and gas exploration, de-

1 velopment, and production to all exploration, devel-
2 opment, and production operations under this title
3 in a manner that ensures the receipt of fair market
4 value by the public for the mineral resources to be
5 leased.

6 (b) REPEAL.—

7 (1) REPEAL.—Section 1003 of the Alaska Na-
8 tional Interest Lands Conservation Act of 1980 (16
9 U.S.C. 3143) is repealed.

10 (2) CONFORMING AMENDMENT.—The table of
11 contents in section 1 of such Act is amended by
12 striking the item relating to section 1003.

13 (c) COMPLIANCE WITH REQUIREMENTS UNDER CER-
14 TAIN OTHER LAWS.—

15 (1) COMPATIBILITY.—For purposes of the Na-
16 tional Wildlife Refuge System Administration Act of
17 1966 (16 U.S.C. 668dd et seq.), the oil and gas
18 leasing program and activities authorized by this
19 section in the Coastal Plain are deemed to be com-
20 patible with the purposes for which the Arctic Na-
21 tional Wildlife Refuge was established, and no fur-
22 ther findings or decisions are required to implement
23 this determination.

24 (2) ADEQUACY OF THE DEPARTMENT OF THE
25 INTERIOR'S LEGISLATIVE ENVIRONMENTAL IMPACT

1 STATEMENT.—The “Final Legislative Environ-
2 mental Impact Statement” (April 1987) on the
3 Coastal Plain prepared pursuant to section 1002 of
4 the Alaska National Interest Lands Conservation
5 Act of 1980 (16 U.S.C. 3142) and section 102(2)(C)
6 of the National Environmental Policy Act of 1969
7 (42 U.S.C. 4332(2)(C)) is deemed to satisfy the re-
8 quirements under the National Environmental Policy
9 Act of 1969 that apply with respect to prelease ac-
10 tivities, including actions authorized to be taken by
11 the Secretary to develop and promulgate the regula-
12 tions for the establishment of a leasing program au-
13 thorized by this title before the conduct of the first
14 lease sale.

15 (3) COMPLIANCE WITH NEPA FOR OTHER AC-
16 TIONS.—Before conducting the first lease sale under
17 this title, the Secretary shall prepare an environ-
18 mental impact statement under the National Envi-
19 ronmental Policy Act of 1969 with respect to the ac-
20 tions authorized by this title that are not referred to
21 in paragraph (2). Notwithstanding any other law,
22 the Secretary is not required to identify nonleasing
23 alternative courses of action or to analyze the envi-
24 ronmental effects of such courses of action. The Sec-
25 retary shall only identify a preferred action for such

1 leasing and a single leasing alternative, and analyze
2 the environmental effects and potential mitigation
3 measures for those two alternatives. The identifica-
4 tion of the preferred action and related analysis for
5 the first lease sale under this title shall be completed
6 within 18 months after the date of enactment of this
7 Act. The Secretary shall only consider public com-
8 ments that specifically address the Secretary's pre-
9 ferred action and that are filed within 20 days after
10 publication of an environmental analysis. Notwith-
11 standing any other law, compliance with this para-
12 graph is deemed to satisfy all requirements for the
13 analysis and consideration of the environmental ef-
14 fects of proposed leasing under this title.

15 (d) RELATIONSHIP TO STATE AND LOCAL AUTHOR-
16 ITY.—Nothing in this title shall be considered to expand
17 or limit State and local regulatory authority.

18 (e) SPECIAL AREAS.—

19 (1) IN GENERAL.—The Secretary, after con-
20 sultation with the State of Alaska, the city of
21 Kaktovik, and the North Slope Borough, may des-
22 ignate up to a total of 45,000 acres of the Coastal
23 Plain as a Special Area if the Secretary determines
24 that the Special Area is of such unique character
25 and interest so as to require special management

1 and regulatory protection. The Secretary shall des-
2 ignate as such a Special Area the Sadlerochit Spring
3 area, comprising approximately 4,000 acres.

4 (2) MANAGEMENT.—Each such Special Area
5 shall be managed so as to protect and preserve the
6 area's unique and diverse character including its
7 fish, wildlife, and subsistence resource values.

8 (3) EXCLUSION FROM LEASING OR SURFACE
9 OCCUPANCY.—The Secretary may exclude any Spe-
10 cial Area from leasing. If the Secretary leases a Spe-
11 cial Area, or any part thereof, for purposes of oil
12 and gas exploration, development, production, and
13 related activities, there shall be no surface occu-
14 pancy of the lands comprising the Special Area.

15 (4) DIRECTIONAL DRILLING.—Notwithstanding
16 the other provisions of this subsection, the Secretary
17 may lease all or a portion of a Special Area under
18 terms that permit the use of horizontal drilling tech-
19 nology from sites on leases located outside the Spe-
20 cial Area.

21 (f) LIMITATION ON CLOSED AREAS.—The Sec-
22 retary's sole authority to close lands within the Coastal
23 Plain to oil and gas leasing and to exploration, develop-
24 ment, and production is that set forth in this title.

25 (g) REGULATIONS.—

1 (1) IN GENERAL.—The Secretary shall pre-
2 scribe such regulations as may be necessary to carry
3 out this title, including rules and regulations relating
4 to protection of the fish and wildlife, their habitat,
5 subsistence resources, and environment of the Coast-
6 al Plain, by no later than 15 months after the date
7 of enactment of this Act.

8 (2) REVISION OF REGULATIONS.—The Sec-
9 retary shall periodically review and, if appropriate,
10 revise the rules and regulations issued under sub-
11 section (a) to reflect any significant biological, envi-
12 ronmental, or engineering data that come to the Sec-
13 retary's attention.

14 **SEC. 204. LEASE SALES.**

15 (a) IN GENERAL.—Lands may be leased pursuant to
16 this title to any person qualified to obtain a lease for de-
17 posits of oil and gas under the Mineral Leasing Act (30
18 U.S.C. 181 et seq.).

19 (b) PROCEDURES.—The Secretary shall, by regula-
20 tion, establish procedures for—

21 (1) receipt and consideration of sealed nomina-
22 tions for any area in the Coastal Plain for inclusion
23 in, or exclusion (as provided in subsection (c)) from,
24 a lease sale;

1 (2) the holding of lease sales after such nomina-
2 tion process; and

3 (3) public notice of and comment on designa-
4 tion of areas to be included in, or excluded from, a
5 lease sale.

6 (c) LEASE SALE BIDS.—Bidding for leases under
7 this title shall be by sealed competitive cash bonus bids.

8 (d) ACREAGE MINIMUM IN FIRST SALE.—In the first
9 lease sale under this title, the Secretary shall offer for
10 lease those tracts the Secretary considers to have the
11 greatest potential for the discovery of hydrocarbons, tak-
12 ing into consideration nominations received pursuant to
13 subsection (b)(1), but in no case less than 200,000 acres.

14 (e) TIMING OF LEASE SALES.—The Secretary
15 shall—

16 (1) conduct the first lease sale under this title
17 within 22 months after the date of the enactment of
18 this Act;

19 (2) evaluate the bids in such sale and issue
20 leases resulting from such sale, within 90 days after
21 the date of the completion of such sale; and

22 (3) conduct additional sales so long as sufficient
23 interest in development exists to warrant, in the Sec-
24 retary's judgment, the conduct of such sales.

1 **SEC. 205. GRANT OF LEASES BY THE SECRETARY.**

2 (a) IN GENERAL.—The Secretary may grant to the
3 highest responsible qualified bidder in a lease sale con-
4 ducted pursuant to section 204 any lands to be leased on
5 the Coastal Plain upon payment by the lessee of such
6 bonus as may be accepted by the Secretary.

7 (b) SUBSEQUENT TRANSFERS.—No lease issued
8 under this title may be sold, exchanged, assigned, sublet,
9 or otherwise transferred except with the approval of the
10 Secretary. Prior to any such approval the Secretary shall
11 consult with, and give due consideration to the views of,
12 the Attorney General.

13 **SEC. 206. LEASE TERMS AND CONDITIONS.**

14 (a) IN GENERAL.—An oil or gas lease issued pursu-
15 ant to this title shall—

16 (1) provide for the payment of a royalty of not
17 less than 12½ percent in amount or value of the
18 production removed or sold from the lease, as deter-
19 mined by the Secretary under the regulations appli-
20 cable to other Federal oil and gas leases;

21 (2) provide that the Secretary may close, on a
22 seasonal basis, portions of the Coastal Plain to ex-
23 ploratory drilling activities as necessary to protect
24 caribou calving areas and other species of fish and
25 wildlife;

1 (3) require that the lessee of lands within the
2 Coastal Plain shall be fully responsible and liable for
3 the reclamation of lands within the Coastal Plain
4 and any other Federal lands that are adversely af-
5 fected in connection with exploration, development,
6 production, or transportation activities conducted
7 under the lease and within the Coastal Plain by the
8 lessee or by any of the subcontractors or agents of
9 the lessee;

10 (4) provide that the lessee may not delegate or
11 convey, by contract or otherwise, the reclamation re-
12 sponsibility and liability to another person without
13 the express written approval of the Secretary;

14 (5) provide that the standard of reclamation for
15 lands required to be reclaimed under this title shall
16 be, as nearly as practicable, a condition capable of
17 supporting the uses which the lands were capable of
18 supporting prior to any exploration, development, or
19 production activities, or upon application by the les-
20 see, to a higher or better use as approved by the
21 Secretary;

22 (6) contain terms and conditions relating to
23 protection of fish and wildlife, their habitat, subsist-
24 ence resources, and the environment as required
25 pursuant to section 203(a)(2);

1 (7) provide that the lessee, its agents, and its
2 contractors use best efforts to provide a fair share,
3 as determined by the level of obligation previously
4 agreed to in the 1974 agreement implementing sec-
5 tion 29 of the Federal Agreement and Grant of
6 Right of Way for the Operation of the Trans-Alaska
7 Pipeline, of employment and contracting for Alaska
8 Natives and Alaska Native Corporations from
9 throughout the State;

10 (8) prohibit the export of oil produced under
11 the lease; and

12 (9) contain such other provisions as the Sec-
13 retary determines necessary to ensure compliance
14 with the provisions of this title and the regulations
15 issued under this title.

16 (b) PROJECT LABOR AGREEMENTS.—The Secretary,
17 as a term and condition of each lease under this title and
18 in recognizing the Government's proprietary interest in
19 labor stability and in the ability of construction labor and
20 management to meet the particular needs and conditions
21 of projects to be developed under the leases issued pursu-
22 ant to this title and the special concerns of the parties
23 to such leases, shall require that the lessee and its agents
24 and contractors negotiate to obtain a project labor agree-
25 ment for the employment of laborers and mechanics on

1 production, maintenance, and construction under the
2 lease.

3 **SEC. 207. COASTAL PLAIN ENVIRONMENTAL PROTECTION.**

4 (a) NO SIGNIFICANT ADVERSE EFFECT STANDARD
5 TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.—

6 The Secretary shall, consistent with the requirements of
7 section 203, administer the provisions of this title through
8 regulations, lease terms, conditions, restrictions, prohibi-
9 tions, stipulations, and other provisions that—

10 (1) ensure the oil and gas exploration, develop-
11 ment, and production activities on the Coastal Plain
12 will result in no significant adverse effect on fish
13 and wildlife, their habitat, and the environment;

14 (2) require the application of the best commer-
15 cially available technology for oil and gas explo-
16 ration, development, and production on all new ex-
17 ploration, development, and production operations;
18 and

19 (3) ensure that the maximum amount of sur-
20 face acreage covered by production and support fa-
21 cilities, including airstrips and any areas covered by
22 gravel berms or piers for support of pipelines, does
23 not exceed 2,000 acres on the Coastal Plain.

1 (b) SITE-SPECIFIC ASSESSMENT AND MITIGATION.—

2 The Secretary shall also require, with respect to any pro-
3 posed drilling and related activities, that—

4 (1) a site-specific analysis be made of the prob-
5 able effects, if any, that the drilling or related activi-
6 ties will have on fish and wildlife, their habitat, sub-
7 sistence resources, and the environment;

8 (2) a plan be implemented to avoid, minimize,
9 and mitigate (in that order and to the extent prac-
10 ticable) any significant adverse effect identified
11 under paragraph (1); and

12 (3) the development of the plan shall occur
13 after consultation with the agency or agencies hav-
14 ing jurisdiction over matters mitigated by the plan.

15 (c) REGULATIONS TO PROTECT COASTAL PLAIN
16 FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS,
17 AND THE ENVIRONMENT.—Before implementing the leas-
18 ing program authorized by this title, the Secretary shall
19 prepare and promulgate regulations, lease terms, condi-
20 tions, restrictions, prohibitions, stipulations, and other
21 measures designed to ensure that the activities undertaken
22 on the Coastal Plain under this title are conducted in a
23 manner consistent with the purposes and environmental
24 requirements of this title.

1 (d) COMPLIANCE WITH FEDERAL AND STATE ENVI-
2 RONMENTAL LAWS AND OTHER REQUIREMENTS.—The
3 proposed regulations, lease terms, conditions, restrictions,
4 prohibitions, and stipulations for the leasing program
5 under this title shall require compliance with all applicable
6 provisions of Federal and State environmental law, and
7 shall also require the following:

8 (1) Standards at least as effective as the safety
9 and environmental mitigation measures set forth in
10 items 1 through 29 at pages 167 through 169 of the
11 “Final Legislative Environmental Impact State-
12 ment” (April 1987) on the Coastal Plain.

13 (2) Seasonal limitations on exploration, develop-
14 ment, and related activities, where necessary, to
15 avoid significant adverse effects during periods of
16 concentrated fish and wildlife breeding, denning,
17 nesting, spawning, and migration.

18 (3) That exploration activities, except for sur-
19 face geological studies, be limited to the period be-
20 tween approximately November 1 and May 1 each
21 year and that exploration activities shall be sup-
22 ported, if necessary, by ice roads, winter trails with
23 adequate snow cover, ice pads, ice airstrips, and air
24 transport methods, except that such exploration ac-
25 tivities may occur at other times if the Secretary

1 finds that such exploration will have no significant
2 adverse effect on the fish and wildlife, their habitat,
3 and the environment of the Coastal Plain.

4 (4) Design safety and construction standards
5 for all pipelines and any access and service roads,
6 that—

7 (A) minimize, to the maximum extent possible,
8 adverse effects upon the passage of migratory
9 species such as caribou; and

10 (B) minimize adverse effects upon the flow
11 of surface water by requiring the use of culverts,
12 bridges, and other structural devices.

13 (5) Prohibitions on general public access and
14 use on all pipeline access and service roads.

15 (6) Stringent reclamation and rehabilitation requirements,
16 consistent with the standards set forth
17 in this title, requiring the removal from the Coastal
18 Plain of all oil and gas development and production
19 facilities, structures, and equipment upon completion
20 of oil and gas production operations, except that the
21 Secretary may exempt from the requirements of this
22 paragraph those facilities, structures, or equipment
23 that the Secretary determines would assist in the
24 management of the Arctic National Wildlife Refuge

1 and that are donated to the United States for that
2 purpose.

3 (7) Appropriate prohibitions or restrictions on
4 access by all modes of transportation.

5 (8) Appropriate prohibitions or restrictions on
6 sand and gravel extraction.

7 (9) Consolidation of facility siting.

8 (10) Appropriate prohibitions or restrictions on
9 use of explosives.

10 (11) Avoidance, to the extent practicable, of
11 springs, streams, and river system; the protection of
12 natural surface drainage patterns, wetlands, and ri-
13 parian habitats; and the regulation of methods or
14 techniques for developing or transporting adequate
15 supplies of water for exploratory drilling.

16 (12) Avoidance or minimization of air traffic-re-
17 lated disturbance to fish and wildlife.

18 (13) Treatment and disposal of hazardous and
19 toxic wastes, solid wastes, reserve pit fluids, drilling
20 muds and cuttings, and domestic wastewater, includ-
21 ing an annual waste management report, a haz-
22 ardous materials tracking system, and a prohibition
23 on chlorinated solvents, in accordance with applica-
24 ble Federal and State environmental law.

1 (14) Fuel storage and oil spill contingency plan-
2 ning.

3 (15) Research, monitoring, and reporting re-
4 quirements.

5 (16) Field crew environmental briefings.

6 (17) Avoidance of significant adverse effects
7 upon subsistence hunting, fishing, and trapping by
8 subsistence users.

9 (18) Compliance with applicable air and water
10 quality standards.

11 (19) Appropriate seasonal and safety zone des-
12 ignations around well sites, within which subsistence
13 hunting and trapping shall be limited.

14 (20) Reasonable stipulations for protection of
15 cultural and archeological resources.

16 (21) All other protective environmental stipula-
17 tions, restrictions, terms, and conditions deemed
18 necessary by the Secretary.

19 (e) CONSIDERATIONS.—In preparing and promul-
20 gating regulations, lease terms, conditions, restrictions,
21 prohibitions, and stipulations under this section, the Sec-
22 retary shall consider the following:

23 (1) The stipulations and conditions that govern
24 the National Petroleum Reserve-Alaska leasing pro-
25 gram, as set forth in the 1999 Northeast National

1 Petroleum Reserve-Alaska Final Integrated Activity
2 Plan/Environmental Impact Statement.

3 (2) The environmental protection standards
4 that governed the initial Coastal Plain seismic explo-
5 ration program under parts 37.31 to 37.33 of title
6 50, Code of Federal Regulations.

7 (3) The land use stipulations for exploratory
8 drilling on the KIC-ASRC private lands that are set
9 forth in Appendix 2 of the August 9, 1983, agree-
10 ment between Arctic Slope Regional Corporation and
11 the United States.

12 (f) FACILITY CONSOLIDATION PLANNING.—

13 (1) IN GENERAL.—The Secretary shall, after
14 providing for public notice and comment, prepare
15 and update periodically a plan to govern, guide, and
16 direct the siting and construction of facilities for the
17 exploration, development, production, and transpor-
18 tation of Coastal Plain oil and gas resources.

19 (2) OBJECTIVES.—The plan shall have the fol-
20 lowing objectives:

21 (A) Avoiding unnecessary duplication of fa-
22 cilities and activities.

23 (B) Encouraging consolidation of common
24 facilities and activities.

1 (C) Locating or confining facilities and ac-
2 tivities to areas that will minimize impact on
3 fish and wildlife, their habitat, and the environ-
4 ment.

5 (D) Utilizing existing facilities wherever
6 practicable.

7 (E) Enhancing compatibility between wild-
8 life values and development activities.

9 (g) ACCESS TO PUBLIC LANDS.—The Secretary
10 shall—

11 (1) manage public lands in the Coastal Plain
12 subject to subsections (a) and (b) of section 811 of
13 the Alaska National Interest Lands Conservation
14 Act (16 U.S.C. 3121); and

15 (2) ensure that local residents shall have rea-
16 sonable access to public lands in the Coastal Plain
17 for traditional uses.

18 **SEC. 208. EXPEDITED JUDICIAL REVIEW.**

19 (a) FILING OF COMPLAINT.—

20 (1) DEADLINE.—Subject to paragraph (2), any
21 complaint seeking judicial review of any provision of
22 this title or any action of the Secretary under this
23 title shall be filed—

1 (A) except as provided in subparagraph
2 (B), within the 90-day period beginning on the
3 date of the action being challenged; or

4 (B) in the case of a complaint based solely
5 on grounds arising after such period, within 90
6 days after the complainant knew or reasonably
7 should have known of the grounds for the com-
8 plaint.

9 (2) VENUE.—Any complaint seeking judicial re-
10 view of any provision of this title or any action of
11 the Secretary under this title may be filed only in
12 the United States Court of Appeals for the District
13 of Columbia.

14 (3) LIMITATION ON SCOPE OF CERTAIN RE-
15 VIEW.—Judicial review of a Secretarial decision to
16 conduct a lease sale under this title, including the
17 environmental analysis thereof, shall be limited to
18 whether the Secretary has complied with the terms
19 of this title and shall be based upon the administra-
20 tive record of that decision. The Secretary's identi-
21 fication of a preferred course of action to enable
22 leasing to proceed and the Secretary's analysis of
23 environmental effects under this title shall be pre-
24 sumed to be correct unless shown otherwise by clear
25 and convincing evidence to the contrary.

1 (b) LIMITATION ON OTHER REVIEW.—Actions of the
2 Secretary with respect to which review could have been
3 obtained under this section shall not be subject to judicial
4 review in any civil or criminal proceeding for enforcement.

5 **SEC. 209. FEDERAL AND STATE DISTRIBUTION OF REVE-**
6 **NUES.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, of the amount of adjusted bonus, rental, and
9 royalty revenues from Federal oil and gas leasing and op-
10 erations authorized under this title—

11 (1) 50 percent shall be paid to the State of
12 Alaska; and

13 (2) except as provided in section 212(d), the
14 balance shall be transferred to the ANWR Alter-
15 native Energy Trust Fund established by this title.

16 (b) PAYMENTS TO ALASKA.—Payments to the State
17 of Alaska under this section shall be made semiannually.

18 **SEC. 210. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.**

19 (a) IN GENERAL.—The Secretary shall issue rights-
20 of-way and easements across the Coastal Plain for the
21 transportation of oil and gas—

22 (1) except as provided in paragraph (2), under
23 section 28 of the Mineral Leasing Act (30 U.S.C.
24 185), without regard to title XI of the Alaska Na-

1 tional Interest Lands Conservation Act (30 U.S.C.
2 3161 et seq.); and

3 (2) under title XI of the Alaska National Inter-
4 est Lands Conservation Act (30 U.S.C. 3161 et
5 seq.), for access authorized by sections 1110 and
6 1111 of that Act (16 U.S.C. 3170 and 3171).

7 (b) TERMS AND CONDITIONS.—The Secretary shall
8 include in any right-of-way or easement issued under sub-
9 section (a) such terms and conditions as may be necessary
10 to ensure that transportation of oil and gas does not result
11 in a significant adverse effect on the fish and wildlife, sub-
12 sistence resources, their habitat, and the environment of
13 the Coastal Plain, including requirements that facilities be
14 sited or designed so as to avoid unnecessary duplication
15 of roads and pipelines.

16 (c) REGULATIONS.—The Secretary shall include in
17 regulations under section 203(g) provisions granting
18 rights-of-way and easements described in subsection (a)
19 of this section.

20 **SEC. 211. CONVEYANCE.**

21 In order to maximize Federal revenues by removing
22 clouds on title to lands and clarifying land ownership pat-
23 terns within the Coastal Plain, the Secretary, notwith-
24 standing the provisions of section 1302(h)(2) of the Alas-

1 ka National Interest Lands Conservation Act (16 U.S.C.
2 3192(h)(2)), shall convey—

3 (1) to the Kaktovik Inupiat Corporation the
4 surface estate of the lands described in paragraph 1
5 of Public Land Order 6959, to the extent necessary
6 to fulfill the Corporation's entitlement under sec-
7 tions 12 and 14 of the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1611 and 1613) in accordance
9 with the terms and conditions of the Agreement be-
10 tween the Department of the Interior, the United
11 States Fish and Wildlife Service, the Bureau of
12 Land Management, and the Kaktovik Inupiat Cor-
13 poration effective January 22, 1993; and

14 (2) to the Arctic Slope Regional Corporation
15 the remaining subsurface estate to which it is enti-
16 tled pursuant to the August 9, 1983, agreement be-
17 tween the Arctic Slope Regional Corporation and the
18 United States of America.

19 **SEC. 212. LOCAL GOVERNMENT IMPACT AID AND COMMU-**
20 **NITY SERVICE ASSISTANCE.**

21 (a) **FINANCIAL ASSISTANCE AUTHORIZED.—**

22 (1) **IN GENERAL.—**The Secretary may use
23 amounts available from the Coastal Plain Local Gov-
24 ernment Impact Aid Assistance Fund established by
25 subsection (d) to provide timely financial assistance

1 to entities that are eligible under paragraph (2) and
2 that are directly impacted by the exploration for or
3 production of oil and gas on the Coastal Plain under
4 this title.

5 (2) ELIGIBLE ENTITIES.—The North Slope
6 Borough, the City of Kaktovik, and any other bor-
7 ough, municipal subdivision, village, or other com-
8 munity in the State of Alaska that is directly im-
9 pacted by exploration for, or the production of, oil
10 or gas on the Coastal Plain under this title, as de-
11 termined by the Secretary, shall be eligible for finan-
12 cial assistance under this section.

13 (b) USE OF ASSISTANCE.—Financial assistance
14 under this section may be used only for—

15 (1) planning for mitigation of the potential ef-
16 fects of oil and gas exploration and development on
17 environmental, social, cultural, recreational, and sub-
18 sistence values;

19 (2) implementing mitigation plans and main-
20 taining mitigation projects;

21 (3) developing, carrying out, and maintaining
22 projects and programs that provide new or expanded
23 public facilities and services to address needs and
24 problems associated with such effects, including fire-

1 fighting, police, water, waste treatment, medivac,
2 and medical services; and

3 (4) establishment of a coordination office, by
4 the North Slope Borough, in the City of Kaktovik,
5 which shall—

6 (A) coordinate with and advise developers
7 on local conditions, impact, and history of the
8 areas utilized for development; and

9 (B) provide to the Committee on Resources
10 of the House of Representatives and the Com-
11 mittee on Energy and Natural Resources of the
12 Senate an annual report on the status of co-
13 ordination between developers and the commu-
14 nities affected by development.

15 (c) APPLICATION.—

16 (1) IN GENERAL.—Any community that is eligi-
17 ble for assistance under this section may submit an
18 application for such assistance to the Secretary, in
19 such form and under such procedures as the Sec-
20 retary may prescribe by regulation.

21 (2) NORTH SLOPE BOROUGH COMMUNITIES.—A
22 community located in the North Slope Borough may
23 apply for assistance under this section either directly
24 to the Secretary or through the North Slope Bor-
25 ough

1 (3) APPLICATION ASSISTANCE.—The Secretary
2 shall work closely with and assist the North Slope
3 Borough and other communities eligible for assist-
4 ance under this section in developing and submitting
5 applications for assistance under this section.

6 (d) ESTABLISHMENT OF FUND.—

7 (1) IN GENERAL.—There is established in the
8 Treasury the Coastal Plain Local Government Im-
9 pact Aid Assistance Fund.

10 (2) USE.—Amounts in the fund may be used
11 only for providing financial assistance under this
12 section.

13 (3) DEPOSITS.—Subject to paragraph (4), there
14 shall be deposited into the fund amounts received by
15 the United States as revenues derived from rents,
16 bonuses, and royalties from Federal leases and lease
17 sales authorized under this title.

18 (4) LIMITATION ON DEPOSITS.—The total
19 amount in the fund may not exceed \$11,000,000.

20 (5) INVESTMENT OF BALANCES.—The Sec-
21 retary of the Treasury shall invest amounts in the
22 fund in interest bearing government securities.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—To pro-
24 vide financial assistance under this section there is author-
25 ized to be appropriated to the Secretary from the Coastal

1 Plain Local Government Impact Aid Assistance Fund
2 \$5,000,000 for each fiscal year.

3 **SEC. 213. ANWR ALTERNATIVE ENERGY TRUST FUND.**

4 (a) ESTABLISHMENT OF TRUST FUND.—There is es-
5 tablished in the Treasury of the United States a trust fund
6 to be known as the “ANWR Alternative Energy Trust
7 Fund”, consisting of such amounts as may be transferred
8 to the ANWR Alternative Energy Trust Fund as provided
9 in section 209.

10 (b) EXPENDITURES FROM ANWR ALTERNATIVE
11 ENERGY TRUST FUND.—

12 (1) IN GENERAL.—Amounts in the ANWR Al-
13 ternative Energy Trust Fund shall be available with-
14 out further appropriation to carry out specified pro-
15 visions of the Energy Policy Act of 2005 (Public
16 Law 109–58; in this section referred to as
17 “EPAAct2005”) and the Energy Independence and
18 Security Act of 2007 (Public Law 110–140; in this
19 section referred to as “EISAct2007”), as follows:

To carry out the provisions of:

The following percentage of annual receipts to the ANWR Alternative Energy Trust Fund, but not to exceed the limit on amount authorized, if any:

| | |
|-----------------------------|--------------|
| EPAAct2005: | |
| Section 210 | 1.5 percent |
| Section 242 | 1.0 percent |
| Section 369 | 2.0 percent |
| Section 401 | 6.0 percent |
| Section 812 | 6.0 percent |
| Section 931 | 19.0 percent |
| Section 942 | 1.5 percent |
| Section 962 | 3.0 percent |
| Section 968 | 1.5 percent |
| Section 1704 | 6.0 percent |
| EISAAct2007: | |
| Section 207 | 15.0 percent |
| Section 607 | 1.5 percent |
| Title VI, Subtitle B | 3.0 percent |
| Title VI, Subtitle C | 1.5 percent |
| Section 641 | 9.0 percent |
| Title VII, Subtitle A | 15.0 percent |
| Section 1112 | 1.5 percent |
| Section 1304 | 6.0 percent |

1 (2) APPORTIONMENT OF EXCESS AMOUNT.—

2 Notwithstanding paragraph (1), any amounts allo-

3 cated under paragraph (1) that are in excess of the

4 amounts authorized in the applicable cited section or

5 subtitle of EPAAct2005 and EISAAct2007 shall be re-

6 allocated to the remaining sections and subtitles

7 cited in paragraph (1), up to the amounts otherwise

8 authorized by law to carry out such sections and

9 subtitles, in proportion to the amounts authorized by

10 law to be appropriated for such other sections and

11 subtitles.

