

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3407  
OFFERED BY MR. HASTINGS OF WASHINGTON**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Alaskan Energy for  
3 American Jobs Act”.

**4 SEC. 2. DEFINITIONS.**

5 In this Act:

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

9 (2) **PEER REVIEWED.**—The term “peer re-  
10 viewed” means reviewed—

11 (A) by individuals chosen by the National  
12 Academy of Sciences with no contractual rela-  
13 tionship with or those who have an application  
14 for a grant or other funding pending with the  
15 Federal agency with leasing jurisdiction; or

16 (B) if individuals described in subpara-  
17 graph (A) are not available, by the top individ-



1 by requiring the application of the best commercially  
2 available technology for oil and gas exploration, de-  
3 velopment, and production to all exploration, devel-  
4 opment, and production operations under this Act in  
5 a manner that ensures the receipt of fair market  
6 value by the public for the mineral resources to be  
7 leased.

8 (b) REPEAL OF EXISTING RESTRICTION.—

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11 U.S.C. 3143) is repealed.

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

15 (c) COMPLIANCE WITH REQUIREMENTS UNDER CER-  
16 TAIN OTHER LAWS.—

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

1           (2) ADEQUACY OF THE DEPARTMENT OF THE  
2 INTERIOR'S LEGISLATIVE ENVIRONMENTAL IMPACT  
3 STATEMENT.—The “Final Legislative Environ-  
4 mental Impact Statement” (April 1987) on the  
5 Coastal Plain prepared pursuant to section 1002 of  
6 the Alaska National Interest Lands Conservation  
7 Act of 1980 (16 U.S.C. 3142) and section 102(2)(C)  
8 of the National Environmental Policy Act of 1969  
9 (42 U.S.C. 4332(2)(C)) is deemed to satisfy the re-  
10 quirements under the National Environmental Policy  
11 Act of 1969 that apply with respect to prelease ac-  
12 tivities under this Act, including actions authorized  
13 to be taken by the Secretary to develop and promul-  
14 gate the regulations for the establishment of a leas-  
15 ing program authorized by this Act before the con-  
16 duct of the first lease sale.

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

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

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

20      (e) SPECIAL AREAS.—

21           (1) IN GENERAL.—The Secretary, after con-  
22      sultation with the State of Alaska, the city of  
23      Kaktovik, and the North Slope Borough, may des-  
24      ignate up to a total of 45,000 acres of the Coastal  
25      Plain as a Special Area if the Secretary determines

1       that the Special Area is of such unique character  
2       and interest so as to require special management  
3       and regulatory protection. The Secretary shall des-  
4       ignate as such a Special Area the Sadlerochit Spring  
5       area, comprising approximately 4,000 acres.

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

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

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

23              (f) LIMITATION ON CLOSED AREAS.—The Sec-  
24       retary's sole authority to close lands within the Coastal

1 Plain to oil and gas leasing and to exploration, develop-  
2 ment, and production is that set forth in this Act.

3 (g) REGULATIONS.—

4 (1) IN GENERAL.—The Secretary shall pre-  
5 scribe such regulations as may be necessary to carry  
6 out this Act, including regulations relating to protec-  
7 tion of the fish and wildlife, their habitat, subsist-  
8 ence resources, and environment of the Coastal  
9 Plain, by no later than 15 months after the date of  
10 enactment of this Act.

11 (2) REVISION OF REGULATIONS.—The Sec-  
12 retary shall, through a rule making conducted in ac-  
13 cordance with section 553 of title 5, United States  
14 Code, periodically review and, if appropriate, revise  
15 the regulations issued under subsection (a) to reflect  
16 a preponderance of the best available scientific evi-  
17 dence that has been peer reviewed and obtained by  
18 following appropriate, documented scientific proce-  
19 dures, the results of which can be repeated using  
20 those same procedures.

21 **SEC. 4. LEASE SALES.**

22 (a) IN GENERAL.—Lands may be leased under this  
23 Act to any person qualified to obtain a lease for deposits  
24 of oil and gas under the Mineral Leasing Act (30 U.S.C.  
25 181 et seq.).

1 (b) PROCEDURES.—The Secretary shall, by regula-  
2 tion and no later than 180 days after the date of enact-  
3 ment of this Act, establish procedures for—

4 (1) receipt and consideration of sealed nomina-  
5 tions for any area of the Coastal Plain for inclusion  
6 in, or exclusion (as provided in subsection (c)) from,  
7 a lease sale;

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

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

13 (c) LEASE SALE BIDS.—Lease sales under this Act  
14 may be conducted through an Internet leasing program,  
15 if the Secretary determines that such a system will result  
16 in savings to the taxpayer, an increase in the number of  
17 bidders participating, and higher returns than oral bidding  
18 or a sealed bidding system.

19 (d) SALE ACREAGES AND SCHEDULE.—

20 (1) The Secretary shall offer for lease under  
21 this Act those tracts the Secretary considers to have  
22 the greatest potential for the discovery of hydro-  
23 carbons, taking into consideration nominations re-  
24 ceived pursuant to subsection (b)(1).



1           (2) The Secretary shall offer for lease under  
2           this Act no less than 50,000 acres for lease within  
3           22 months after the date of the enactment of this  
4           Act.

5           (3) The Secretary shall offer for lease under  
6           this Act no less than an additional 50,000 acres at  
7           6-, 12-, and 18-month intervals following offering  
8           under paragraph (2).

9           (4) The Secretary shall conduct four additional  
10          sales under the same terms and schedule no later  
11          than two years after the date of the last sale under  
12          paragraph (3), if sufficient interest in leasing exists  
13          to warrant, in the Secretary's judgment, the conduct  
14          of such sales.

15          (5) The Secretary shall evaluate the bids in  
16          each sale and issue leases resulting from such sales,  
17          within 90 days after the date of the completion of  
18          such sale.

19   **SEC. 5. GRANT OF LEASES BY THE SECRETARY.**

20          (a) IN GENERAL.—The Secretary may grant to the  
21          highest responsible qualified bidder in a lease sale con-  
22          ducted under section 4 any lands to be leased on the  
23          Coastal Plain upon payment by the such bidder of such  
24          bonus as may be accepted by the Secretary.

1 (b) SUBSEQUENT TRANSFERS.—No lease issued  
2 under this Act may be sold, exchanged, assigned, sublet,  
3 or otherwise transferred except with the approval of the  
4 Secretary. Prior to any such approval the Secretary shall  
5 consult with, and give due consideration to the views of,  
6 the Attorney General.

7 **SEC. 6. LEASE TERMS AND CONDITIONS.**

8 (a) IN GENERAL.—An oil or gas lease issued under  
9 this Act shall—

10 (1) provide for the payment of a royalty of not  
11 less than 12½ percent in amount or value of the  
12 production removed or sold under the lease, as de-  
13 termined by the Secretary under the regulations ap-  
14 plicable to other Federal oil and gas leases;

15 (2) provide that the Secretary may close, on a  
16 seasonal basis, portions of the Coastal Plain to ex-  
17 ploratory drilling activities as necessary to protect  
18 caribou calving areas and other species of fish and  
19 wildlife based on a preponderance of the best avail-  
20 able scientific evidence that has been peer reviewed  
21 and obtained by following appropriate, documented  
22 scientific procedures, the results of which can be re-  
23 peated using those same procedures;

24 (3) require that the lessee of lands within the  
25 Coastal Plain shall be fully responsible and liable for

1 the reclamation of lands within the Coastal Plain  
2 and any other Federal lands that are adversely af-  
3 fected in connection with exploration, development,  
4 production, or transportation activities conducted  
5 under the lease and within the Coastal Plain by the  
6 lessee or by any of the subcontractors or agents of  
7 the lessee;

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

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

20 (6) contain terms and conditions relating to  
21 protection of fish and wildlife, their habitat, subsist-  
22 ence resources, and the environment as required  
23 pursuant to section 3(a)(2);

24 (7) provide that the lessee, its agents, and its  
25 contractors use best efforts to provide a fair share,

1 as determined by the level of obligation previously  
2 agreed to in the 1974 agreement implementing sec-  
3 tion 29 of the Federal Agreement and Grant of  
4 Right of Way for the Operation of the Trans-Alaska  
5 Pipeline, of employment and contracting for Alaska  
6 Natives and Alaska Native corporations from  
7 throughout the State;

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

10 (9) contain such other provisions as the Sec-  
11 retary determines necessary to ensure compliance  
12 with this Act and the regulations issued under this  
13 Act.

14 (b) **NEGOTIATED LABOR AGREEMENTS.**—The Sec-  
15 retary, as a term and condition of each lease under this  
16 Act, shall require that the lessee and its agents and con-  
17 tractors negotiate to obtain an agreement for the employ-  
18 ment of laborers and mechanics on production, mainte-  
19 nance, and construction under the lease.

20 **SEC. 7. POLICIES REGARDING BUYING, BUILDING, AND**  
21 **WORKING FOR AMERICA.**

22 (a) **CONGRESSIONAL INTENT.**—It is the intent of the  
23 Congress that—

24 (1) this Act will support a healthy and growing  
25 United States domestic energy sector that, in turn,

1 helps to reinvigorate American manufacturing,  
2 transportation, and service sectors by employing the  
3 vast talents of United States workers to assist in the  
4 development of energy from domestic sources; and

5 (2) Congress will monitor the deployment of  
6 personnel and material onshore and offshore to en-  
7 courage the development of American technology  
8 and manufacturing to enable United States workers  
9 to benefit from this Act through good jobs and ca-  
10 reers, as well as the establishment of important in-  
11 dustrial facilities to support expanded access to  
12 American resources.

13 (b) REQUIREMENT.—The Secretary of the Interior  
14 shall when possible, and practicable, encourage the use of  
15 United States workers and equipment manufactured in  
16 the United States in all construction related to mineral  
17 development on the Coastal Plain.

18 **SEC. 8. COASTAL PLAIN ENVIRONMENTAL PROTECTION.**

19 (a) NO SIGNIFICANT ADVERSE EFFECT STANDARD  
20 TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.—  
21 The Secretary shall, consistent with the requirements of  
22 section 3, administer this Act through regulations, lease  
23 terms, conditions, restrictions, prohibitions, stipulations,  
24 and other provisions that—

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

5           (2) require the application of the best commer-  
6           cially available technology for oil and gas explo-  
7           ration, development, and production on all new ex-  
8           ploration, development, and production operations;  
9           and

10          (3) ensure that the maximum amount of sur-  
11          face acreage covered by production and support fa-  
12          cilities, including airstrips and any areas covered by  
13          gravel berms or piers for support of pipelines, does  
14          not exceed 10,000 acres on the Coastal Plain for  
15          each 100,000 acres of area leased.

16          (b) **SITE-SPECIFIC ASSESSMENT AND MITIGATION.**—  
17          The Secretary shall also require, with respect to any pro-  
18          posed drilling and related activities, that—

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

23               (2) a plan be implemented to avoid, minimize,  
24               and mitigate (in that order and to the extent prac-

1        ticable) any significant adverse effect identified  
2        under paragraph (1); and

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

6        (c) REGULATIONS TO PROTECT COASTAL PLAIN  
7 FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS,  
8 AND THE ENVIRONMENT.—Before implementing the leas-  
9 ing program authorized by this Act, the Secretary shall  
10 prepare and promulgate regulations, lease terms, condi-  
11 tions, restrictions, prohibitions, stipulations, and other  
12 measures designed to ensure that the activities undertaken  
13 on the Coastal Plain under this Act are conducted in a  
14 manner consistent with the purposes and environmental  
15 requirements of this Act.

16        (d) COMPLIANCE WITH FEDERAL AND STATE ENVI-  
17 RONMENTAL LAWS AND OTHER REQUIREMENTS.—The  
18 proposed regulations, lease terms, conditions, restrictions,  
19 prohibitions, and stipulations for the leasing program  
20 under this Act shall require compliance with all applicable  
21 provisions of Federal and State environmental law, and  
22 shall also require the following:

23            (1) Standards at least as effective as the safety  
24        and environmental mitigation measures set forth in  
25        items 1 through 29 at pages 167 through 169 of the

1 “Final Legislative Environmental Impact State-  
2 ment” (April 1987) on the Coastal Plain.

3 (2) Seasonal limitations on exploration, develop-  
4 ment, and related activities, where necessary, to  
5 avoid significant adverse effects during periods of  
6 concentrated fish and wildlife breeding, denning,  
7 nesting, spawning, and migration based on a prepon-  
8 derance of the best available scientific evidence that  
9 has been peer reviewed and obtained by following  
10 appropriate, documented scientific procedures, the  
11 results of which can be repeated using those same  
12 procedures.

13 (3) That exploration activities, except for sur-  
14 face geological studies, be limited to the period be-  
15 tween approximately November 1 and May 1 each  
16 year and that exploration activities shall be sup-  
17 ported, if necessary, by ice roads, winter trails with  
18 adequate snow cover, ice pads, ice airstrips, and air  
19 transport methods, except that such exploration ac-  
20 tivities may occur at other times if the Secretary  
21 finds that such exploration will have no significant  
22 adverse effect on the fish and wildlife, their habitat,  
23 and the environment of the Coastal Plain.



1           (4) Design safety and construction standards  
2 for all pipelines and any access and service roads,  
3 that—

4                   (A) minimize, to the maximum extent pos-  
5 sible, adverse effects upon the passage of mi-  
6 gratory species such as caribou; and

7                   (B) minimize adverse effects upon the flow  
8 of surface water by requiring the use of cul-  
9 verts, bridges, and other structural devices.

10           (5) Prohibitions on general public access and  
11 use on all pipeline access and service roads.

12           (6) Stringent reclamation and rehabilitation re-  
13 quirements, consistent with the standards set forth  
14 in this Act, requiring the removal from the Coastal  
15 Plain of all oil and gas development and production  
16 facilities, structures, and equipment upon completion  
17 of oil and gas production operations, except that the  
18 Secretary may exempt from the requirements of this  
19 paragraph those facilities, structures, or equipment  
20 that the Secretary determines would assist in the  
21 management of the Arctic National Wildlife Refuge  
22 and that are donated to the United States for that  
23 purpose.

24           (7) Appropriate prohibitions or restrictions on  
25 access by all modes of transportation.

1           (8) Appropriate prohibitions or restrictions on  
2 sand and gravel extraction.

3           (9) Consolidation of facility siting.

4           (10) Appropriate prohibitions or restrictions on  
5 use of explosives.

6           (11) Avoidance, to the extent practicable, of  
7 springs, streams, and river systems; the protection  
8 of natural surface drainage patterns, wetlands, and  
9 riparian habitats; and the regulation of methods or  
10 techniques for developing or transporting adequate  
11 supplies of water for exploratory drilling.

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

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

21           (14) Fuel storage and oil spill contingency plan-  
22 ning.

23           (15) Research, monitoring, and reporting re-  
24 quirements.

25           (16) Field crew environmental briefings.

1           (17) Avoidance of significant adverse effects  
2           upon subsistence hunting, fishing, and trapping by  
3           subsistence users.

4           (18) Compliance with applicable air and water  
5           quality standards.

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

9           (20) Reasonable stipulations for protection of  
10          cultural and archeological resources.

11          (21) All other protective environmental stipula-  
12          tions, restrictions, terms, and conditions deemed  
13          necessary by the Secretary.

14          (e) CONSIDERATIONS.—In preparing and promul-  
15          gating regulations, lease terms, conditions, restrictions,  
16          prohibitions, and stipulations under this section, the Sec-  
17          retary shall consider the following:

18               (1) The stipulations and conditions that govern  
19               the National Petroleum Reserve-Alaska leasing pro-  
20               gram, as set forth in the 1999 Northeast National  
21               Petroleum Reserve-Alaska Final Integrated Activity  
22               Plan/Environmental Impact Statement.

23               (2) The environmental protection standards  
24               that governed the initial Coastal Plain seismic explo-

1       ration program under parts 37.31 to 37.33 of title  
2       50, Code of Federal Regulations.

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

8       (f) FACILITY CONSOLIDATION PLANNING.—

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

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

17           (A) Avoiding unnecessary duplication of fa-  
18      cilities and activities.

19           (B) Encouraging consolidation of common  
20      facilities and activities.

21           (C) Locating or confining facilities and ac-  
22      tivities to areas that will minimize impact on  
23      fish and wildlife, their habitat, and the environ-  
24      ment.

1 (D) Utilizing existing facilities wherever  
2 practicable.

3 (E) Enhancing compatibility between wild-  
4 life values and development activities.

5 (g) ACCESS TO PUBLIC LANDS.—The Secretary  
6 shall—

7 (1) manage public lands in the Coastal Plain  
8 subject to of section 811 of the Alaska National In-  
9 terest Lands Conservation Act (16 U.S.C. 3121);  
10 and

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

14 **SEC. 9. EXPEDITED JUDICIAL REVIEW.**

15 (a) FILING OF COMPLAINT.—

16 (1) DEADLINE.—Subject to paragraph (2), any  
17 complaint seeking judicial review—

18 (A) of any provision of this Act shall be  
19 filed by not later than 1 year after the date of  
20 enactment of this Act; or

21 (B) of any action of the Secretary under  
22 this Act shall be filed—

23 (i) except as provided in clause (ii),  
24 within the 90-day period beginning on the  
25 date of the action being challenged; or

1                   (ii) in the case of a complaint based  
2                   solely on grounds arising after such period,  
3                   within 90 days after the complainant knew  
4                   or reasonably should have known of the  
5                   grounds for the complaint.

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

11                  (3) LIMITATION ON SCOPE OF CERTAIN RE-  
12                  VIEW.—Judicial review of a Secretarial decision to  
13                  conduct a lease sale under this Act, including the en-  
14                  vironmental analysis thereof, shall be limited to  
15                  whether the Secretary has complied with this Act  
16                  and shall be based upon the administrative record of  
17                  that decision. The Secretary's identification of a pre-  
18                  ferred course of action to enable leasing to proceed  
19                  and the Secretary's analysis of environmental effects  
20                  under this Act shall be presumed to be correct un-  
21                  less shown otherwise by clear and convincing evi-  
22                  dence to the contrary.

23                  (b) LIMITATION ON OTHER REVIEW.—Actions of the  
24                  Secretary with respect to which review could have been

1 obtained under this section shall not be subject to judicial  
2 review in any civil or criminal proceeding for enforcement.

3 (c) **LIMITATION ON ATTORNEYS' FEES AND COURT**  
4 **COSTS.**—No person seeking judicial review of any action  
5 under this Act shall receive payment from the Federal  
6 Government for their attorneys' fees and other court costs,  
7 including under any provision of law enacted by the Equal  
8 Access to Justice Act (5 U.S.C. 504 note).

9 **SEC. 10. TREATMENT OF REVENUES.**

10 Notwithstanding any other provision of law, 50 per-  
11 cent of the amount of bonus, rental, and royalty revenues  
12 from Federal oil and gas leasing and operations author-  
13 ized under this Act shall be deposited in the Treasury.

14 **SEC. 11. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.**

15 (a) **IN GENERAL.**—The Secretary shall issue rights-  
16 of-way and easements across the Coastal Plain for the  
17 transportation of oil and gas produced under leases under  
18 this Act—

19 (1) except as provided in paragraph (2), under  
20 section 28 of the Mineral Leasing Act (30 U.S.C.  
21 185), without regard to title XI of the Alaska Na-  
22 tional Interest Lands Conservation Act (16 U.S.C.  
23 3161 et seq.); and

24 (2) under title XI of the Alaska National Inter-  
25 est Lands Conservation Act (30 U.S.C. 3161 et

1       seq.), for access authorized by sections 1110 and  
2       1111 of that Act (16 U.S.C. 3170 and 3171).

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

12       (c) **REGULATIONS.**—The Secretary shall include in  
13 regulations under section 3(g) provisions granting rights-  
14 of-way and easements described in subsection (a) of this  
15 section.

16 **SEC. 12. CONVEYANCE.**

17       In order to maximize Federal revenues by removing  
18 clouds on title to lands and clarifying land ownership pat-  
19 terns within the Coastal Plain, the Secretary, notwith-  
20 standing section 1302(h)(2) of the Alaska National Inter-  
21 est Lands Conservation Act (16 U.S.C. 3192(h)(2)), shall  
22 convey—

23               (1) to the Kaktovik Inupiat Corporation the  
24       surface estate of the lands described in paragraph 1  
25       of Public Land Order 6959, to the extent necessary



1 to fulfill the Corporation's entitlement under sec-  
2 tions 12 and 14 of the Alaska Native Claims Settle-  
3 ment Act (43 U.S.C. 1611 and 1613) in accordance  
4 with the terms and conditions of the Agreement be-  
5 tween the Department of the Interior, the United  
6 States Fish and Wildlife Service, the Bureau of  
7 Land Management, and the Kaktovik Inupiat Cor-  
8 poration dated January 22, 1993; and

9 (2) to the Arctic Slope Regional Corporation  
10 the remaining subsurface estate to which it is enti-  
11 tled pursuant to the August 9, 1983, agreement be-  
12 tween the Arctic Slope Regional Corporation and the  
13 United States of America.

