

112TH CONGRESS
2D SESSION

H. R. 4382

To ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2012

Mr. COFFMAN of Colorado introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Providing Leasing Cer-
5 tainty for American Energy Act of 2012”.

6 **SEC. 2. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE**
7 **LEASE SALES.**

8 In conducting lease sales as required by section 226A
9 of the Mineral Leasing Act, each year the Secretary of
10 the Interior shall perform the following:

1 (1) The Secretary shall offer for sale no less
2 than 25 percent of the annual nominated acreage
3 not previously made available for lease. Acreage of-
4 fered for lease pursuant to this paragraph shall not
5 be subject to protest and shall be eligible for cat-
6 egorical exclusions under section 390 of the Energy
7 Policy Act of 2005 (42 U.S.C. 15492), except that
8 it shall not be subject to the test of extraordinary
9 circumstances.

10 (2) In administering this section, the Secretary
11 shall only consider leasing of Federal lands that are
12 available for leasing at the time the lease sale oc-
13 curs.

14 **SEC. 3. LEASING CERTAINTY.**

15 Section 17(a) of the Mineral Leasing Act (30 U.S.C.
16 226(a)) is amended by inserting “(1)” before “All lands”,
17 and by adding at the end the following:

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

21 “(B) The Secretary shall not infringe upon lease
22 rights under leases issued under this Act by indefinitely
23 delaying issuance of project approvals, drilling and seismic
24 permits, and rights of way for activities under such a
25 lease.

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

5 “(D) Notwithstanding any other law, the Secretary
6 shall issue all leases sold 60 days after the last payment
7 is made.

8 “(E) The Secretary shall not cancel or withdraw any
9 lease parcel after a competitive lease sale has occurred and
10 a winning bidder has submitted the last payment for the
11 parcel.

12 “(F) Not later than 60 days after a lease sale held
13 under this Act, the Secretary shall adjudicate any lease
14 protests filed following a lease sale. If after 60 days any
15 protest is left unsettled, said protest is automatically de-
16 nied and appeal rights of the protestor begin.

17 “(G) No additional lease stipulations may be added
18 after the parcel is sold without consultation and agree-
19 ment of the lessee, unless the Secretary deems such stipu-
20 lations as emergency actions to conserve the resources of
21 the United States.”.

22 **SEC. 4. LEASING CONSISTENCY.**

23 Federal land managers must follow existing resource
24 management plans and continue to actively lease in areas
25 designated as open when resource management plans are

1 being amended or revised, until such time as a new record
2 of decision is signed.

3 **SEC. 5. REDUCE REDUNDANT POLICIES.**

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

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