

Department of the Interior – Energy Policy Act of 2005 Direct Tasks and Results
(Organized by Sections)
(as of June 14, 2006)

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
111(b) 111(c)	<p>Energy Efficient Technologies. – DOI shall seek to incorporate energy efficient technologies in public and administrative buildings and shall seek to use energy efficient motor vehicles, including vehicles equipped with biodiesel or hybrid engine technologies, in management of the NPS, NWRS, and other public lands and resources managed by the Secretary.</p>	Incorporate energy efficient technologies.	No statutory timeframe. When cost effective.		
210	<p>Biomass Commercial Use Grant Program.— The Secretary of the Interior may make grants to any person in a preferred community that owns or operates a facility that uses biomass as a raw material to produce electric energy, sensible heat, or transportation fuels to offset the costs incurred to purchase biomass for use by such facility</p> <p>Improved Biomass Use Grant Program.—The Secretary may make grants to persons to offset the cost of projects to develop or research opportunities to improve the use of, or add value to, biomass.</p> <p>A grant under this subsection may not exceed \$500,000.</p> <p>There are authorized to be appropriated \$50,000,000 for each of the fiscal years 2006 through 2016.</p>	Develop program.	Report to Congress by 10/1/2010.		

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222 223 224	GEOTHERMAL Competitive Lease Sales. – The Secretary of the Interior shall hold a competitive lease sale at least once every 2 years for nominated land.	Issue regulations.	No statutory timeframe.		
	Noncompetitive Leasing. –The Secretary of the Interior shall make available for a period of 2 years for noncompetitive leasing any tract for which a competitive lease sale is held, but for which the Secretary does not receive any bids in a competitive lease sale.	Issue regulations.	No statutory timeframe.		
	Pending Lease Applications. – It shall be a priority for the Secretary of the Interior to ensure timely completion of administrative actions necessary to process applications for geothermal leasing pending on the date of enactment of this subsection. <i>All future resource management plans for areas with high geothermal resource potential shall consider geothermal leasing and development.</i>	Issue regulations.	No statutory timeframe.	10/7/05	BLM guidance issued
	Direct Use Fee Schedule. The Secretary of the Interior shall establish a schedule of fees, in lieu of royalties for geothermal resources, which a lessee or its affiliate uses for a purpose other than the commercial generation of electricity; and does not sell.	Issue regulations.	No statutory timeframe.		
	Direct Use Leasing. The Secretary of the Interior may lease lands identified for direct use leasing if she publishes a notice 90 days before issuing the lease, does not receive any nominations for including the lease in a competitive lease sale and then determines there is no competitive interest in	Issue regulations.	No statutory timeframe.		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	<p>the land to be leased.</p> <hr/> <p>Royalty Rates. – Geothermal royalty rates are changed and sharing rates are changed [50% to State; 25% to County] and current lessees may apply for new rates within 18 months of publishing of new direct use schedule or final geothermal regulations in case of other leases.</p>	Issue regulations.	No statutory timeframe.		
225	Geothermal MOU – DOI/Ag shall enter into MOU regarding coordination of leasing and permitting for geothermal development of public lands and national forest lands.	Submit MOU to Congress.	180 days after enactment.	4/5/06	Link to MOU
226	Geothermal Resource Assessment. – Secretary of the Interior, acting through USGS, shall update the Assessment of Geothermal Resources made in 1978.	Submit updated assessment to Congress.	3 years after enactment.		
227	Geothermal Unitization. —Unitization authority by the Secretary of the Interior.	Issue regulations.	No statutory timeframe.		
228	Geothermal Royalty on Byproducts. – Geothermal produced as a byproduct is subject to the royalty rate it would be subject to if produced as a primary mineral.	Issue regulations.	No statutory timeframe.		
229	Authority of Secretary to Readjust Terms, Conditions, Rentals, and Royalties. – Amends a provision in the Geothermal Steam Act by removing language that caps the increase in royalty rates on geothermal leases to not more than 22 percent.	Issue regulations.	No statutory timeframe.		

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230	Geothermal Crediting Rental Toward Royalty. – Any rental paid before first day of year in which it is due shall be credited to amount of royalty owed under lease for that year.	Notify payers of reporting requirements.	No statutory timeframe.		
231	Geothermal Lease Duration & Work Commitment. – Lease term for 10 years with extension for minimum work requirements. Secretary of the Interior must issue regulations prescribing those requirements. Can substitute minimum annual payments. Secretary must issue regulations establishing transition rules for existing leases allowing leases near the end of their terms an extension of up to 2 years.	Issue regulations.	No statutory timeframe.		
232	Geothermal Advanced Royalties. – Lease can remain in effect for not more than an aggregate of 10 years if lessee pays advanced royalties.	Issue regulations.	No statutory timeframe.		
233	Annual Rental. – Requirements for rental and termination due to failure to pay rent.	Issue regulations.	No statutory timeframe.		
234	Geothermal Use of Funds. – Federal share of geothermal revenues is available to the Secretary without further appropriation beginning in FY 2006 to implement the Geothermal Steam Act of 1970 and the Energy Policy Act of 2005.	Establish new geothermal account.	FY 2006 through FY 2010	11/1/05	Treasury Account established.
241	Joint Hydropower License Rules. – Secretaries of Ag, Interior and Commerce, in consultation with FERC, shall establish jointly a rule providing for procedures for expedited trial-type hearings on disputed issues of material fact related to mandatory conditions or fishways prescribed under the Federal Power Act.	Publish rule.	Within 90 days of enactment.	11/17/2005	Link to Interim Rule in Federal Register

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251 252	Insular Area Energy Projects. – Requires DOI to draft long term energy plans and long-term energy transmission line plans for the insular areas	Draft long term energy plans.			
	Power Line Grants. – The Secretary of Energy may make grants to insular areas to protect electric power lines from hurricane and typhoon damage. \$6 million annual authorization.	Submit report to Congress	Within 1 year of enactment.		
321	Amendments to OSC Act and Deepwater Port Act; Storage on the Outer Continental Shelf. – Amends Section 5(a)(5) of the OCS Act to cover oil and gas “from any source” in the regulations the Secretary of the Interior is authorized to promulgate. Amends the Deepwater Port Act in the definition section to include “natural gas liquids, liquefied petroleum gas, and condensate recovered from natural gas” within the definition of “natural gas”.	Issue regulations.	No statutory timeframe.		
323	Amendments to Federal Water Pollution Control Act. – Amends the FWPC to include a definition of “oil and gas exploration, production, processing, or treatment operations or transmission facilities.		No statutory timeframe.		
331	Naval Petroleum Reserve Transfer to DOI. – Administrative jurisdiction and control of NPR-2 in Kern County, CA. Lease revenue is to be deposited into a revolving fund and used for environmental-related costs.	Records transfer.	Immediate transfer on date of enactment.	8/8/05	News Release of Records Transfer

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				9/26/05 3/6/06	Land Use Plan FR Notice Final Land Use Plan
342	<p>Permanent RIK Authority. – Secretary of the Interior must submit to Congress a report on actions taken to develop business processes and automated systems to fully support the royalty-in-kind capability to be used in tandem with the royalty-in-value approach in managing Federal oil and gas revenue; and future royalty-in-kind businesses operations plans and objectives.</p> <hr/> <p>Annual Report. – Annual report required describing methodologies used by the Secretary of the Interior to determine compliance with the requirement that benefits of taking RIK are greater or equal to those of taking it in value; an explanation of the evaluation that led the Secretary to take royalties in-kind from a lease or group of leases, including the expected revenue effect of taking royalties in-kind; and actual amounts received by the United States derived from taking royalties in-kind and costs and savings incurred by the United States associated with taking royalties in-kind, including administrative savings and any new or increased administrative costs; and an evaluation of other relevant public benefits or detriments associated with taking royalties in-kind.</p> <hr/> <p>Preferences Report. – Secretary of the Interior must submit another report to Congress assessing</p>	<p>Submit report to Congress.</p> <hr/> <p>Submit annual report to Congress.</p> <hr/> <p>Submit report to Congress.</p>	<p>Not later than September 30, 2006 for business practices report.</p> <hr/> <p>Annual reports for FY 2006 through 2015.</p> <hr/> <p>Not later than 3 years after</p>		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	the effectiveness of granting preferences for the purpose of providing additional resources to any Federal low-income energy assistance program and providing a specific recommendation on the continuation of authority to grant preferences.		enactment for report on preferences.		
343	Marginal Property Regulations. – The Secretary of the Interior shall, by regulation, prescribe standards and requirements for royalty relief for marginal properties for oil and gas leases on the Outer Continental Shelf and shall define what constitutes a marginal property. In the event the Secretary determines that it is not practicable to issue regulations, the Secretary is required to submit a report to Congress within 18 months explaining such determination. Note: Prior to such determination or regulations, the definition of and royalty rates for marginal properties are set forth in this section of the bill.	Publish regulations.	Within 18 months of enactment.		
344	Offshore Deep Natural Gas Incentives. – The Secretary of the Interior shall issue regulations: granting royalty relief to the production of natural gas from ultra deep wells on leases issued in shallow waters less than 400 meters deep located in the Gulf Mexico wholly west of 87 degrees, 30 minutes west longitude and granting royalty relief suspension volumes with respect to production of natural gas from deep wells on leases issued in waters more than 200 meters but less than 400 meters deep located in the same area of the Gulf. The Secretary may place limitations on the royalty reduction granted under this section based on market price. Effective date of the final rule shall	Issue regulations.	Within 180 days of enactment.		At OMB.

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	be retroactive to the date the proposed rulemaking is published.				
345	Deepwater Royalty Relief. – Requires use of the Deepwater Royalty Relief bidding system for water depths greater than 400 meters in Western & Central Planning Areas of GOM with set suspension levels.	Implement expanded provisions.	Upon date of enactment and for five year period thereafter.	11/15/2005	
346	Alaska Offshore Royalty. – Extends royalty suspension authority to AK.	Issue regulations.	No statutory timeframe.		
347	National Petroleum Reserve Alaska. – Changes renewal procedures for leases. Provides utilization authority. Requires use of a production allocation methodology based on geology. Provides exploration incentives—Secretary of the Interior may waive, suspend, or reduce rental fees or minimum royalty whenever necessary to promote development or whenever leases cannot be operated successfully under their terms must consult with Natives and State.	Issue regulations.	No statutory timeframe.		
	Waiver of Administration. – Requires the Secretary of the Interior to waive administration of leases in which all land is conveyed to ASRC.				
348	North Slope Science Initiative. – Secretary of the Interior shall establish a long-term initiative known as the North Slope Science Initiative. Secretary shall enter into cooperative agreements with AK, the North Slope Borough, ASRC, and other federal agencies. Initiative shall include a Science Technical Advisory Panel to provide advice on inventory, monitoring, and research. Secretary	Establish North Slope Science Initiative.	No statutory timeframe.	1/30/06 4/25/06	Selection of North Slope Science Advisory Panel Advisory Panel Meeting held in Fairbanks, AK

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	shall publish reports describing studies & findings of the Initiative.	Submit report to Congress on findings of the study.	Within 3 years after enactment and annually, every year thereafter.		
349	<p>Orphaned, Abandoned or Idled Wells. – The Secretary of the Interior, in cooperation with the Secretary of Agriculture, shall establish a program to remediate, reclaim, and close orphaned, abandoned, or idled oil and gas wells located on land administered by the land management agencies within Interior and Agriculture and submit a plan to Congress.</p> <p>Pilot Program with Reimbursement. – The Secretary of the Interior, shall carry out a pilot program under which, in issuing a new oil and gas lease on federally owned land on which 1 or more orphaned wells are located, the Secretary may require, other than as a condition of the lease, that the lessee remediate, reclaim, and close in accordance with standards established by the Secretary, all orphaned wells on the land leased; and shall develop a program to reimburse a lessee, through a royalty credit against the Federal share of royalties owed or other means, for 100%</p>	Establish program and submit report to Congress	1 year deadline for general program establishment and plan submission to Congress.		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	of the reasonable actual costs of remediating, reclaiming, and closing the orphaned wells pursuant to that requirement.				
350	Separate Tar Sand Leases. – The Secretary of the Interior may issue separate leases for exploration and extraction of tar sands.	Issue regulations.	45 days after enactment.	10/7/2005 5/18/05	Link to Interim Final Rule in Federal Register Link to Final Rule in Federal Register
351	National Geological and Geophysical Data Preservation Program. – The Secretary of the Interior shall carry out a National Geological and Geophysical Data Preservation Program and submit plan to Congress. Program shall include a data archive system and a national catalog. An Advisory Committee shall advise the Secretary on planning and implementation. Subject to appropriations, the Secretary shall provide financial assistance to State agencies that maintain data and samples and for studies and technical assistance activities of no more than 50% of costs. \$30 million annual authorization for FY 2006 through 2010.	Submit plan to Congress.	1 year after enactment.		
352	Oil and Gas Lease Acreage. — Exempts lands in an approved unit, cooperative plan, or	Issue regulations.	No statutory timeframe.	3/24/06	Link to Final Rule in Federal Register

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	communization agreement or lands for which royalty was paid from the oil & gas acreage limitation on lands held in one State by any person.				Register
353	Gas Hydrate Royalty Incentive. – The Secretary of the Interior may grant royalty relief for natural gas from gas hydrate leases on the OCS or on Federal lands in AK. The Secretary shall conduct a rulemaking if the Secretary determines royalty relief would encourage production of natural gas from gas hydrates. Report due to Congress on further opportunities to enhance production of natural gas from gas hydrates.	Publish rulemaking.	Advanced notice of proposed rulemaking shall be published within 180 days of enactment and final rulemaking must be completed within 365 days	3/8/06	Link to Advance Notice published in the Federal Register
	Price Consideration. – The Secretary of the Interior may place limitations on royalty relief based on market price.	Submit report to Congress.	Within 365 days of enactment.		
354	Carbon Dioxide Injection Royalty Incentive. – If the Secretary of the Interior determines that royalty incentives to use enhanced recovery techniques using injection of carbon dioxide is in the public interest, the Secretary shall undertake a rulemaking to provide for those incentives for an eligible lease. The Secretary may place limitations on the royalty reduction granted under this section based on market price.	Publish rulemaking.	Advanced notice of proposed rulemaking shall be published within 180 days of enactment and final rulemaking must be completed within 365 days.	3/8/06	Link to Advance Notice published in the Federal Register
357	Offshore Oil and Gas Inventory. – The Secretary of the Interior shall conduct an inventory and analysis of the oil and natural gas resources of the	Conduct inventory of the OCS.	Report due within 6 months of enactment	2/8/06	Link to Report to Congress

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	OCS using available data that provides information on trends of oil and gas accumulation in areas of the OCS.	Report findings to Congress	and then updated at least every 5 years.		
361	Review Onshore Oil and Gas Practices. – The Secretary of the Interior, in consultation with Ag, shall perform an internal review of current onshore oil & gas leasing and permitting practices.	Submit report to Congress.	Within 180 days of enactment.		Final draft being reviewed.
362	<p>Management of Federal Oil and Gas Leasing Programs.—Secretary of the Interior shall ensure expeditious compliance with NEPA and other environmental and cultural resources laws, improve consultation and coordination with States and the public, and improve collection, storage, and retrieval of information.</p> <p>Authorization.—Annual authorization for FY 2006-2010 of \$60 million for BLM and \$5 million for FWS.</p>		No statutory timeframe	<p>9/15/05</p> <p>9/28/05</p> <p>1/19/06</p> <p>3/13/06</p>	<p>Guidance issued on APD processing timeframes</p> <p>Gold Book Update</p> <p>Guidance on O&G Process Improvement</p> <p>Link to Further Proposed Rule in FR</p>
363	Oil and Gas MOU. – The Secretary of the Interior and AG shall enter into MOU regarding oil and gas leasing on public lands and National Forest to establish administrative procedures and lines of authority that ensure timely processing of oil and gas lease applications; surface use plans of operation, and applications for permits to drill	Sign MOU.	Not later than 180 days after enactment.	4/5/06	Link to MOU

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	consistent with applicable timelines; that eliminate duplication of effort; that ensure lease stipulations are applied consistently, are coordinated between agencies and are only as restrictive as necessary to protect the resource for which the stipulations are applied; and establish a joint data retrieval system.				
364	Oil and Gas Resource Assessments. — Changes requirement from studying reserves to studying resources. Requires more detailed description of the nature of and, extent to which, impediments to development.	Prescribe guidance changes.	No statutory timeframe.		
365	Pilot Project MOU. – The Secretary of the Interior shall enter into a MOU with Ag, EPA, and Army Corps. The Secretary may request that the Governors of WY, MT, CO, UT, and NM be signatories. All Federal signatory parties shall, if appropriate, assign to each of the field offices identified an employee who has expertise in the regulatory issues including particular expertise in consultations and biological opinions under section 7 of the ESA; section 404 permits; regulatory matters under the Clean Air Act; planning under the National Forest Management Act of 1976; and preparation of the National Forest Management Act of 1976; and preparation of analyses under NEPA. The BLM Field Offices are (1) Rawlins, Wyoming, (2) Buffalo, Wyoming. (3) Miles City, Montana (4) Farmington, New Mexico. (5) Carlsbad, New Mexico. (6) Grand Junction/Glenwood Springs, Colorado. (7) Vernal,	Sign MOU.	Within 90 days of enactment.	10/24/2005	Link to MOU


Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	Utah.				
	Report. – The Secretary of the Interior shall submit to Congress a report that outlines the results of the Pilot Project.	Submit report to Congress.	Within 3 years of enactment.		
	Funding. – MLA revenue distribution is changed to deposit the federal share of rentals into a BLM Permit Processing Improvement Fund which for FY 2006 through 2015 shall be available to the Secretary without further appropriation and without fiscal year limitation, for the coordination and processing of oil and gas use authorizations on onshore Federal land under the jurisdiction of the Pilot Project offices. The Secretary may authorize the expenditure or transfer of such funds as are necessary to FWS, BIA, FS, EPA, the Corps, and the States.	Change MLA distribution on rentals.	Immediately	11/1/05	Treasury Account established.
	Ban on Fee Recovery. – The Secretary of the Interior is not allowed to implement any rulemaking during this period that would increase fees to recover costs related to processing APDs and use authorizations.			8/30/05	Press Release on Fee Recovery
366	Oil and Gas Permit Deadlines. — Not later than 10 days after receiving an APD, the Secretary of the Interior shall notify applicant whether application is complete and explain what info is missing or required for it to be complete.	Issue regulations.		3/13/06	Link to Further Proposed Rule in FR
	Permit Issuance. —Not later than 30 days after receiving a complete application, the Secretary of the Interior shall issue the permit if NEPA has	Issue guidance.		9/15/05	BLM Policy Guidance

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	been complied with or shall defer the decision and provide the applicant with steps he must take and a list of actions needed to be taken by the agency to complete compliance.				
367	Right-of-Way Rental Schedule. – The Secretary of the Interior and Secretary of Agriculture shall update the per acre rental fee zone value schedule by State, county, and type of linear ROW used to reflect current values of land in each zone and revise the rental fee regulations.	Revise rental fee and publish regulations.	Within 1 year after enactment.	4/27/06	Advance Notice of Proposed Rulemaking
368	Joint Designation of Corridors. – The Secretary of the Interior and the Secretaries of Ag, Commerce, Defense, and Energy shall designate corridors for oil, gas, and hydrogen pipelines, and electricity transmission and distribution facilities on Federal land in the 11 contiguous Western States and then later for other States.	Designate energy corridors.	Within 2 years after enactment for Western States, 4 years for other States.	9/28/05	EIS Notice of Intent
369	Oil Shale and Tar Sands R&D Leasing. – Secretary of the Interior shall make available for leasing land the Secretary considers to be necessary to conduct research and development activities with respect to technologies for the recovery of liquid fuels from oil shale and tar sands resources on public lands. Land within CO, UT, and WY shall be made available.	Make land available for R&D leasing.	Within 180 days of enactment.	6/9/2005	Results of Oil Shale Nominations
	Commercial Leasing. – Secretary of the Interior shall complete a programmatic EIS for a commercial leasing program and then complete regulations for a leasing program and consult with Governors, local governments, Tribes, and others on interest in developing tar sands. If there is	Complete EIS.	Within 18 months of enactment, programmatic EIS for commercial	12/31/05	EIS Notice of Intent

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	sufficient interest, the Secretary may conduct a lease sale.		leasing must be complete.		
	DOI As Lead Agency. – Interior shall act as the lead agency for any proposed oil shale or tar sands project for purposes of coordinating all authorizations and environmental reviews. Regulations shall be issued for this process.	Publish regulations	6 months after EIS, final regulations establishing program must be published.		
	Increase in Acreage Limitation. – MLA amended to up acreage limitation from 5,120 acres to 5,760 acres for tar sands and to provide that tar sand lease acreage shall not be charged to oil and gas lease acreage limitations.	Publish regulations	6 months after EIS, final regulations establishing program must be published.	5/18/06	Link to Final Rule in FR
	Report. – Secretary of the Interior shall report to Congressional Committees on interim actions needed to develop the program, conduct sales, and a schedule.	Submit report to Congress.	Report due within 90 days after enactment.	12/6/2005	
	National Assessment. – Secretary of the Interior shall carry out a national assessment of oil shale and tar sands resources.	Conduct national assessment of oil shale and tar sands resources.	No statutory timeframe.		
	Land Exchanges. – Secretary of the Interior shall consider land exchanges to consolidate land ownership and mineral interests into manageable areas. Secretary shall identify public lands containing tar sands or oil shale within Green River, Piceance Creek, Uintah, and Washakie geologic basins and give priority to land exchange				

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	there.				
371	Oil and Gas Reinstatement. – Secretary of the Interior may reinstate leases terminated for failure to pay rental between Sept 1, 2001 and June 30, 2004 if lessee petitions and certifies he did not receive timely notice of termination by 13 months before termination and land is still available for leasing.	Issue regulation.	No statutory timeframe.	10/21/05 3/24/06	BLM Policy Guidance Final Rule Published in Federal Register
372	Energy Right-of-Way MOU. – Secretary of Energy is directed to enter into a Memorandum of Understanding (MOU) with the Secretaries of the Interior, Agriculture and Defense to coordinate all applicable Federal authorizations and environmental review relating to proposed or existing utility facilities.	Enter into MOU with agencies.	Within 6 months of enactment.	2/8/06	MOU Signed
	Directs a report by the signatories of the MOU on how the agencies are incorporating and implementing the provisions of the May 2002 Interagency Agreement on coordination of environmental reviews on natural gas pipelines certified by FERC.	Submit report to Congress.	Within 1 year of enactment and every 2 years thereafter.		
374	Livingston Parish Transfer. – Amends PL 102-562 which conveyed land title to certain lands in Livingston Parish, LA to private parties, by conveying reserved mineral interests (except oil and gas) to those private parties. Requires USGS to conduct a resource assessment and publish	Transfer reserved mineral interests (except oil and gas) to private parties.	Within 180 days of enactment.	1/26/2006	24 patents issued.

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	report on all oil and gas resources underlying these lands in Livingston Parish. If Secretary of the Interior finds, based on this report, that it is unlikely that economically recoverable oil or gas is present then the Secretary shall convey the rights to oil and gas.	USGS to conduct resource assessment and publish a report.	Within one year of enactment.		
382	Administrative Proceedings for Reviews and Appeals under CZMA. – Directs the Federal agency that is lead in an appeal or review under section 319 of the CZMA relating to permitting approval or authorization of an energy project, to maintain a consolidated record of all decisions made by the lead agency or another Federal or State administrative agency or officer. Such records shall be the initial record for appeals or reviews.				
383	Payment from Royalties. – In 1991, Congress authorized the appropriations of monies to provide compensation, including interest, to the State of Louisiana and its lessees, for net drainage of oil and gas resources as determined in the Third Party Fact finder Louisiana Boundary Study dated March 21, 1989. No money has been appropriated for this purpose. This section allows those lessees to withhold royalty payments in the amount of compensation authorized in 1991.	Notify lessees on how to report ----- Monitor payment recovery			
384	Coastal Impact Assistance Payments. – Provides payments of \$250 million annually for FY 2007 – 2010 to Producing States based on proximity to OCS leases. Funds must be used in accordance with approved coastal impact assistance plans.		FY 2007 to FY 2010		

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386	Great Lakes Drilling. – Prohibits the issuance of new oil and gas permits in or under the Great Lakes.	Issue public notice.	No statutory timeframe.	11/14/05	 Great Lakes IM.pdf
387	Coalbed Methane “Affected States” List. – Energy Policy Act of 1992 required Secretary of the Interior to develop a list of “Affected States” where the Secretary would conduct the Coalbed methane program on lands where the US held the surface or subsurface estate. The only way a State could get off the Affected States list is upon the receipt by the Secretary of a Governor’s petition requesting such deletion, a State law requesting such deletion, or a resolution requesting such deletion enacted by the legislative body of the State. This section requires the Secretary to remove a State from the list if it takes any of the actions required for removal within 3 years of enactment.	Issue regulations Develop list of affected states.	No legislative timeframe 3 years after enactment.	5/16/06	Notice in Federal Register

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
388	<p>Offshore Alternate Energy Uses. – Secretary of the Interior, in areas are not subject to moratoria, may grant leases, easements or ROWs on the OCS for activities that (1) support exploration, development, production, or storage of oil or natural gas; (2) support transportation of oil or natural gas, excluding shipping; (3) produce or support production, transportation or transmission of energy from sources other than oil or gas; or (4) use, for energy-related or other authorized marine-related purposes, facilities used for OCS activities.</p>	Issue regulations for revenue-sharing provisions.	Within 180 days of enactment.	Estimated date of completion: (10/28/06)	Link to Federal Register Link to Public Comment Page
	<p>Regulations. – Secretary of the Interior shall issue regulations to carry out section.</p>	Issue implementing regulations.	Within 270 days of enactment.	Estimated date of completion: (10/28/06)	
	<p>Mapping Initiative. – Secretary of the Interior shall establish an interagency comprehensive digital mapping initiative for the OCS to assist decision making relating to siting of activities.</p>				
390	<p>Categorical Exclusions. – The following actions are subject to a rebuttable presumption that a categorical exclusion under NEPA applies if the activity is conducted pursuant to the MLA for the exploration or development of oil or gas: 1) Individual surface disturbances of less than 5 acres or so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed. (2) Drilling an oil or gas well at a location or well pad</p>	Issue guidance consistent with Act.	No statutory timeframe.	9/22/2005	Link to NEPA Review

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	<p>site at which drilling has occurred previously within 5 years prior to the date of spudding the well. (3) Drilling an oil or gas well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed such drilling as a reasonably foreseeable activity so long as such plan or document was approved within 5 years prior to the date of spudding the well. (4) Placement of a pipeline in an approved right-of-way corridor, so long as the corridor was approved within 5 years prior to the date of placement of the pipeline. (5) Maintenance of a minor activity, other than any construction or major renovation or a building facility.</p>				
432	<p>Coal Lease Acre Limitation. – Coal lease modification average can go beyond 160 acres if Secretary of the Interior finds it would be in the interest of the US, would not displace a competitive interest in the lands, and would not include lands or deposits that can be developed as part of another potential or existing operation. Cannot exceed 960 acres or add acreage larger than the original lease.</p>	Issue regulation.	No statutory timeframe.	9/30/05	BLM Policy Guidance
433	<p>Coal Lease Logical Mining. – The current requirement that all reserves be mined within 40 years may be extended by the Secretary of the Interior if the Secretary determines that the longer period will ensure the maximum economic recovery of a coal deposit or the longer period is in the interest of orderly, efficient, or economic</p>	Issue regulation.	No statutory timeframe.		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	development of a coal resource.				
434	Coal Lease Advance Royalties. – Changes the method for computing advance royalties by requiring use of the average price in the spot market.	Issue regulation.	No statutory timeframe.	3/24/06	Guidance issued on Coal Lease Royalties
435	Submission of Coal Lease Operation and Reclamation Plan. – Deletes the requirement that a lessee submit such a plan within 3 years of lease issuance.	Issue regulation.	No statutory timeframe.		
436	Coal Lease Bond Requirement. – The Secretary of the Interior shall not require a surety bond or any other financial assurance to guarantee payment of deferred bonus bid installments by a lessee having history of timely payments. If the lessee fails to make any installment payments, the lease shall terminate and any payments already paid shall be forfeited.	Issue regulation.	No statutory timeframe.	11/25/05	BLM Policy Guidance
437	Coal Inventory. – Secretary of the Interior shall review coal assessments and other available data to identify Federal lands with coal resources available for development; the extent and nature of restrictions on development; and resources of compliant and super compliant coal.	Review coal inventory and assessment and report findings to Congress.	Within 2 years of enactment.		

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503	<p>Indian Energy Development Grants and Loans. – Secretary of the Interior shall establish and implement an Indian energy resource development program consisting of (1) providing development grants to Indian tribes and tribal energy resource development organizations, (2) providing grants for carrying out projects to promote the integration of energy resources and to process, use, or develop energy resources on Indian lands, (3) providing low-interest loans for use in promotion of energy resource development; and (4) providing grants and technical assistance to an appropriate tribal environmental organization that represents multiple Indian tribes to establish a national resource center to develop tribal capacity to establish and carry out tribal environmental programs in support of energy-related programs.</p>	Establish and implement an Indian energy resource development program.	No statutory timeframe.		
	<p>Tribal Energy Resource Agreements. – An Indian tribe may enter into leases or business agreements for exploration, extraction, processing, or other development of energy mineral resources on tribal lands or construction or operation of an electric generation, transmission, or distribution facility or refinery on tribal lands or grant ROWS for pipelines or electric transmission or distribution lines if it is pursuant to a tribal energy resource agreement approved by the Secretary.</p>	Promulgate regulations to implement these provisions.	Within 1 year after enactment.		
782	<p>Fuel Cell Vehicles and Hydrogen Energy Systems. – The head of any Federal agency that uses a light-duty or heavy-duty vehicle fleet shall</p>	Lease or purchase fuel cell vehicles and	Not later than January 1, 2010		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	lease or purchase fuel cell vehicles and hydrogen energy systems. The Secretary of Energy shall pay to Federal agencies, or share costs under interagency agreements, for the difference in cost between using these technologies and the cost of a feasible alternative.	hydrogen energy systems.			
783	Micro Fuel Cells. – The head of any Federal agency that uses electric power from stationary portable, or micro portable devices shall lease or purchase a stationary, portable, or micro fuel cell to meet energy savings goals.	Lease or purchase a stationary, portable, or micro fuel cell, if cost effective.	Not later than January 1, 2006		DOE issued waiver exempting any federal action
965	Research Development and Demonstration Programs. – Directs Secretary of Energy to conduct R, D&D for commercial application of oil and gas hydrates, oil shale and tar sands to advance science and technology available to domestic petroleum producers. Subsection 965© directs Secretary of the Interior, in consultation with other Federal agencies, to submit report on the latest estimates of natural gas and oil reserves, reserves growth and undiscovered resources in Federal and State waters off the coast of LA, TX, AL, and MS.	Submit report on the latest estimates of natural gas and oil reserves growth; and undiscovered resources in Federal and State waters off the coast of LA, TX, AL, and MS.	Two years from enactment of report and every two years thereafter.		
1221	Electric Transmission MOU. – Directs the Secretary of Energy, together with the heads of applicable Federal agencies, to enter into a MOU to ensure timely and coordinated review and permitting of electricity transmission facilities.	Enter into MOU.	Within 1 year of enactment.		

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
	Electric Transmission Report. – Directs the Secretary of Energy, Secretary of the Interior, Secretary of Ag., and CEQ to submit a joint report to Congress on electric transmission corridors and applications for transmission facilities.	Report to Congress.	Within 90 days.	11/7/2005	Link to Interagency Report to Congress
1811	Coal Bed Methane Study. – Secretary of the Interior, in consultation with EPA, shall enter into arrangement with the NAS to conduct a study on the effect of Coalbed natural gas production on surface and groundwater resources, including ground water aquifers in MT, WY, CO, NM, ND, and UT.	Enter into arrangement with the NAS. ----- Submit report to Congress.	Within 12 months of enactment, NAS shall submit report to Secretary and within 6 months after receiving it Secretary shall report to Congress.		
1813	Indian Land Rights-of-Way. – Secretary of the Interior and Secretary of Energy shall jointly study issues regarding energy ROWs on tribal land. Secretaries shall consult with Indian tribes, the energy industry, appropriate governmental entities, and affected business and consumers.	Submit report to Congress on findings and recommendations of study.	Within 1 year of enactment.		
1833	Renewable Energy Study. – Secretary of the Interior shall enter into a contract with NAS for NAS to study potential of developing wind, solar, and ocean energy resources on Federal land and the OCS, assess and Federal law relating to development of those resources and recommend statutory and regulatory mechanisms. Secretary shall submit results of study to Congress.	Enter into a contract with NAS. Submit report to Congress.	Within 90 days of enactment. (11/7/05) Within 2 years of enactment.	Past due	No funds specifically appropriated.

Section #	Authority	Action Item(s)	Legislative Timeframe	Date of Completion	Progress / Results
1834	Hydroelectric Study. – Secretary of the Interior, with Energy and Army, shall jointly study the potential for increasing electric power production capability at federally owned or operated water regulation storage, and conveyance facilities.	Submit report to Congress.	Within 18 months of enactment.		
1835	Split Estate Review. – Secretary of the Interior shall undertake a review of the current policies and practices with respect to management of Federal subsurface oil & gas development activities and effects on privately owned surface.	Submit report to Congressional Committees.	Within 180 days of enactment.	12/22/05 2/15/06	Website posted FR Notice of Public Listening Sessions
1836	Powder River Basin Review. – Secretary of the Interior shall review Federal and State laws to resolve conflicts between the development of Federal coal and the development of Federal and non-Federal Coalbed methane in the Powder River Basin.	Submit report to Congress	Within 180 days of enactment.	Past due	Report being reviewed.
1840	Report on Status of Potential Hydropower Facilities – Secretary of the Interior, acting through the Bureau of Reclamation, shall identify and describe the status of potential hydropower facilities.	Submit report to Congressional Committees.	Within 90 days of enactment.	11/8/2005	