

## Union Calendar No. 379

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4382

**[Report No. 112-531]**

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

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### 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

JUNE 15, 2012

Additional sponsors: Mrs. BLACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. DUNCAN of South Carolina, Mr. TIPTON, Mr. LAMBORN, Mr. DENHAM, Ms. FOXX, Mr. NUNNELEE, Mr. LATHAM, Mr. REED, Mrs. CAPITO, and Mr. CONAWAY

JUNE 15, 2012

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 18, 2012]

# **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 17(a)*  
9 *of the Mineral Leasing Act (30 U.S.C. 226(a)), each year*  
10 *the Secretary of the Interior shall perform the following:*

11 *(1) The Secretary shall offer for sale no less than*  
12 *25 percent of the annual nominated acreage not pre-*  
13 *viously made available for lease. Acreage offered for*  
14 *lease pursuant to this paragraph shall not be subject*  
15 *to protest and shall be eligible for categorical exclu-*  
16 *sions under section 390 of the Energy Policy Act of*  
17 *2005 (42 U.S.C. 15492), except that it shall not be*  
18 *subject to the test of extraordinary circumstances.*

19 *(2) In administering this section, the Secretary*  
20 *shall only consider leasing of Federal lands that are*  
21 *available for leasing at the time the lease sale occurs.*

22 **SEC. 3. LEASING CERTAINTY.**

23 *Section 17(a) of the Mineral Leasing Act (30 U.S.C.*  
24 *226(a)) is amended by inserting “(1)” before “All lands”,*  
25 *and by adding at the end the following:*

1           “(2)(A) *The Secretary shall not withdraw any covered*  
2 *energy project issued under this Act without finding a vio-*  
3 *lation of the terms of the lease by the lessee.*

4           “(B) *The Secretary shall not infringe upon lease rights*  
5 *under leases issued under this Act by indefinitely delaying*  
6 *issuance of project approvals, drilling and seismic permits,*  
7 *and rights of way for activities under such a lease.*

8           “(C) *No later than 18 months after an area is des-*  
9 *ignated as open under the current land use plan the Sec-*  
10 *retary shall make available nominated areas for lease under*  
11 *the criteria in section 2.*

12           “(D) *Notwithstanding any other law, the Secretary*  
13 *shall issue all leases sold no later than 60 days after the*  
14 *last payment is made.*

15           “(E) *The Secretary shall not cancel or withdraw any*  
16 *lease parcel after a competitive lease sale has occurred and*  
17 *a winning bidder has submitted the last payment for the*  
18 *parcel.*

19           “(F) *Not later than 60 days after a lease sale held*  
20 *under this Act, the Secretary shall adjudicate any lease pro-*  
21 *tests filed following a lease sale. If after 60 days any protest*  
22 *is left unsettled, said protest is automatically denied and*  
23 *appeal rights of the protestor begin.*

24           “(G) *No additional lease stipulations may be added*  
25 *after the parcel is sold without consultation and agreement*

1 *of the lessee, unless the Secretary deems such stipulations*  
2 *as emergency actions to conserve the resources of the United*  
3 *States.”.*

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

5 *Federal land managers must follow existing resource*  
6 *management plans and continue to actively lease in areas*  
7 *designated as open when resource management plans are*  
8 *being amended or revised, until such time as a new record*  
9 *of decision is signed.*

10 **SEC. 5. REDUCE REDUNDANT POLICIES.**

11 *Bureau of Land Management Instruction Memo-*  
12 *randum 2010–117 shall have no force or effect.*

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