

112TH CONGRESS
1ST SESSION

H. R. 3408

To set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2011

Mr. LAMBORN introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes.

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 “Protecting Investment
5 in Oil Shale the Next Generation of Environmental, En-
6 ergy, and Resource Security Act” or the “PIONEERS
7 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that oil shale resources located within
3 the United States—

4 (1) total almost 2 trillion barrels of oil in place;

5 (2) are a strategically important domestic re-
6 source that should be developed on an accelerated
7 basis to reduce our growing reliance on politically
8 and economically unstable sources of foreign oil im-
9 ports;

10 (3) are one of the best resources available for
11 advancing American technology and creating Amer-
12 ican jobs; and

13 (4) will be a critically important component of
14 the Nation's transportation fuel sector in particular,
15 by providing a secure domestic source of aviation
16 fuel for both commercial and military uses.

17 **SEC. 3. EFFECTIVENESS OF OIL SHALE REGULATIONS,**
18 **AMENDMENTS TO RESOURCE MANAGEMENT**
19 **PLANS, AND RECORD OF DECISION.**

20 (a) REGULATIONS.—Notwithstanding any other law
21 or regulation to the contrary, the final regulations regard-
22 ing oil shale management published by the Bureau of
23 Land Management on November 18, 2008 (73 Fed. Reg.
24 69,414) are deemed to satisfy all legal and procedural re-
25 quirements under any law, including the Federal Land
26 Policy and Management Act of 1976 (43 U.S.C. 1701 et

1 seq.), the Endangered Species Act of 1973 (16 U.S.C.
2 1531 et seq.), the National Environmental Policy Act of
3 1969 (42 U.S.C. 4321 et seq.), and the Energy Policy Act
4 of 2005 (Public Law 109–58), and the Secretary of the
5 Interior shall implement those regulations, including the
6 oil shale leasing program authorized by the regulations,
7 without any other administrative action necessary.

8 (b) AMENDMENTS TO RESOURCE MANAGEMENT
9 PLANS AND RECORD OF DECISION.—Notwithstanding
10 any other law or regulation to the contrary, the November
11 17, 2008 U.S. Bureau of Land Management Approved Re-
12 source Management Plan Amendments/Record of Decision
13 for Oil Shale and Tar Sands Resources to Address Land
14 Use Allocations in Colorado, Utah, and Wyoming and
15 Final Programmatic Environmental Impact Statement are
16 deemed to satisfy all legal and procedural requirements
17 under any law, including the Federal Land Policy and
18 Management Act of 1976 (43 U.S.C. 1701 et seq.), the
19 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
20 the National Environmental Policy Act of 1969 (42 U.S.C.
21 4321 et seq.), and the Energy Policy Act of 2005 (Public
22 Law 109–58), and the Secretary of the Interior shall im-
23 plement the oil shale leasing program authorized by the
24 regulations referred to in subsection (a) in those areas cov-
25 ered by the resource management plans amended by such

1 amendments, and covered by such record of decision, with-
2 out any other administrative action necessary.

3 **SEC. 4. OIL SHALE LEASING.**

4 (a) **ADDITIONAL RESEARCH AND DEVELOPMENT**
5 **LEASE SALES.**—The Secretary of the Interior shall hold
6 a lease sale within 180 days after the date of enactment
7 of this Act offering an additional 10 parcels for lease for
8 research, development, and demonstration of oil shale re-
9 sources, under the terms offered in the solicitation of bids
10 for such leases published on January 15, 2009 (74 Fed.
11 Reg. 10).

12 (b) **COMMERCIAL LEASE SALES.**—No later than Jan-
13 uary 1, 2016, the Secretary of the Interior shall hold no
14 less than 5 separate commercial lease sales in areas con-
15 sidered to have the most potential for oil shale develop-
16 ment, as determined by the Secretary, in areas nominated
17 through public comment. Each lease sale shall be for an
18 area of not less than 25,000 acres, and in multiple lease
19 blocs.

20 (c) **REDUCED PAYMENTS TO ENSURE PRODUC-**
21 **TION.**—The Secretary of the Interior may temporarily re-
22 duce royalties, fees, rentals, bonus, or other payments for
23 leases of Federal lands for the development and produc-
24 tion of oil shale resources as necessary to incentivize and
25 encourage development of such resources, if the Secretary

1 determines that the royalties, fees, rentals, bonus bids,
2 and other payments otherwise authorized by law are hin-
3 dering production of such resources.

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