

114TH CONGRESS  
1ST SESSION

# H. R. 1330

To amend the Outer Continental Shelf Lands Act to require the Secretary of the Interior to conduct offshore oil and gas leasing, to use revenues from such leasing to capitalize bonds that provide a dedicated source of revenue to fund highway, other transportation, and water infrastructure projects, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2015

Mr. STIVERS (for himself and Mr. RICHMOND) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Outer Continental Shelf Lands Act to require the Secretary of the Interior to conduct offshore oil and gas leasing, to use revenues from such leasing to capitalize bonds that provide a dedicated source of revenue to fund highway, other transportation, and water infrastructure projects, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American-Made En-  
3 ergy and Infrastructure Jobs Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—OUTER CONTINENTAL SHELF LEASING PROGRAM  
REFORMS

- Sec. 101. Outer Continental Shelf leasing program reforms.
- Sec. 102. Domestic oil and natural gas production goal.
- Sec. 103. Development and submittal of new 5-year oil and gas leasing program.

TITLE II—ENHANCING THE 2012–2017 FIVE-YEAR OUTER  
CONTINENTAL SHELF OIL AND GAS LEASING PROGRAM

- Sec. 201. Requirement to conduct proposed oil and gas Lease Sale 220 on the Outer Continental Shelf offshore Virginia.
- Sec. 202. South Carolina lease sale.
- Sec. 203. Southern California existing infrastructure lease sale.
- Sec. 204. Environmental impact statement requirement.
- Sec. 205. National defense.

TITLE III—EQUITABLE SHARING OF OUTER CONTINENTAL  
SHELF REVENUES

- Sec. 301. Disposition of Outer Continental Shelf revenues to coastal States.
- Sec. 302. Acceleration of Phase II GOMESA revenue sharing.

TITLE IV—REORGANIZATION OF MINERALS MANAGEMENT  
AGENCIES OF THE DEPARTMENT OF THE INTERIOR

- Sec. 401. Establishment of Under Secretary for Energy, Lands, and Minerals and Assistant Secretary of Ocean Energy and Safety.
- Sec. 402. Bureau of Ocean Energy.
- Sec. 403. Ocean Energy Safety Service.
- Sec. 404. Office of Natural Resources revenue.
- Sec. 405. Ethics and drug testing.
- Sec. 406. Abolishment of Minerals Management Service.
- Sec. 407. Conforming amendments to Executive Schedule pay rates.
- Sec. 408. Outer Continental Shelf Energy Safety Advisory Board.
- Sec. 409. Outer Continental Shelf inspection fees.

TITLE V—UNITED STATES TERRITORIES

- Sec. 501. Application of Outer Continental Shelf Lands Act with respect to territories of the United States.

TITLE VI—INFRASTRUCTURE REVENUE BONDS

Sec. 601. Leveraging Infrastructure Trust Account with infrastructure revenue bonds.

Sec. 602. Ninety-five percent of bond proceeds for Highway Trust Fund.

Sec. 603. Five percent of bond proceeds for State revolving loan funds for wastewater treatment facilities and drinking water facilities.

1 **TITLE I—OUTER CONTINENTAL**  
 2 **SHELF LEASING PROGRAM**  
 3 **REFORMS**

4 **SEC. 101. OUTER CONTINENTAL SHELF LEASING PROGRAM**  
 5 **REFORMS.**

6 Section 18(a) of the Outer Continental Shelf Lands  
 7 Act (43 U.S.C. 1344(a)) is amended by adding at the end  
 8 the following:

9 “(5)(A) In each oil and gas leasing program  
 10 under this section, the Secretary shall make avail-  
 11 able for leasing and conduct lease sales including at  
 12 least 50 percent of the available unleased acreage  
 13 within each outer Continental Shelf planning area  
 14 considered to have the largest undiscovered, tech-  
 15 nically recoverable oil and gas resources (on a total  
 16 btu basis) based upon the most recent national geo-  
 17 logic assessment of the outer Continental Shelf, with  
 18 an emphasis on offering the most geologically pro-  
 19 spective parts of the planning area.

20 “(B) The Secretary shall include in each pro-  
 21 posed oil and gas leasing program under this section  
 22 any State subdivision of an outer Continental Shelf  
 23 planning area that the Governor of the State that

1 represents that subdivision requests be made avail-  
2 able for leasing. The Secretary may not remove such  
3 a subdivision from the program until publication of  
4 the final program.

5 “(C) In this paragraph the term ‘available un-  
6 leased acreage’ means that portion of the outer Con-  
7 tinental Shelf that is not under lease at the time of  
8 a proposed lease sale, and that has not otherwise  
9 been made unavailable for leasing by law.

10 “(6)(A) In the 5-year oil and gas leasing pro-  
11 gram, the Secretary shall make available for leasing  
12 any outer Continental Shelf planning areas that—

13 “(i) are estimated to contain more than  
14 2,500,000,000 barrels of oil; or

15 “(ii) are estimated to contain more than  
16 7,500,000,000,000 cubic feet of natural gas.

17 “(B) To determine the planning areas described  
18 in subparagraph (A), the Secretary shall use the  
19 document entitled ‘Minerals Management Service  
20 Assessment of Undiscovered Technically Recoverable  
21 Oil and Gas Resources of the Nation’s Outer Conti-  
22 nental Shelf, 2006’.”.

1 **SEC. 102. DOMESTIC OIL AND NATURAL GAS PRODUCTION**

2 **GOAL.**

3 Section 18(b) of the Outer Continental Shelf Lands  
4 Act (43 U.S.C. 1344(b)) is amended to read as follows:

5 “(b) DOMESTIC OIL AND NATURAL GAS PRODUC-  
6 TION GOAL.—

7 “(1) IN GENERAL.—In developing a 5-year oil  
8 and gas leasing program, and subject to paragraph  
9 (2), the Secretary shall determine a domestic stra-  
10 tegic production goal for the development of oil and  
11 natural gas as a result of that program. Such goal  
12 shall be—

13 “(A) the best estimate of the possible in-  
14 crease in domestic production of oil and natural  
15 gas from the outer Continental Shelf;

16 “(B) focused on meeting domestic demand  
17 for oil and natural gas and reducing the de-  
18 pendence of the United States on foreign en-  
19 ergy; and

20 “(C) focused on the production increases  
21 achieved by the leasing program at the end of  
22 the 15-year period beginning on the effective  
23 date of the program.

24 “(2) PROGRAM GOAL.—For purposes of the 5-  
25 year oil and gas leasing program, the production

1 goal referred to in paragraph (1) shall be an in-  
2 crease by 2033 of—

3 “(A) no less than 3,000,000 barrels in the  
4 amount of oil produced per day; and

5 “(B) no less than 10,000,000,000 cubic  
6 feet in the amount of natural gas produced per  
7 day.

8 “(3) REPORTING.—The Secretary shall report  
9 annually, beginning at the end of the 5-year period  
10 for which the program applies, to the Committee on  
11 Natural Resources of the House of Representatives  
12 and the Committee on Energy and Natural Re-  
13 sources of the Senate on the progress of the pro-  
14 gram in meeting the production goal. The Secretary  
15 shall identify in the report projections for production  
16 and any problems with leasing, permitting, or pro-  
17 duction that will prevent meeting the goal.”.

18 **SEC. 103. DEVELOPMENT AND SUBMITTAL OF NEW 5-YEAR**

19 **OIL AND GAS LEASING PROGRAM.**

20 (a) IN GENERAL.—The Secretary of the Interior  
21 shall—

22 (1) by not later than July 15, 2015, publish  
23 and submit to Congress a new proposed oil and gas  
24 leasing program under section 18 of the Outer Con-  
25 tinental Shelf Lands Act (43 U.S.C. 1344) for the

1 5-year period beginning on such date and ending  
2 July 15, 2021; and

3 (2) by not later than July 15, 2016, approve a  
4 final oil and gas leasing program under such section  
5 for such period.

6 (b) CONSIDERATION OF ALL AREAS.—In preparing  
7 such program the Secretary shall include consideration of  
8 areas of the Continental Shelf off the coasts of all States  
9 (as such term is defined in section 2 of that Act, as  
10 amended by this Act), that are subject to leasing under  
11 this Act.

12 (c) TECHNICAL CORRECTION.—Section 18(d)(3) of  
13 the Outer Continental Shelf Lands Act (43 U.S.C.  
14 1344(d)(3)) is amended by striking “or after eighteen  
15 months following the date of enactment of this section,  
16 whichever first occurs,”.

17 **TITLE II—ENHANCING THE 2012–**  
18 **2017 FIVE-YEAR OUTER CON-**  
19 **TINENTAL SHELF OIL AND**  
20 **GAS LEASING PROGRAM**

21 **SEC. 201. REQUIREMENT TO CONDUCT PROPOSED OIL AND**  
22 **GAS LEASE SALE 220 ON THE OUTER CONTI-**  
23 **NENTAL SHELF OFFSHORE VIRGINIA.**

24 (a) IN GENERAL.—Notwithstanding the inclusion of  
25 Lease Sale 220 in the Final Outer Continental Shelf Oil

1 & Gas Leasing Program 2012–2017, the Secretary of the  
2 Interior shall conduct offshore oil and gas Lease Sale 220  
3 under section 8 of the Outer Continental Shelf Lands Act  
4 (43 U.S.C. 1337) as soon as practicable, but not later  
5 than one year after the date of enactment of this Act.

6 (b) REQUIREMENT TO MAKE REPLACEMENT LEASE  
7 BLOCKS AVAILABLE.—For each lease block in a proposed  
8 lease sale under this section for which the Secretary of  
9 Defense, in consultation with the Secretary of the Interior,  
10 under the Memorandum of Agreement referred to in sec-  
11 tion 205(b), issues a statement proposing deferral from  
12 a lease offering due to defense-related activities that are  
13 irreconcilable with mineral exploration and development,  
14 the Secretary of the Interior, in consultation with the Sec-  
15 retary of Defense, shall make available in the same lease  
16 sale one other lease block in the Virginia lease sale plan-  
17 ning area that is acceptable for oil and gas exploration  
18 and production in order to mitigate conflict.

19 (c) BALANCING MILITARY AND ENERGY PRODUC-  
20 TION GOALS.—In recognition that the Outer Continental  
21 Shelf oil and gas leasing program and the domestic energy  
22 resources produced therefrom are integral to national se-  
23 curity, the Secretary of the Interior and the Secretary of  
24 Defense shall work jointly in implementing this section in



1 order to ensure achievement of the following common  
2 goals:

3 (1) Preserving the ability of the Armed Forces  
4 of the United States to maintain an optimum state  
5 of readiness through their continued use of the  
6 Outer Continental Shelf.

7 (2) Allowing effective exploration, development,  
8 and production of our Nation's oil, gas, and renew-  
9 able energy resources.

10 (d) DEFINITIONS.—In this section:

11 (1) LEASE SALE 220.—The term “Lease Sale  
12 220” means such lease sale referred to in the Re-  
13 quest for Comments on the Draft Proposed 5-Year  
14 Outer Continental Shelf (OCS) Oil and Gas Leasing  
15 Program for 2010–2015 and Notice of Intent To  
16 Prepare an Environmental Impact Statement (EIS)  
17 for the Proposed 5-Year Program published January  
18 21, 2009 (74 Fed. Reg. 3631).

19 (2) VIRGINIA LEASE SALE PLANNING AREA.—  
20 The term “Virginia lease sale planning area” means  
21 the area of the outer Continental Shelf (as that term  
22 is defined in the Outer Continental Shelf Lands Act  
23 (33 U.S.C. 1331 et seq.)) that is bounded by—

24 (A) a northern boundary consisting of a  
25 straight line extending from the northernmost

1 point of Virginia’s seaward boundary to the  
2 point on the seaward boundary of the United  
3 States exclusive economic zone located at 37 de-  
4 grees 17 minutes 1 second North latitude, 71  
5 degrees 5 minutes 16 seconds West longitude;  
6 and

7 (B) a southern boundary consisting of a  
8 straight line extending from the southernmost  
9 point of Virginia’s seaward boundary to the  
10 point on the seaward boundary of the United  
11 States exclusive economic zone located at 36 de-  
12 grees 31 minutes 58 seconds North latitude, 71  
13 degrees 30 minutes 1 second West longitude.

14 **SEC. 202. SOUTH CAROLINA LEASE SALE.**

15 Notwithstanding inclusion of the South Atlantic  
16 Outer Continental Shelf Planning Area in the Final Outer  
17 Continental Shelf Oil & Gas Leasing Program 2012–2017,  
18 the Secretary of the Interior shall conduct a lease sale not  
19 later than 2 years after the date of the enactment of this  
20 Act for areas off the coast of South Carolina determined  
21 by the Secretary to have the most geologically promising  
22 hydrocarbon resources and constituting not less than 25  
23 percent of the leasable area within the South Carolina off-  
24 shore administrative boundaries depicted in the notice en-  
25 titled “Federal Outer Continental Shelf (OCS) Adminis-

1 trative Boundaries Extending from the Submerged Lands  
2 Act Boundary seaward to the Limit of the United States  
3 Outer Continental Shelf”, published January 3, 2006 (71  
4 Fed. Reg. 127).

5 **SEC. 203. SOUTHERN CALIFORNIA EXISTING INFRASTRUC-**  
6 **TURE LEASE SALE.**

7 (a) IN GENERAL.—The Secretary of the Interior shall  
8 offer for sale leases of tracts in the Santa Maria and  
9 Santa Barbara/Ventura Basins of the Southern California  
10 OCS Planning Area as soon as practicable, but not later  
11 than December 31, 2015.

12 (b) USE OF EXISTING STRUCTURES OR ONSHORE-  
13 BASED DRILLING.—The Secretary of the Interior shall in-  
14 clude in leases offered for sale under this lease sale such  
15 terms and conditions as are necessary to require that de-  
16 velopment and production may occur only from offshore  
17 infrastructure in existence on the date of the enactment  
18 of this Act or from onshore-based, extended-reach drilling.

19 **SEC. 204. ENVIRONMENTAL IMPACT STATEMENT REQUIRE-**  
20 **MENT.**

21 (a) IN GENERAL.—For the purposes of this Act, the  
22 Secretary of the Interior shall prepare a multisale environ-  
23 mental impact statement under section 102 of the Na-  
24 tional Environmental Policy Act of 1969 (42 U.S.C. 4332)  
25 for all lease sales required under this title.

1 (b) ACTIONS TO BE CONSIDERED.—Notwithstanding  
2 section 102 of the National Environmental Policy Act of  
3 1969 (42 U.S.C. 4332), in such statement—

4 (1) the Secretary is not required to identify  
5 nonleasing alternative courses of action or to analyze  
6 the environmental effects of such alternative courses  
7 of action; and

8 (2) the Secretary shall only—

9 (A) identify a preferred action for leasing  
10 and not more than one alternative leasing pro-  
11 posal; and

12 (B) analyze the environmental effects and  
13 potential mitigation measures for such pre-  
14 ferred action and such alternative leasing pro-  
15 posal.

16 **SEC. 205. NATIONAL DEFENSE.**

17 (a) NATIONAL DEFENSE AREAS.—This Act does not  
18 affect the existing authority of the Secretary of Defense,  
19 with the approval of the President, to designate national  
20 defense areas on the Outer Continental Shelf pursuant to  
21 section 12(d) of the Outer Continental Shelf Lands Act  
22 (43 U.S.C. 1341(d)).

23 (b) PROHIBITION ON CONFLICTS WITH MILITARY  
24 OPERATIONS.—No person may engage in any exploration,  
25 development, or production of oil or natural gas on the

1 Outer Continental Shelf under a lease issued under this  
2 Act that would conflict with any military operation, as de-  
3 termined in accordance with the Memorandum of Agree-  
4 ment between the Department of Defense and the Depart-  
5 ment of the Interior on Mutual Concerns on the Outer  
6 Continental Shelf signed July 20, 1983, and any revision  
7 or replacement for that agreement that is agreed to by  
8 the Secretary of Defense and the Secretary of the Interior  
9 after that date but before the date of issuance of the lease  
10 under which such exploration, development, or production  
11 is conducted.

12 **TITLE III—EQUITABLE SHARING**  
13 **OF OUTER CONTINENTAL**  
14 **SHELF REVENUES**

15 **SEC. 301. DISPOSITION OF OUTER CONTINENTAL SHELF**  
16 **REVENUES TO COASTAL STATES.**

17 (a) IN GENERAL.—Section 9 of the Outer Conti-  
18 nental Shelf Lands Act (43 U.S.C. 1338) is amended—

19 (1) in the existing text—

20 (A) in the first sentence, by striking “All  
21 rentals,” and inserting the following:

22 “(c) DISPOSITION OF REVENUE UNDER OLD  
23 LEASES.—All rentals,”; and

24 (B) in subsection (c) (as designated by the  
25 amendment made by subparagraph (A) of this

1 paragraph), by striking “for the period from  
2 June 5, 1950, to date, and thereafter” and in-  
3 sserting “in the period beginning June 5, 1950,  
4 and ending on the date of enactment of the  
5 American-Made Energy and Infrastructure  
6 Jobs Act”;

7 (2) by adding after subsection (c) (as so des-  
8 ignated) the following:

9 “(d) DEFINITIONS.—In this section:

10 “(1) COASTAL STATE.—The term ‘coastal  
11 State’ includes a territory of the United States.

12 “(2) NEW LEASING REVENUES.—The term ‘new  
13 leasing revenues’—

14 “(A) means amounts received by the  
15 United States as bonuses, rents, and royalties  
16 under leases for oil and gas, wind, tidal, or  
17 other energy exploration, development, and pro-  
18 duction on areas of the outer Continental Shelf  
19 that are authorized to be made available for  
20 leasing as a result of enactment of the Amer-  
21 ican-Made Energy and Infrastructure Jobs Act  
22 and leasing under that Act; and

23 “(B) does not include amounts received by  
24 the United States under any lease of an area lo-  
25 cated in the boundaries of the Central Gulf of

1 Mexico and Western Gulf of Mexico Outer Con-  
2 tinental Shelf Planning Areas on the date of en-  
3 actment of the American-Made Energy and In-  
4 frastructure Jobs Act, including a lease issued  
5 before, on, or after such date of enactment.”;  
6 and

7 (3) by inserting before subsection (c) (as so  
8 designated) the following:

9 “(a) PAYMENT OF NEW LEASING REVENUES TO  
10 COASTAL STATES.—

11 “(1) IN GENERAL.—Except as provided in para-  
12 graph (2), of the amount of new leasing revenues re-  
13 ceived by the United States each fiscal year, 37.5  
14 percent shall be allocated and paid in accordance  
15 with subsection (b) to coastal States that are af-  
16 fected States with respect to the leases under which  
17 those revenues are received by the United States.

18 “(2) PHASE-IN.—

19 “(A) IN GENERAL.—Except as provided in  
20 subparagraph (B), paragraph (1) shall be ap-  
21 plied—

22 “(i) with respect to new leasing reve-  
23 nues under leases awarded under the first  
24 leasing program under section 18(a) that  
25 takes effect after the date of enactment of

1 the American-Made Energy and Infra-  
2 structure Jobs Act, by substituting ‘12.5  
3 percent’ for ‘37.5 percent’; and

4 “(ii) with respect to new leasing reve-  
5 nues under leases awarded under the sec-  
6 ond leasing program under section 18(a)  
7 that takes effect after the date of enact-  
8 ment of the American-Made Energy and  
9 Infrastructure Jobs Act, by substituting  
10 ‘25 percent’ for ‘37.5 percent’.

11 “(B) EXEMPTED LEASE SALES.—This  
12 paragraph shall not apply with respect to any  
13 lease issued under title II of the American-  
14 Made Energy and Infrastructure Jobs Act.

15 “(b) ALLOCATION OF PAYMENTS.—

16 “(1) IN GENERAL.—The amount of new leasing  
17 revenues received by the United States with respect  
18 to a leased tract that are required to be paid to  
19 coastal States in accordance with this subsection  
20 each fiscal year shall be allocated among and paid  
21 to coastal States that are within 200 miles of the  
22 leased tract, in amounts that are inversely propor-  
23 tional to the respective distances between the point  
24 on the coastline of each such State that is closest to



1 the geographic center of the lease tract, as deter-  
2 mined by the Secretary.

3 “(2) MINIMUM AND MAXIMUM ALLOCATION.—

4 The amount allocated to a coastal State under para-  
5 graph (1) each fiscal year with respect to a leased  
6 tract shall be—

7 “(A) in the case of a coastal State that is  
8 the nearest State to the geographic center of  
9 the leased tract, not less than 25 percent of the  
10 total amounts allocated with respect to the  
11 leased tract;

12 “(B) in the case of any other coastal State,  
13 not less than 10 percent, and not more than 15  
14 percent, of the total amounts allocated with re-  
15 spect to the leased tract; and

16 “(C) in the case of a coastal State that is  
17 the only coastal State within 200 miles of a  
18 least tract, 100 percent of the total amounts al-  
19 located with respect to the leased tract.

20 “(3) ADMINISTRATION.—Amounts allocated to  
21 a coastal State under this subsection—

22 “(A) shall be available to the coastal State  
23 without further appropriation;

24 “(B) shall remain available until expended;  
25 and

1           “(C) shall be in addition to any other  
2 amounts available to the coastal State under  
3 this Act.

4           “(4) USE OF FUNDS.—

5           “(A) IN GENERAL.—Except as provided in  
6 subparagraph (B), a coastal State may use  
7 funds allocated and paid to it under this sub-  
8 section for any purpose as determined by the  
9 laws of that State.

10           “(B) RESTRICTION ON USE FOR MATCH-  
11 ING.—Funds allocated and paid to a coastal  
12 State under this subsection may not be used as  
13 matching funds for any other Federal pro-  
14 gram.”.

15           (b) LIMITATION ON APPLICATION.—This section and  
16 the amendment made by this section shall not affect the  
17 application of section 105 of the Gulf of Mexico Energy  
18 Security Act of 2006 (title I of division C of Public Law  
19 109–432; (43 U.S.C. 1331 note)), as in effect before the  
20 enactment of this Act, with respect to revenues received  
21 by the United States under oil and gas leases issued for  
22 tracts located in the Western and Central Gulf of Mexico  
23 Outer Continental Shelf Planning Areas, including such  
24 leases issued on or after the date of the enactment of this  
25 Act.

1 **SEC. 302. ACCELERATION OF PHASE II GOMESA REVENUE**

2 **SHARING.**

3 Section 105 of the Gulf of Mexico Energy Security  
4 Act of 2006 (43 U.S.C. 1331 note) is amended—

5 (1) in subsection (b)(1)—

6 (A) in the heading for paragraph (1), by  
7 striking “2016” and inserting “2015”; and

8 (B) in subparagraph (A), by striking  
9 “2016” and inserting “2015”;

10 (2) in subsection (b)(2)—

11 (A) in the heading for paragraph (1), by  
12 striking “2017” and inserting “2016”; and

13 (B) in subparagraph (A), by striking  
14 “2017” and inserting “2016”; and

15 (3) in subsection (f)(1), by inserting before the  
16 period “, except that such amount shall increase by  
17 \$250,000,000 upon the issuance of each 5-year oil  
18 and gas leasing program under section 18 of the  
19 Outer Continental Shelf Lands Act (43 U.S.C.  
20 1344)”.

1 **TITLE IV—REORGANIZATION OF**  
2 **MINERALS MANAGEMENT**  
3 **AGENCIES OF THE DEPART-**  
4 **MENT OF THE INTERIOR**

5 **SEC. 401. ESTABLISHMENT OF UNDER SECRETARY FOR EN-**  
6 **ERGY, LANDS, AND MINERALS AND ASSIST-**  
7 **ANT SECRETARY OF OCEAN ENERGY AND**  
8 **SAFETY.**

9 There shall be in the Department of the Interior—

10 (1) an Under Secretary for Energy, Lands, and  
11 Minerals, who shall—

12 (A) be appointed by the President, by and  
13 with the advise and consent of the Senate;

14 (B) report to the Secretary of the Interior  
15 or, if directed by the Secretary, to the Deputy  
16 Secretary of the Interior;

17 (C) be paid at the rate payable for level III  
18 of the Executive Schedule; and

19 (D) be responsible for—

20 (i) the safe and responsible develop-  
21 ment of our energy and mineral resources  
22 on Federal lands in appropriate accordance  
23 with United States energy demands; and

24 (ii) ensuring multiple-use missions of  
25 the Department of the Interior that pro-

1           mote the safe and sustained development  
2           of energy and minerals resources on public  
3           lands (as that term is defined in the Fed-  
4           eral Land Policy and Management Act of  
5           1976 (43 U.S.C. 1701 et seq.));

6           (2) an Assistant Secretary of Ocean Energy  
7           and Safety, who shall—

8                   (A) be appointed by the President, by and  
9                   with the advise and consent of the Senate;

10                   (B) report to the Under Secretary for En-  
11                   ergy, Lands, and Minerals;

12                   (C) be paid at the rate payable for level IV  
13                   of the Executive Schedule; and

14                   (D) be responsible for ensuring safe and  
15                   efficient development of energy and minerals on  
16                   the Outer Continental Shelf of the United  
17                   States; and

18           (3) an Assistant Secretary of Land and Min-  
19           erals Management, who shall—

20                   (A) be appointed by the President, by and  
21                   with the advise and consent of the Senate;

22                   (B) report to the Under Secretary for En-  
23                   ergy, Lands, and Minerals;

24                   (C) be paid at the rate payable for level IV  
25                   of the Executive Schedule; and

1 (D) be responsible for ensuring safe and  
2 efficient development of energy and minerals on  
3 public lands and other Federal onshore lands  
4 under the jurisdiction of the Department of the  
5 Interior, including implementation of the Min-  
6 eral Leasing Act (30 U.S.C. 181 et seq.) and  
7 the Surface Mining Control and Reclamation  
8 Act (30 U.S.C. 1201 et seq.) and administra-  
9 tion of the Office of Surface Mining.

10 **SEC. 402. BUREAU OF OCEAN ENERGY.**

11 (a) ESTABLISHMENT.—There is established in the  
12 Department of the Interior a Bureau of Ocean Energy (re-  
13 ferred to in this section as the “Bureau”), which shall—

14 (1) be headed by a Director of Ocean Energy  
15 (referred to in this section as the “Director”); and

16 (2) be administered under the direction of the  
17 Assistant Secretary of Ocean Energy and Safety.

18 (b) DIRECTOR.—

19 (1) APPOINTMENT.—The Director shall be ap-  
20 pointed by the Secretary of the Interior.

21 (2) COMPENSATION.—The Director shall be  
22 compensated at the rate provided for level V of the  
23 Executive Schedule under section 5316 of title 5,  
24 United States Code.

25 (c) DUTIES.—

1           (1) IN GENERAL.—The Secretary of the Inte-  
2           rior shall carry out through the Bureau all func-  
3           tions, powers, and duties vested in the Secretary re-  
4           lating to the administration of a comprehensive pro-  
5           gram of offshore mineral and renewable energy re-  
6           sources management.

7           (2) SPECIFIC AUTHORITIES.—The Director  
8           shall promulgate and implement regulations—

9                   (A) for the proper issuance of leases for  
10                  the exploration, development, and production of  
11                  nonrenewable and renewable energy and min-  
12                  eral resources on the Outer Continental Shelf;

13                  (B) relating to resource identification, ac-  
14                  cess, evaluation, and utilization;

15                  (C) for development of leasing plans, lease  
16                  sales, and issuance of leases for such resources;  
17                  and

18                  (D) regarding issuance of environmental  
19                  impact statements related to leasing and post  
20                  leasing activities including exploration, develop-  
21                  ment, and production, and the use of third  
22                  party contracting for necessary environmental  
23                  analysis for the development of such resources.

1           (3) LIMITATION.—The Secretary shall not carry  
2           out through the Bureau any function, power, or duty  
3           that is—

4                   (A) required by section 403 to be carried  
5                   out through the Ocean Energy Safety Service;  
6                   or

7                   (B) required by section 404 to be carried  
8                   out through the Office of Natural Resources  
9                   Revenue.

10          (d) RESPONSIBILITIES OF LAND MANAGEMENT  
11          AGENCIES.—Nothing in this section shall affect the au-  
12          thorities of the Bureau of Land Management under the  
13          Federal Land Policy and Management Act of 1976 (43  
14          U.S.C. 1701 et seq.) or of the Forest Service under the  
15          National Forest Management Act of 1976 (Public Law  
16          94–588).

17          **SEC. 403. OCEAN ENERGY SAFETY SERVICE.**

18          (a) ESTABLISHMENT.—There is established in the  
19          Department of the Interior an Ocean Energy Safety Serv-  
20          ice (referred to in this section as the “Service”), which  
21          shall—

22                   (1) be headed by a Director of Energy Safety  
23                   (referred to in this section as the “Director”); and

24                   (2) be administered under the direction of the  
25                   Assistant Secretary of Ocean Energy and Safety.



1 (b) DIRECTOR.—

2 (1) APPOINTMENT.—The Director shall be ap-  
3 pointed by the Secretary of the Interior.

4 (2) COMPENSATION.—The Director shall be  
5 compensated at the rate provided for level V of the  
6 Executive Schedule under section 5316 of title 5,  
7 United States Code.

8 (c) DUTIES.—

9 (1) IN GENERAL.—The Secretary of the Inte-  
10 rior shall carry out through the Service all functions,  
11 powers, and duties vested in the Secretary relating  
12 to the administration of safety and environmental  
13 enforcement activities related to offshore mineral  
14 and renewable energy resources on the Outer Conti-  
15 nental Shelf pursuant to the Outer Continental Shelf  
16 Lands Act (43 U.S.C. 1331 et seq.) including the  
17 authority to develop, promulgate, and enforce regu-  
18 lations to ensure the safe and sound exploration, de-  
19 velopment, and production of mineral and renewable  
20 energy resources on the Outer Continental Shelf in  
21 a timely fashion.

22 (2) SPECIFIC AUTHORITIES.—The Director  
23 shall be responsible for all safety activities related to  
24 exploration and development of renewable and min-

1 eral resources on the Outer Continental Shelf, in-  
2 cluding—

3 (A) exploration, development, production,  
4 and ongoing inspections of infrastructure;

5 (B) the suspending or prohibiting, on a  
6 temporary basis, any operation or activity, in-  
7 cluding production under leases held on the  
8 Outer Continental Shelf, in accordance with  
9 section 5(a)(1) of the Outer Continental Shelf  
10 Lands Act (43 U.S.C. 1334(a)(1));

11 (C) cancelling any lease, permit, or right-  
12 of-way on the Outer Continental Shelf, in ac-  
13 cordance with section 5(a)(2) of the Outer Con-  
14 tinental Shelf Lands Act (43 U.S.C.  
15 1334(a)(2));

16 (D) compelling compliance with applicable  
17 Federal laws and regulations relating to worker  
18 safety and other matters;

19 (E) requiring comprehensive safety and en-  
20 vironmental management programs for persons  
21 engaged in activities connected with the explo-  
22 ration, development, and production of mineral  
23 or renewable energy resources;

24 (F) developing and implementing regula-  
25 tions for Federal employees to carry out any in-

1           specification or investigation to ascertain compli-  
2           ance with applicable regulations, including  
3           health, safety, or environmental regulations;

4           (G) implementing the Offshore Technology  
5           Research and Risk Assessment Program under  
6           section 21 of the Outer Continental Shelf  
7           Lands Act (43 U.S.C. 1347);

8           (H) summoning witnesses and directing  
9           the production of evidence;

10          (I) levying fines and penalties and disquali-  
11          fying operators;

12          (J) carrying out any safety, response, and  
13          removal preparedness functions; and

14          (K) the processing of permits, exploration  
15          plans, development plans.

16       (d) EMPLOYEES.—

17           (1) IN GENERAL.—The Secretary shall ensure  
18           that the inspection force of the Bureau consists of  
19           qualified, trained employees who meet qualification  
20           requirements and adhere to the highest professional  
21           and ethical standards.

22           (2) QUALIFICATIONS.—The qualification re-  
23           quirements referred to in paragraph (1)—

24           (A) shall be determined by the Secretary,  
25           subject to subparagraph (B); and

1 (B) shall include—

2 (i) three years of practical experience  
3 in oil and gas exploration, development, or  
4 production; or

5 (ii) a degree in an appropriate field of  
6 engineering from an accredited institution  
7 of higher learning.

8 (3) ASSIGNMENT.—In assigning oil and gas in-  
9 spectors to the inspection and investigation of indi-  
10 vidual operations, the Secretary shall give due con-  
11 sideration to the extent possible to their previous ex-  
12 perience in the particular type of oil and gas oper-  
13 ation in which such inspections are to be made.

14 (4) BACKGROUND CHECKS.—The Director shall  
15 require that an individual to be hired as an inspec-  
16 tion officer undergo an employment investigation  
17 (including a criminal history record check).

18 (5) LANGUAGE REQUIREMENTS.—Individuals  
19 hired as inspectors must be able to read, speak, and  
20 write English well enough to—

21 (A) carry out written and oral instructions  
22 regarding the proper performance of inspection  
23 duties; and

24 (B) write inspection reports and state-  
25 ments and log entries in the English language.

1           (6) VETERANS PREFERENCE.—The Director  
2 shall provide a preference for the hiring of an indi-  
3 vidual as a inspection officer if the individual is a  
4 member or former member of the Armed Forces and  
5 is entitled, under statute, to retired, retirement, or  
6 retainer pay on account of service as a member of  
7 the Armed Forces.

8           (7) ANNUAL PROFICIENCY REVIEW.—

9           (A) ANNUAL PROFICIENCY REVIEW.—The  
10 Director shall provide that an annual evaluation  
11 of each individual assigned inspection duties is  
12 conducted and documented.

13           (B) CONTINUATION OF EMPLOYMENT.—An  
14 individual employed as an inspector may not  
15 continue to be employed in that capacity unless  
16 the evaluation demonstrates that the indi-  
17 vidual—

18                   (i) continues to meet all qualifications  
19 and standards;

20                   (ii) has a satisfactory record of per-  
21 formance and attention to duty based on  
22 the standards and requirements in the in-  
23 spection program; and

24                   (iii) demonstrates the current knowl-  
25 edge and skills necessary to courteously,

1                   vigilantly, and effectively perform inspec-  
2                   tion functions.

3                   (8) LIMITATION ON RIGHT TO STRIKE.—Any  
4                   individual that conducts permitting or inspections  
5                   under this section may not participate in a strike, or  
6                   assert the right to strike.

7                   (9) PERSONNEL AUTHORITY.—Notwithstanding  
8                   any other provision of law, the Director may employ,  
9                   appoint, discipline and terminate for cause, and fix  
10                  the compensation, terms, and conditions of employ-  
11                  ment of Federal service for individuals as the em-  
12                  ployees of the Service in order to restore and main-  
13                  tain the trust of the people of the United States in  
14                  the accountability of the management of our Na-  
15                  tion’s energy safety program.

16                  (10) TRAINING ACADEMY.—

17                  (A) IN GENERAL.—The Secretary shall es-  
18                  tablish and maintain a National Offshore En-  
19                  ergy Safety Academy (referred to in this para-  
20                  graph as the “Academy”) as an agency of the  
21                  Ocean Energy Safety Service.

22                  (B) FUNCTIONS OF ACADEMY.—The Sec-  
23                  retary, through the Academy, shall be respon-  
24                  sible for—

1 (i) the initial and continued training  
2 of both newly hired and experienced off-  
3 shore oil and gas inspectors in all aspects  
4 of health, safety, environmental, and oper-  
5 ational inspections;

6 (ii) the training of technical support  
7 personnel of the Bureau;

8 (iii) any other training programs for  
9 offshore oil and gas inspectors, Bureau  
10 personnel, Department personnel, or other  
11 persons as the Secretary shall designate;  
12 and

13 (iv) certification of the successful  
14 completion of training programs for newly  
15 hired and experienced offshore oil and gas  
16 inspectors.

17 (C) COOPERATIVE AGREEMENTS.—

18 (i) IN GENERAL.—In performing func-  
19 tions under this paragraph, and subject to  
20 clause (ii), the Secretary may enter into  
21 cooperative educational and training agree-  
22 ments with educational institutions, related  
23 Federal academies, other Federal agencies,  
24 State governments, safety training firms,

1 and oil and gas operators and related in-  
2 dustries.

3 (ii) TRAINING REQUIREMENT.—Such  
4 training shall be conducted by the Acad-  
5 emy in accordance with curriculum needs  
6 and assignment of instructional personnel  
7 established by the Secretary.

8 (11) USE OF DEPARTMENT PERSONNEL.—In  
9 performing functions under this subsection, the Sec-  
10 retary shall use, to the extent practicable, the facili-  
11 ties and personnel of the Department of the Interior.  
12 The Secretary may appoint or assign to the Acad-  
13 emy such officers and employees as the Secretary  
14 considers necessary for the performance of the du-  
15 ties and functions of the Academy.

16 (12) ADDITIONAL TRAINING PROGRAMS.—

17 (A) IN GENERAL.—The Secretary shall  
18 work with appropriate educational institutions,  
19 operators, and representatives of oil and gas  
20 workers to develop and maintain adequate pro-  
21 grams with educational institutions and oil and  
22 gas operators that are designed—

23 (i) to enable persons to qualify for po-  
24 sitions in the administration of this Act;  
25 and



1 (ii) to provide for the continuing edu-  
2 cation of inspectors or other appropriate  
3 Department of the Interior personnel.

4 (B) FINANCIAL AND TECHNICAL ASSIST-  
5 ANCE.—The Secretary may provide financial  
6 and technical assistance to educational institu-  
7 tions in carrying out this paragraph.

8 (e) LIMITATION.—The Secretary shall not carry out  
9 through the Service any function, power, or duty that is—

10 (1) required by section 402 to be carried out  
11 through Bureau of Ocean Energy; or

12 (2) required by section 404 to be carried out  
13 through the Office of Natural Resources Revenue.

14 **SEC. 404. OFFICE OF NATURAL RESOURCES REVENUE.**

15 (a) ESTABLISHMENT.—There is established in the  
16 Department of the Interior an Office of Natural Resources  
17 Revenue (referred to in this section as the “Office”) to  
18 be headed by a Director of Natural Resources Revenue  
19 (referred to in this section as the “Director”).

20 (b) APPOINTMENT AND COMPENSATION.—

21 (1) IN GENERAL.—The Director shall be ap-  
22 pointed by the Secretary of the Interior.

23 (2) COMPENSATION.—The Director shall be  
24 compensated at the rate provided for Level V of the

1 Executive Schedule under section 5316 of title 5,  
2 United States Code.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Secretary of the Inte-  
5 rior shall carry out, through the Office, all functions,  
6 powers, and duties vested in the Secretary and relat-  
7 ing to the administration of offshore royalty and rev-  
8 enue management functions.

9 (2) SPECIFIC AUTHORITIES.—The Secretary  
10 shall carry out, through the Office, all functions,  
11 powers, and duties previously assigned to the Min-  
12 erals Management Service (including the authority  
13 to develop, promulgate, and enforce regulations) re-  
14 garding offshore royalty and revenue collection; roy-  
15 alty and revenue distribution; auditing and compli-  
16 ance; investigation and enforcement of royalty and  
17 revenue regulations; and asset management for on-  
18 shore and offshore activities.

19 (d) LIMITATION.—The Secretary shall not carry out  
20 through the Office any function, power, or duty that is—

21 (1) required by section 402 to be carried out  
22 through Bureau of Ocean Energy; or

23 (2) required by section 403 to be carried out  
24 through the Ocean Energy Safety Service.

1 **SEC. 405. ETHICS AND DRUG TESTING.**

2 (a) CERTIFICATION.—The Secretary of the Interior  
3 shall certify annually that all Department of the Interior  
4 officers and employees having regular, direct contact with  
5 lessees, contractors, concessionaires, and other businesses  
6 interested before the Government as a function of their  
7 official duties, or conducting investigations, issuing per-  
8 mits, or responsible for oversight of energy programs, are  
9 in full compliance with all Federal employee ethics laws  
10 and regulations under the Ethics in Government Act of  
11 1978 (5 U.S.C. App.) and part 2635 of title 5, Code of  
12 Federal Regulations, and all guidance issued under sub-  
13 section (c).

14 (b) DRUG TESTING.—The Secretary shall conduct a  
15 random drug testing program of all Department of the  
16 Interior personnel referred to in subsection (a).

17 (c) GUIDANCE.—Not later than 90 days after the  
18 date of enactment of this Act, the Secretary shall issue  
19 supplementary ethics and drug testing guidance for the  
20 employees for which certification is required under sub-  
21 section (a). The Secretary shall update the supplementary  
22 ethics guidance not less than once every 3 years there-  
23 after.

1 **SEC. 406. ABOLISHMENT OF MINERALS MANAGEMENT**  
2 **SERVICE.**

3 (a) **ABOLISHMENT.**—The Minerals Management  
4 Service is abolished.

5 (b) **COMPLETED ADMINISTRATIVE ACTIONS.**—

6 (1) **IN GENERAL.**—Completed administrative  
7 actions of the Minerals Management Service shall  
8 not be affected by the enactment of this Act, but  
9 shall continue in effect according to their terms until  
10 amended, modified, superseded, terminated, set  
11 aside, or revoked in accordance with law by an offi-  
12 cer of the United States or a court of competent ju-  
13 risdiction, or by operation of law.

14 (2) **COMPLETED ADMINISTRATIVE ACTION DE-**  
15 **FINED.**—For purposes of paragraph (1), the term  
16 “completed administrative action” includes orders,  
17 determinations, memoranda of understanding,  
18 memoranda of agreements, rules, regulations, per-  
19 sonnel actions, permits, agreements, grants, con-  
20 tracts, certificates, licenses, registrations, and privi-  
21 leges.

22 (c) **PENDING PROCEEDINGS.**—Subject to the author-  
23 ity of the Secretary of the Interior and the officers of the  
24 Department of the Interior under this Act—

25 (1) pending proceedings in the Minerals Man-  
26 agement Service, including notices of proposed rule-

1 making, and applications for licenses, permits, cer-  
2 tificates, grants, and financial assistance, shall con-  
3 tinue, notwithstanding the enactment of this Act or  
4 the vesting of functions of the Service in another  
5 agency, unless discontinued or modified under the  
6 same terms and conditions and to the same extent  
7 that such discontinuance or modification could have  
8 occurred if this Act had not been enacted; and

9 (2) orders issued in such proceedings, and ap-  
10 peals therefrom, and payments made pursuant to  
11 such orders, shall issue in the same manner and on  
12 the same terms as if this Act had not been enacted,  
13 and any such orders shall continue in effect until  
14 amended, modified, superseded, terminated, set  
15 aside, or revoked by an officer of the United States  
16 or a court of competent jurisdiction, or by operation  
17 of law.

18 (d) PENDING CIVIL ACTIONS.—Subject to the au-  
19 thority of the Secretary of the Interior or any officer of  
20 the Department of the Interior under this Act, pending  
21 civil actions shall continue notwithstanding the enactment  
22 of this Act, and in such civil actions, proceedings shall be  
23 had, appeals taken, and judgments rendered and enforced  
24 in the same manner and with the same effect as if such  
25 enactment had not occurred.

1 (e) REFERENCES.—References relating to the Min-  
2 erals Management Service in statutes, Executive orders,  
3 rules, regulations, directives, or delegations of authority  
4 that precede the effective date of this Act are deemed to  
5 refer, as appropriate, to the Department, to its officers,  
6 employees, or agents, or to its corresponding organiza-  
7 tional units or functions. Statutory reporting requirements  
8 that applied in relation to the Minerals Management Serv-  
9 ice immediately before the effective date of this Act shall  
10 continue to apply.

11 **SEC. 407. CONFORMING AMENDMENTS TO EXECUTIVE**  
12 **SCHEDULE PAY RATES.**

13 (a) UNDER SECRETARY FOR ENERGY, LANDS, AND  
14 MINERALS.—Section 5314 of title 5, United States Code,  
15 is amended by inserting after the item relating to “Under  
16 Secretaries of the Treasury (3)” the following:

17 “Under Secretary for Energy, Lands, and Min-  
18 erals, Department of the Interior.”.

19 (b) ASSISTANT SECRETARIES.—Section 5315 of title  
20 5, United States Code, is amended by striking “Assistant  
21 Secretaries, Department of the Interior (6)” and inserting  
22 the following:

23 “Assistant Secretaries, Department of the Inte-  
24 rior (7).”.

1 (c) DIRECTORS.—Section 5316 of title 5, United  
2 States Code, is amended by striking “Director, Bureau of  
3 Mines, Department of the Interior.” and inserting the fol-  
4 lowing new items:

5 “Director, Bureau of Ocean Energy, Depart-  
6 ment of the Interior.

7 “Director, Ocean Energy Safety Service, De-  
8 partment of the Interior.

9 “Director, Office of Natural Resources Rev-  
10 enue, Department of the Interior.”.

11 **SEC. 408. OUTER CONTINENTAL SHELF ENERGY SAFETY**

12 **ADVISORY BOARD.**

13 (a) ESTABLISHMENT.—The Secretary of the Interior  
14 shall establish, under the Federal Advisory Committee  
15 Act, an Outer Continental Shelf Energy Safety Advisory  
16 Board (referred to in this section as the “Board”)—

17 (1) to provide the Secretary and the Directors  
18 established by this Act with independent scientific  
19 and technical advice on safe, responsible, and timely  
20 mineral and renewable energy exploration, develop-  
21 ment, and production activities; and

22 (2) to review operations of the National Off-  
23 shore Energy Health and Safety Academy estab-  
24 lished under section 403(d), including submitting to

1 the Secretary recommendations of curriculum to en-  
2 sure training scientific and technical advancements.

3 (b) MEMBERSHIP.—

4 (1) SIZE.—The Board shall consist of not more  
5 than 11 members, who—

6 (A) shall be appointed by the Secretary  
7 based on their expertise in oil and gas drilling,  
8 well design, operations, well containment and  
9 oil spill response; and

10 (B) must have significant scientific, engi-  
11 neering, management, and other credentials and  
12 a history of working in the field related to safe  
13 energy exploration, development, and produc-  
14 tion activities.

15 (2) CONSULTATION AND NOMINATIONS.—The  
16 Secretary shall consult with the National Academy  
17 of Sciences and the National Academy of Engineer-  
18 ing to identify potential candidates for the Board  
19 and shall take nominations from the public.

20 (3) TERM.—The Secretary shall appoint Board  
21 members to staggered terms of not more than 4  
22 years, and shall not appoint a member for more  
23 than 2 consecutive terms.



1           (4) BALANCE.—In appointing members to the  
2           Board, the Secretary shall ensure a balanced rep-  
3           resentation of industry and research interests.

4           (c) CHAIR.—The Secretary shall appoint the Chair  
5           for the Board from among its members.

6           (d) MEETINGS.—The Board shall meet not less than  
7           3 times per year and shall host, at least once per year,  
8           a public forum to review and assess the overall energy  
9           safety performance of Outer Continental Shelf mineral  
10          and renewable energy resource activities.

11          (e) OFFSHORE DRILLING SAFETY ASSESSMENTS  
12          AND RECOMMENDATIONS.—As part of its duties under  
13          this section, the Board shall, by not later than 180 days  
14          after the date of enactment of this section and every 5  
15          years thereafter, submit to the Secretary a report that—

16                (1) assesses offshore oil and gas well control  
17                technologies, practices, voluntary standards, and  
18                regulations in the United States and elsewhere; and

19                (2) as appropriate, recommends modifications  
20                to the regulations issued under this Act to ensure  
21                adequate protection of safety and the environment,  
22                including recommendations on how to reduce regula-  
23                tions and administrative actions that are duplicative  
24                or unnecessary.

1           (f) REPORTS.—Reports of the Board shall be sub-  
2 mitted by the Board to the Committee on Natural Re-  
3 sources of the House or Representatives and the Com-  
4 mittee on Energy and Natural Resources of the Senate  
5 and made available to the public in electronically acces-  
6 sible form.

7           (g) TRAVEL EXPENSES.—Members of the Board,  
8 other than full-time employees of the Federal Government,  
9 while attending meeting of the Board or while otherwise  
10 serving at the request of the Secretary or the Director  
11 while serving away from their homes or regular places of  
12 business, may be allowed travel expenses, including per  
13 diem in lieu of subsistence, as authorized by section 5703  
14 of title 5, United States Code, for individuals in the Gov-  
15 ernment serving without pay.

16 **SEC. 409. OUTER CONTINENTAL SHELF INSPECTION FEES.**

17           Section 22 of the Outer Continental Shelf Lands Act  
18 (43 U.S.C. 1348) is amended by adding at the end of the  
19 section the following:

20           “(g) INSPECTION FEES.—

21                   “(1) ESTABLISHMENT.—The Secretary of the  
22 Interior shall collect from the operators of facilities  
23 subject to inspection under subsection (c) non-re-  
24 fundable fees for such inspections—

1           “(A) at an aggregate level equal to the  
2           amount necessary to offset the annual expenses  
3           of inspections of outer Continental Shelf facili-  
4           ties (including mobile offshore drilling units) by  
5           the Department of the Interior; and

6           “(B) using a schedule that reflects the dif-  
7           ferences in complexity among the classes of fa-  
8           cilities to be inspected.

9           “(2) OCEAN ENERGY SAFETY FUND.—There is  
10          established in the Treasury a fund, to be known as  
11          the ‘Ocean Energy Enforcement Fund’ (referred to  
12          in this subsection as the ‘Fund’), into which shall be  
13          deposited all amounts collected as fees under para-  
14          graph (1) and which shall be available as provided  
15          under paragraph (3).

16          “(3) AVAILABILITY OF FEES.—

17                 “(A) IN GENERAL.—Notwithstanding sec-  
18                 tion 3302 of title 31, United States Code, all  
19                 amounts deposited in the Fund—

20                         “(i) shall be credited as offsetting col-  
21                         lections;

22                         “(ii) shall be available for expenditure  
23                         for purposes of carrying out inspections of  
24                         outer Continental Shelf facilities (including  
25                         mobile offshore drilling units) and the ad-

1           ministration of the inspection program  
2           under this section;

3           “(iii) shall be available only to the ex-  
4           tent provided for in advance in an appro-  
5           priations Act; and

6           “(iv) shall remain available until ex-  
7           pended.

8           “(B) USE FOR FIELD OFFICES.—Not less  
9           than 75 percent of amounts in the Fund may  
10          be appropriated for use only for the respective  
11          Department of the Interior field offices where  
12          the amounts were originally assessed as fees.

13          “(4) INITIAL FEES.—Fees shall be established  
14          under this subsection for the fiscal year in which  
15          this subsection takes effect and the subsequent 10  
16          years, and shall not be raised without advise and  
17          consent of the Congress, except as determined by the  
18          Secretary to be appropriate as an adjustment equal  
19          to the percentage by which the Consumer Price  
20          Index for the month of June of the calendar year  
21          preceding the adjustment exceeds the Consumer  
22          Price Index for the month of June of the calendar  
23          year in which the claim was determined or last ad-  
24          justed.

1           “(5) ANNUAL FEES.—Annual fees shall be col-  
2           lected under this subsection for facilities that are  
3           above the waterline, excluding drilling rigs, and are  
4           in place at the start of the fiscal year. Fees for each  
5           fiscal year in the period of fiscal years 2015 through  
6           2024 shall be—

7                   “(A) \$10,500 for facilities with no wells,  
8                   but with processing equipment or gathering  
9                   lines;

10                   “(B) \$17,000 for facilities with 1 to 10  
11                   wells, with any combination of active or inactive  
12                   wells; and

13                   “(C) \$31,500 for facilities with more than  
14                   10 wells, with any combination of active or in-  
15                   active wells.

16           “(6) FEES FOR DRILLING RIGS.—Fees for drill-  
17           ing rigs shall be assessed under this subsection for  
18           all inspections completed in fiscal years 2015  
19           through 2024. Fees for fiscal year 2015 shall be—

20                   “(A) \$30,500 per inspection for rigs oper-  
21                   ating in water depths of 1,000 feet or more;  
22                   and

23                   “(B) \$16,700 per inspection for rigs oper-  
24                   ating in water depths of less than 1,000 feet.

1           “(7) BILLING.—The Secretary shall bill des-  
2           ignated operators under paragraph (5) within 60  
3           days after the date of the inspection, with payment  
4           required within 30 days of billing. The Secretary  
5           shall bill designated operators under paragraph (6)  
6           within 30 days of the end of the month in which the  
7           inspection occurred, with payment required within  
8           30 days after billing.

9           “(8) SUNSET.—No fee may be collected under  
10          this subsection for any fiscal year after fiscal year  
11          2024.

12          “(9) ANNUAL REPORTS.—

13               “(A) IN GENERAL.—Not later than 60  
14               days after the end of each fiscal year beginning  
15               with fiscal year 2015, the Secretary shall sub-  
16               mit to the Committee on Energy and Natural  
17               Resources of the Senate and the Committee on  
18               Natural Resources of the House of Representa-  
19               tives a report on the operation of the Fund dur-  
20               ing the fiscal year.

21               “(B) CONTENTS.—Each report shall in-  
22               clude, for the fiscal year covered by the report,  
23               the following:

24                       “(i) A statement of the amounts de-  
25                       posited into the Fund.

1           “(ii) A description of the expenditures  
2           made from the Fund for the fiscal year, in-  
3           cluding the purpose of the expenditures  
4           and the additional hiring of personnel.

5           “(iii) A statement of the balance re-  
6           maining in the Fund at the end of the fis-  
7           cal year.

8           “(iv) An accounting of pace of permit  
9           approvals.

10          “(v) If fee increases are proposed  
11          after the initial 10-year period referred to  
12          in paragraph (5), a proper accounting of  
13          the potential adverse economic impacts  
14          such fee increases will have on offshore  
15          economic activity and overall production,  
16          conducted by the Secretary.

17          “(vi) Recommendations to increase  
18          the efficacy and efficiency of offshore in-  
19          spections.

20          “(vii) Any corrective actions levied  
21          upon offshore inspectors as a result of any  
22          form of misconduct.”.

1           **TITLE V—UNITED STATES**  
2                           **TERRITORIES**

3 **SEC. 501. APPLICATION OF OUTER CONTINENTAL SHELF**  
4                           **LANDS ACT WITH RESPECT TO TERRITORIES**  
5                           **OF THE UNITED STATES.**

6           Section 2 of the Outer Continental Shelf Lands Act  
7 (43 U.S.C. 1331) is amended—

8                   (1) in paragraph (a), by inserting after “con-  
9                   trol” the following: “or lying within the United  
10                   States exclusive economic zone and the Continental  
11                   Shelf adjacent to any territory of the United  
12                   States”;

13                   (2) in paragraph (p), by striking “and” after  
14                   the semicolon at the end;

15                   (3) in paragraph (q), by striking the period at  
16                   the end and inserting “; and”; and

17                   (4) by adding at the end the following:

18                   “(r) The term ‘State’ includes each territory of the  
19                   United States.”.



1       **TITLE VI—INFRASTRUCTURE**  
2                   **REVENUE BONDS**

3       **SEC. 601. LEVERAGING INFRASTRUCTURE TRUST ACCOUNT**  
4                   **WITH INFRASTRUCTURE REVENUE BONDS.**

5           (a) IN GENERAL.—Subchapter I of chapter 31 of  
6 subtitle III of title 31, United States Code, is amended  
7 by inserting after section 3102 the following new section:

8       **“§ 3102A. Infrastructure revenue bonds**

9           “(a) IN GENERAL.—With the approval of the Presi-  
10 dent, the Secretary of the Treasury may borrow for high-  
11 way and transportation project expenditures, and water  
12 infrastructure expenditures, authorized by law after the  
13 date of the enactment of this section and may issue inter-  
14 est-bearing bonds for the amounts borrowed and may buy,  
15 redeem, and make refunds under section 3111 of this title.  
16 The Secretary may prescribe conditions under section  
17 3121 of this title, except that such bonds shall mature  
18 20 years from the date of issue.

19           “(b) FINANCED WITH INFRASTRUCTURE TRUST AC-  
20 COUNT.—Such obligations, and the interest thereon, are  
21 not guaranteed by the United States and shall be paid  
22 solely from amounts deposited in the Infrastructure Trust  
23 Account established by paragraph (6)(A)(ii) of section  
24 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C.  
25 1337(g)).

1       “(c) LIMITATION.—The aggregate face amount of ob-  
 2 ligations issued during a calendar year under subsection  
 3 (a) shall not exceed—

4               “(1) \$25,000,000,000 for each of calendar  
 5 years 2015 through 2020; and

6               “(2) \$0 for each calendar year thereafter.

7       “(d) REDEMPTION.—The Government may redeem  
 8 any part of a series of bonds before maturity by giving  
 9 at least 4 months’ notice.”.

10       (b) CLERICAL AMENDMENT.—The table of sections  
 11 subchapter I of chapter 31 of subtitle III of title 31,  
 12 United States Code, is amended by inserting after the  
 13 item relating to section 3102 the following new item:

“3102A. Infrastructure revenue bonds.”.

14 **SEC. 602. NINETY-FIVE PERCENT OF BOND PROCEEDS FOR**  
 15 **HIGHWAY TRUST FUND.**

16       (a) IN GENERAL.—Subsection (b) of section 9503 of  
 17 the Internal Revenue Code of 1986 is amended by adding  
 18 at the end the following new paragraph:

19               “(7) INFRASTRUCTURE REVENUE BOND PRO-  
 20 CEEDS.—There are hereby appropriated to the  
 21 Highway Trust Fund amounts equivalent to 95 per-  
 22 cent of any proceeds from the issuance of infrastruc-  
 23 ture revenue bonds under section 3102A of title 31,  
 24 United States Code.”.

1 (b) CLERICAL AMENDMENT.—The heading for sub-  
2 section (b) of section 9503 of such Code is amended by  
3 striking “TAXES AND PENALTIES” and inserting “TAXES,  
4 PENALTIES, AND BOND PROCEEDS”.

5 **SEC. 603. FIVE PERCENT OF BOND PROCEEDS FOR STATE**  
6 **REVOLVING LOAN FUNDS FOR WASTEWATER**  
7 **TREATMENT FACILITIES AND DRINKING**  
8 **WATER FACILITIES.**

9 (a) WASTEWATER TREATMENT FACILITIES.—  
10 Amounts equivalent to 2.5 percent of any proceeds from  
11 the issuance of infrastructure revenue bonds under section  
12 3102A of title 31, United States Code, shall be made  
13 available to the Administrator of the Environmental Pro-  
14 tection Agency for making capitalization grants to eligible  
15 States under title VI of the Federal Water Pollution Con-  
16 trol Act (33 U.S.C. 1381 et seq.).

17 (b) DRINKING WATER FACILITIES.—Amounts equiv-  
18 alent to 2.5 percent of any proceeds from the issuance of  
19 infrastructure revenue bonds under section 3102A of title  
20 31, United States Code, shall be made available to the  
21 Administrator of the Environmental Protection Agency for  
22 making capitalization grants to eligible States under sec-  
23 tion 1452 of the Safe Drinking Water Act (42 U.S.C.  
24 300j–12).

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