

113TH CONGRESS
2^D SESSION

S. 2440

AN ACT

To expand and extend the program to improve permit coordination by the Bureau of Land Management, 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 “BLM Permit Proc-
3 essing Improvement Act of 2014”.

4 **SEC. 2. PROGRAM TO IMPROVE FEDERAL PERMIT COORDI-
5 NATION.**

6 Section 365 of the Energy Policy Act of 2005 (42
7 U.S.C. 15924) is amended—

8 (1) in the section heading, by striking
9 “**PILOT**”;

10 (2) by striking “Pilot Project” each place it ap-
11 pears and inserting “Project”;

12 (3) in subsection (b)(2), by striking “Wyoming,
13 Montana, Colorado, Utah, and New Mexico” and in-
14 serting “the States in which Project offices are lo-
15 cated”;

16 (4) in subsection (d)—

17 (A) in the subsection heading, by striking
18 “**PILOT**”; and

19 (B) by adding at the end the following:

20 “(8) Any other State, district, or field office of
21 the Bureau of Land Management determined by the
22 Secretary.”;

23 (5) by striking subsection (e) and inserting the
24 following:

25 “(e) **REPORT TO CONGRESS.**—Not later than Feb-
26 ruary 1 of the first fiscal year beginning after the date

1 of enactment of the BLM Permit Processing Improvement
2 Act of 2014 and each February 1 thereafter, the Secretary
3 shall report to the Chairman and ranking minority Mem-
4 ber of the Committee on Energy and Natural Resources
5 of the Senate and the Committee on Natural Resources
6 of the House of Representatives, which shall include—

7 “(1) the allocation of funds to each Project of-
8 fice for the previous fiscal year; and

9 “(2) the accomplishments of each Project office
10 relating to the coordination and processing of oil and
11 gas use authorizations during that fiscal year.”;

12 (6) in subsection (h), by striking paragraph (6)
13 and inserting the following:

14 “(6) the States in which Project offices are lo-
15 cated.”;

16 (7) by striking subsection (i); and

17 (8) by redesignating subsection (j) as sub-
18 section (i).

19 **SEC. 3. BLM OIL AND GAS PERMIT PROCESSING FEE.**

20 Section 35 of the Mineral Leasing Act (30 U.S.C.
21 191) is amended by adding at the end the following:

22 “(d) BLM OIL AND GAS PERMIT PROCESSING
23 FEE.—

24 “(1) IN GENERAL.—Notwithstanding any other
25 provision of law, for each of fiscal years 2016

1 through 2026, the Secretary, acting through the Di-
2 rector of the Bureau of Land Management, shall col-
3 lect a fee for each new application for a permit to
4 drill that is submitted to the Secretary.

5 “(2) AMOUNT.—The amount of the fee shall be
6 \$9,500 for each new application, as indexed for
7 United States dollar inflation from October 1, 2015
8 (as measured by the Consumer Price Index).

9 “(3) USE.—Of the fees collected under this
10 subsection for a fiscal year, the Secretary shall
11 transfer—

12 “(A) for each of fiscal years 2016 through
13 2019—

14 “(i) 15 percent to the field offices that
15 collected the fees and used to process pro-
16 tests, leases, and permits under this Act,
17 subject to appropriation; and

18 “(ii) 85 percent to the BLM Permit
19 Processing Improvement Fund established
20 under subsection (c)(2)(B) (referred to in
21 this subsection as the ‘Fund’); and

22 “(B) for each of fiscal years 2020 through
23 2026, all of the fees to the Fund.

24 “(4) ADDITIONAL COSTS.—During each of fis-
25 cal years of 2016 through 2026, the Secretary shall

1 not implement a rulemaking that would enable an
2 increase in fees to recover additional costs related to
3 processing applications for permits to drill.”.

4 **SEC. 4. BLM PERMIT PROCESSING IMPROVEMENT FUND.**

5 (a) IN GENERAL.—Section 35(c) of the Mineral
6 Leasing Act (30 U.S.C. 191(c)) is amended by striking
7 paragraph (3) and inserting the following:

8 “(3) USE OF FUND.—

9 “(A) IN GENERAL.—The Fund shall be
10 available to the Secretary of the Interior for ex-
11 penditure, without further appropriation and
12 without fiscal year limitation, for the coordina-
13 tion and processing of oil and gas use author-
14 izations on onshore Federal and Indian trust
15 mineral estate land.

16 “(B) ACCOUNTS.—The Secretary shall di-
17 vide the Fund into—

18 “(i) a Rental Account (referred to in
19 this subsection as the ‘Rental Account’)
20 comprised of rental receipts collected under
21 this section; and

22 “(ii) a Fee Account (referred to in
23 this subsection as the ‘Fee Account’) com-
24 prised of fees collected under subsection
25 (d).

1 “(4) RENTAL ACCOUNT.—

2 “(A) IN GENERAL.—The Secretary shall
3 use the Rental Account for—

4 “(i) the coordination and processing
5 of oil and gas use authorizations on on-
6 shore Federal and Indian trust mineral es-
7 tate land under the jurisdiction of the
8 Project offices identified under section
9 365(d) of the Energy Policy Act of 2005
10 (42 U.S.C. 15924(d)); and

11 “(ii) training programs for develop-
12 ment of expertise related to coordinating
13 and processing oil and gas use authoriza-
14 tions.

15 “(B) ALLOCATION.—In determining the al-
16 location of the Rental Account among Project
17 offices for a fiscal year, the Secretary shall con-
18 sider—

19 “(i) the number of applications for
20 permit to drill received in a Project office
21 during the previous fiscal year;

22 “(ii) the backlog of applications de-
23 scribed in clause (i) in a Project office;

24 “(iii) publicly available industry fore-
25 casts for development of oil and gas re-

1 sources under the jurisdiction of a Project
2 office; and

3 “(iv) any opportunities for partner-
4 ship with local industry organizations and
5 educational institutions in developing train-
6 ing programs to facilitate the coordination
7 and processing of oil and gas use author-
8 izations.

9 “(5) FEE ACCOUNT.—

10 “(A) IN GENERAL.—The Secretary shall
11 use the Fee Account for the coordination and
12 processing of oil and gas use authorizations on
13 onshore Federal and Indian trust mineral estate
14 land.

15 “(B) ALLOCATION.—The Secretary shall
16 transfer not less than 75 percent of the reve-
17 nues collected by an office for the processing of
18 applications for permits to the State office of
19 the State in which the fees were collected.”.

20 (b) INTEREST ON OVERPAYMENT ADJUSTMENT.—

21 Section 111(h) of the Federal Oil and Gas Royalty Man-
22 agement Act of 1982 (30 U.S.C. 1721(h)) is amended in
23 the first sentence by striking “the rate” and all that fol-
24 lows through the period at the end of the sentence and
25 inserting “a rate equal to the sum of the Federal short-

1 term rate determined under section 6621(b) of the Inter-
2 nal Revenue Code of 1986 plus 1 percentage point.”.

3 **SEC. 5. BUDGETARY EFFECTS.**

4 The budgetary effects of this Act, for the purpose of
5 complying with the Statutory Pay-As-You-Go-Act of 2010,
6 shall be determined by reference to the latest statement
7 titled “Budgetary Effects of PAYGO Legislation” for this
8 Act, submitted for printing in the Congressional Record
9 by the Chairman of the Senate Budget Committee, pro-
10 vided that such statement has been submitted prior to the
11 vote on passage.

Passed the Senate September 16, 2014.

Attest:

Secretary.

113TH CONGRESS
2^D SESSION

S. 2440

AN ACT

To expand and extend the program to improve permit coordination by the Bureau of Land Management, and for other purposes.