TITLE VII—COMMITTEE ON
NATURAL RESOURCES
Subtitle A—Bureau of Indian Affairs and Indian Health Service

SEC. 70101. TRIBAL CONSULTATION.
In addition to amounts otherwise available, there is appropriated to the Department of the Interior for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the purposes of conducting consultation with Tribal Governments.

SEC. 70102. BUREAU OF INDIAN AFFAIRS.
(a) BIA ROAD MAINTENANCE.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until September 30, 2031, except that no amounts may be expended after Sep-
tember 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder Act”) for Bureau of Indian Affairs road maintenance and to address the deferred maintenance backlog, of which no more than 2 percent shall be used for administrative costs to carry out this subsection.

(b) BIA Public Safety.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder Act”) for Bureau of Indian Affairs Public Safety and Justice Construction, of which no more than 2 percent shall be used for administrative costs to carry out this subsection.

(c) BIA Climate Resilience.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November
2, 1921 (25 U.S.C. 13; commonly known as the “Snyder Act”) for Tribal climate resilience and adaptation programs, of which no more than 2 percent shall be used for administrative costs to carry out this subsection.

(d) TRIBAL HOUSING.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder Act”) to improve Tribal housing, of which no more than 2 percent shall be used for administrative costs to carry out this subsection.

(e) TRIBAL ENERGY.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $35,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder Act”) for Tribal energy programs, of which no more than 2 percent shall be used for administrative costs to carry out this subsection.
(f) SMALL AND NEEDY PROGRAM.—Funds appropriated under this section shall be excluded from the calculation of funds received by those Tribal Governments that participate in the “Small and Needy” program.

(g) ONE-TIME BASIS FUNDS.—Funds appropriated under this section to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301) shall be available on a one-time basis. Such nonrecurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325), and such funds shall only be used for the purposes identified in this section.

SEC. 70103. INDIAN HEALTH SERVICE.

(a) IHS INFORMATION TECHNOLOGY.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $140,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for
Indian Health Service electronic records (25 U.S.C. 1660h), telehealth, system modernization, and information technology infrastructure.

(b) **Urban Indian Health.**—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $42,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for the Urban Indian Health program for renovations, construction, expansion of facilities, including leased facilities, which shall be in addition to other amounts made available for Urban Indian organizations (as defined in section 4 of the Indian Health Care Improvement Act 25 U.S.C. 1603)) under this subsection.

(c) **IHS Facilities Maintenance.**—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $610,000,000, to remain available until September 30,
2031, except that no amounts may be expended after Septem-
ber 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for maintenance and improvement of Indian Health Service and Tribal facilities.

(d) **Green Infrastructure.**—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for sustainability features for existing facilities.

(e) **Inpatient and Community Health Facilities.**—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $40,000,000, to remain available until Sep-
October 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for Inpatient and Community Health Facilities Design, Construction, in accordance with 25 U.S.C. 1665h.

(f) Medical Equipment.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for maintaining, upgrading, and replacing medical equipment for IHS and Tribal facilities.

(g) Small Ambulatory Construction.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of
any money in the Treasury not otherwise appropriated, $60,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for the small ambulatory construction program.

(h) PERSONNEL QUARTERS CONSTRUCTION.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $278,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act, with respect to the Indian Health Service, for personnel quarters construction.

(i) IHS PRIORITY HEALTH CARE FACILITIES.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated,
appropriated, $2,000,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for projects identified through the health care facility priority system established and maintained pursuant to section 301(c) of the Indian Health Care Improvement Act (25 U.S.C. 1631(c)).

(j) FACILITIES SUPPORT.—In addition to amounts otherwise available, there is appropriated to the Indian Health Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $170,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for environmental health and facilities support activities of the Indian Health Service.

(k) NONRECURRING FUNDS.—Funds made available under this section to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall be available on a one-time basis. Such nonrecurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325), and such funds shall only be used for the purposes identified in this section.
Subtitle B—Subcommittee on National Parks, Forests, and Public Lands

SEC. 70201. OAK FLAT WITHDRAWAL.

(a) Definitions.—In this section:

(1) Disposal.—The term “disposal” means that the lands identified are not available under the proceedings outlined under section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713).

(2) Entry.—The term “entry” has the meaning as it is used under section 103(j) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(j)), in its application to lands under the jurisdiction of the Secretary.

(3) Location.—The term “location” has the meaning as it is used under section 2320 of the Revised Statutes (30 U.S.C. 23), in its application to lands under the jurisdiction of the Secretary;

(4) Oak Flat Withdrawal Area.—the term “Oak Flat” means the approximately 2,422 acres of Forest System land in the Tonto National Forest in southeastern Arizona commonly known as “Oak Flat” and generally depicted as “Oak Flat With-
drawal Area” on the map titled “Oak Flat With-
drawal” and dated June 15, 2021.

(5) PATENT.—The term “patent” has the
meaning as it is used under section 2325 of the Re-
vised Statutes (30 U.S.C. 29), in its application to
lands under the jurisdiction of the Secretary.

(6) SECRETARY.—The term “Secretary” means
the Secretary of Agriculture.

(b) REPEAL.—Section 3003 of the Carl Levin and
Howard P. “Buck” McKeon National Defense Authoriza-
tion Act for Fiscal Year 2015 (16 U.S.C. 539p) is re-
pealed.

(c) WITHDRAWAL.—Subject to valid rights in exist-
ence on the date of the enactment of this section, Oak
Flat is withdrawn from all forms of disposal, location,
entry, and patent.

SEC. 70202. CIVILIAN CLIMATE CORPS.

(a) NATIONAL PARK SERVICE CIVILIAN CLIMATE
CORPS.—

(1) DEFINITIONS.—With regard to this sub-
section:

(A) CONSERVATION PROJECT.—The term
“conservation project” means a project for the
conservation, restoration, construction, or reha-
bilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(B) CORPS PROGRAM.—The term “corps program” means a program established by a Federal, State, Tribal, or local government, or nonprofit organization that performs conservation projects on Public Lands.

(C) PUBLIC LANDS.—The term “Public Lands” means lands administered by the National Park Service.

(2) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the National Park Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,700,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out education and job training projects and conservation projects on Public Lands, including through the use of direct expenditure contracts, grants, and cooperative agreements with corps programs.

(3) ADMINISTRATIVE EXPENSES.—Of the funds provided by this subsection, no more than 2 percent shall be used for administrative costs to carry out this section.
(b) Bureau of Land Management Civilian Climate Corps.—

(1) Definitions.—With regard to this subsection:

(A) Conservation Project.—The term “conservation project” means a project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(B) Corps Program.—The term “corps program” means a program established by a Federal, State, Tribal, or local government, or nonprofit organization that performs conservation projects on Public Lands.

(C) Public Lands.—The term “Public Lands” means lands administered by the Bureau of Land Management.

(2) In General.—In addition to amounts otherwise available, there is appropriated to the Bureau of Land Management for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $900,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out education and job training projects and conservation
projects on Public Lands, including through the use of direct expenditure contracts, grants, and cooperative agreements with corps programs.

(3) **ADMINISTRATIVE EXPENSES.**—Of the funds provided by this subsection, no more than 2 percent shall be used for administrative costs to carry out this section.

(c) **UNITED STATES FISH AND WILDLIFE SERVICE CIVILIAN CLIMATE CORPS.**—

(1) **DEFINITIONS.**—With regard to this sub-section:

(A) **CONSERVATION PROJECT.**—The term “conservation project” means a project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(B) **CORPS PROGRAM.**—The term “corps program” means a program established by a Federal, State, Tribal, or local government, or nonprofit organization that performs conservation projects on Public Lands.

(C) **PUBLIC LANDS.**—The term “Public Lands” means lands administered by the United States Fish and Wildlife Service.
(2) In general.—In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $400,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out education and job training projects and conservation projects on Public Lands, including through the use of direct expenditure contracts, grants, and cooperative agreements with corps programs.

(3) Administrative expenses.—Of the funds provided by this subsection, no more than 2 percent shall be used for administrative costs to carry out this section.

(d) Tribal Civilian Climate Corps.—

(1) Definitions.—With regard to this subsection:

(A) Conservation project.—The term “conservation project” means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.
(B) CORPS PROGRAM.—The term “corps program” means a program established by a Federal, State, Tribal, or local government, or nonprofit organization that performs appropriate conservation projects on Public Lands.

(C) INDIAN LAND.—The term “Indian land” means land of an Indian Tribe or an Indian individual that is—

(I) held in trust by the United States; or

(ii) subject to a restriction against alienation imposed by the United States.

(D) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 101 of the Federally Recognized Indian Tribe List Act (25 U.S.C. 5130).

(E) NATIVE HAWAIIAN.—The term “Native Hawaiian” means any individual who is—

(I) a citizen of the United States; and

(ii) a descendant of the aboriginal people who, before 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by—

(I) genealogical records;
(II) Kupuna (elders) or Kamaaina (long-term community residents) verification; or

(III) certified birth records.

(F) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” means a private nonprofit organization that—

(I) serves the interests of Native Hawaiians;

(ii) has Native Hawaiians in substantive and policymaking positions within the organization; and

(iii) is recognized by the Governor of Hawaii for the purposes of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.

(2) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out education and job training projects and conservation
projects, including through the use of direct expenditure contracts, grants, and cooperative agreements with corps programs, and including projects on Indian lands, pursuant to an agreement between an Indian Tribe or Native Hawaiian organization and a corps program for the benefit of an Indian Tribe or Native Hawaiians. None of the funds provided by this subsection shall be subject to cost-share requirements.

(3) Administrative Expenses.—Of the funds provided by this subsection, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70203. PRESIDIO TRUST.

(a) Presidio Trust Defined.—With regard to this section, the term “Presidio Trust” means the entity established under section 103(a) of title I of division I of Public Law 104–333 and under the requirements placed upon that entity by section 104(a) of title I of division I of Public Law 104–333.

(b) In General.—In addition to amounts otherwise available, there is appropriated to the Presidio Trust for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until September 30, 2026, for carrying out projects identi-
fied by the Presidio Trust in accordance with the purposes identified under the first section of Public Law 92–589 (16 U.S.C. 460bb).

SEC. 70204. GRAND CANYON.

(a) DEFINITION.—In this section:

(1) DISPOSAL.—The term “disposal” means that the lands identified are not available under the proceedings outlined under section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713).

(2) ENTRY.—The term “entry” has the meaning as it is used under section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(j)), in its application to lands under the jurisdiction of the Secretary.

(3) GRAND CANYON PROTECTION AREA.—The term “Grand Canyon Protection Area” means the approximately 1,054,923 acres of land depicted as “Federal Mineral Estate to be Withdrawn” on the map entitled “Grand Canyon Protection Area” and dated August 23, 2021.

(4) LOCATION.—The term “location” has the meaning as it is used under section 2320 of the Revised Statutes (30 U.S.C. 23), in its application to lands under the jurisdiction of the Secretary.
(5) **PATENT.**—The term “patent” has the meaning as it is used under section 2325 of the Revised Statutes (30 U.S.C. 29), in its application to lands under the jurisdiction of the Secretary.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **WITHDRAWAL.**—In addition to amounts otherwise available, there is appropriated to the Bureau of Land Management for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,500,000, to remain available until September 30, 2026, to carry out, subject to valid rights in existence on the date of enactment of this section, the withdrawal of the Grand Canyon Protection Area from all forms of disposal, location, entry, and patent.

**SEC. 70205. WILDFIRE.**

(a) **PROTECTING COMMUNITIES AND ECOSYSTEMS FROM WILDFIRE.**—In addition to amounts otherwise available, there is appropriated to the Bureau of Land Management for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $900,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, to reduce wildfire risk on landscapes and communities through fire preparedness, fire science and research, emer-
gency rehabilitation, rural fire assistance, fuels management activities, the renovation or construction of fire facilities, and for expenses necessary to support firefighter workforce reforms.

(b) TRIBAL WILDFIRE PREVENTION.—In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, For carrying out the National Indian Forest Management Act (25 U.S.C. 3101 et seq.) for renewable and manageable resources, communications, economic and cultural benefits, and to protect Tribal forest lands from wildfire.

SEC. 70206. URBAN PARKS.

In addition to amounts otherwise available, there is appropriated to the National Park Service for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2026, to carry out direct, competitive grants to localities to create or significantly enhance access to parks or outdoor recreation facilities in urban areas, in accordance with the authorities outlined under section 200305(e)(2)(A) or 200305(e)(3) of title 54,
United States Code, and subject to limitations outlined under section 200305(f)(3) of such title, of which no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70207. EVERY KID OUTDOORS.

(a) Definitions.—With respect to this section:

(1) Federal land and waters.—The term “Federal land and waters” means any Federal land or body of water under the jurisdiction of the Director to which the public has access.

(2) Director.—The term “Director” means the Director of the National Park Service.

(3) Student or students.—The term “student” or “students” means any fourth grader or home-schooled learner 10 years of age residing in the United States.

(b) In general.—In addition to amounts otherwise available, there is appropriated to the National Park Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the carrying out of the issuance and administration of passes, effective during the period beginning on September 1 and ending on August 31 of the following year, at the
request of a student, which allows access, when the stu-
dent to which the pass was issued is present, to Federal
lands and waters for which access is subject to an en-
trance, standard amenity, or day use fee, free of charge
for the student and three accompanying adults, and for
carrying out the purposes outlined under section

SEC. 70208. NATIONAL PARK SERVICE CLIMATE RESIL-
IENCE.

In addition to amounts otherwise available, there is
appropriated to the National Park Service for fiscal year
2022, out of any money in the Treasury not otherwise ap-
propriated, $115,000,000, to remain available until Sep-
ember 30, 2031, except that no amounts may be ex-
pended after September 30, 2031, for the protection, res-
oration, and resiliency of public lands and resources in
accordance with the purposes outlined in section
100101(a) of title 54, United States Code. None of the
funds provided by this section shall be subject to cost-
sharing requirements.

SEC. 70209. BUREAU OF LAND MANAGEMENT CLIMATE RE-
SILIENCE.

In addition to amounts otherwise available, there is
appropriated to the Bureau of Land Management for fis-
cal year 2022, out of any money in the Treasury not other-
wise appropriated, $110,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the protection, restoration, and resiliency of public lands and resources in accordance with the purposes outlined in section 102(a)(8) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(8)). None of the funds provided by this section shall be subject to cost-sharing requirements.

SEC. 70210. HISTORIC PRESERVATION.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Director of the National Park Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, to carry out preservation or historic preservation as defined by section 300315 of title 44, United States Code.

(b) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.
Subtitle C—Drought Response and Preparedness

SEC. 70301. INDIAN WATER RIGHTS SETTLEMENT EXTENSION.

Section 10501 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407) is amended as follows:

(1) In subsection (b), by adding at the end the following:

“(3) ADDITIONAL DEPOSITS.—In addition to amounts otherwise available, there is appropriated—

“(A) for fiscal year 2032 and each fiscal year thereafter out of any money in the Treasury not otherwise appropriated, $370,000,000, for deposit in the Fund, to remain available until expended; and

“(B) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, for deposit in the Fund, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031.”.

(2) In subsection (c)(1)—

(A) in subparagraph (A), by striking “for each of fiscal years 2020 through 2034, the Secretary may expend from the Fund an
amount not to exceed $120,000,000,” and inser-
ting “for fiscal year 2022 and each fiscal year thereafter, the Secretary may expend from the Fund an amount not to exceed $370,000,000”; (B) in subparagraph (B), by striking “more than $120,000,000, for any fiscal year if such amounts are available in the Fund due to expenditures not reaching $120,000,000” and inserting “more than $370,000,000 for any fiscal year if such amounts are available in the Fund, for the fiscal year in which expenditures are made pursuant to subparagraph (D) and paragraphs (2) and (3)”; and (C) by adding at the end the following: “(C) The Secretary shall expend all amounts in the Fund available from deposits made under subsection (b)(1) and subsection (b)(3)(B) not later than the end of fiscal year 2031. “(D) If, in the judgment of the Secretary on an annual basis, the Secretary is unlikely to expend the amounts as required under subparagraph (C) because expenditures cannot be made for activities authorized under paragraph (2),
the Secretary shall expend from the Fund on an annual basis any projected unused funds by not later than the end of fiscal year 2031 on grants to Indian Tribes in a manner the Secretary deems appropriate for up to 100 percent of the cost of the planning, design, or construction of water projects to provide potable water supplies to communities or households on Tribal land that do not have access to running water, provided that the project is located in a State or territory described in the first section of the Act of June 17, 1902 (43 U.S.C. 391; 32 Stat. 388, chapter 1093).”.

(3) In subsection (c)(2), by striking “litigation involving the United States, if the settlement agreement or implementing legislation requires the Bureau of Reclamation” and inserting “claims concerning Indian water resources, if the settlement agreement or implementing legislation authorizes the Secretary”.

(4) In subsection (c)(3)(C), by striking “for any authorized use” and inserting “for any use authorized under paragraph (2) or paragraph (1)(D)”.

(5) By striking subsection (f).
SEC. 70302. EMERGENCY DROUGHT RELIEF.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2026, except that no amounts shall be expended after September 30, 2026, for near-term drought relief actions carried out under—

(1) the Reclamation States Emergency Drought Relief Act of 1991 (Public Law 102–250);

(2) the Klamath Basin Water Supply Enhancement Act of 2000 (Public Law 106–498);

(3) section 201 of division D of Public Law 108–7; or

(4) section 1109 of division FF of Public Law 116–260.

(b) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent may be used for administrative costs to carry out this section.

SEC. 70303. EMERGENCY DROUGHT RELIEF FOR TRIBES.

In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2026, except that no amounts may be expended after September 30, 2026, for near-term drought
relief actions to mitigate drought impacts for Indian Tribes (as defined in section 4(e) of the Act popularly known as the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)) that are impacted by the operation of a Bureau of Reclamation water project, including through direct financial assistance to address drinking water shortages and to mitigate for the loss of Tribal trust resources.

SEC. 70304. SALTON SEA PROJECTS.

(a) Appropriation.—

(1) In general.—In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $250,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, to provide grants and enter into contracts and cooperative agreements to carry out projects located in the area of the Salton Sea in Southern California to improve air quality, habitat, and water quality, in partnership with—

(A) State, Tribal, and local governments;

(B) water districts;

(C) joint powers authorities;

(D) nonprofit organizations; and
(E) institutions of higher education.

(2) Cost Share.—The non-Federal share of the cost of a project under this subsection shall be 50 percent of the cost of the project.

(b) Included Activities.—The projects described in subsection (a) may include—

(1) construction, operation, maintenance, permitting, and design activities required for such projects; and

(2) dust suppression projects.

(c) Funding Eligibility.—To be eligible to receive funding, non-Tribal grantees must demonstrate compliance with prevailing wage requirements.

(d) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70305. WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the United States Geological Survey for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for

(b) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70306. FEDERAL PRIORITY STREAMGAGES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the United States Geological Survey for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for making operational streamgages that are identified by the Secretary as Federal priority streamgages.

(b) COLLABORATION WITH NON-FEDERAL PARTNERS.—The Secretary of the Interior shall prioritize the expenditure of funds available under subsection (a) in a manner that seeks to leverage the use of non-Federal funds made available through streamgage funding agreements with States and local agencies to improve environmental quality and water supply reliability.

(c) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.
SEC. 70307. SNOW WATER SUPPLY FORECASTING.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out section 1111 of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70308. WATER TECHNOLOGY INVESTMENT.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out section 1112 of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.
SEC. 70309. AQUATIC ECOSYSTEM RESTORATION.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Bureau of Reclamation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $250,000,000, to remain available until September 30, 2031, except that no amounts may be expended before fiscal year 2027 or after September 30, 2031, for carrying out section 1109 of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70310. LARGE SCALE WATER REUSE.

(a) Definitions.—In this section:

(1) Eligible Entity.—The term “eligible entity” means—

(A) a State, Indian Tribe, municipality, irrigation district, water district, wastewater district, or other organization with water or power delivery authority;

(B) a State, regional, or local authority, the members of which include 1 or more organizations with water or power delivery authority; or
an agency established under State law
for the joint exercise of powers or a combination
of entities described in subparagraphs (A)
through (B).

(2) INDIAN TRIBE.—The term “Indian Tribe”
has the meaning given the term in section 4 of the
Indian Self-Determination and Education Assistance

(3) RECLAMATION STATE.—The term “Reclama-
tion State” means a State or territory described
in the first section of the Act of June 17, 1902 (32

(b) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the Bureau of Reclama-
tion for fiscal year 2022, out of any money in the Treasury
not otherwise appropriated, $100,000,000, to remain
available until September 30, 2031, except that no
amounts may be expended before fiscal year 2027 or after
September 30, 2031, to provide nonreimbursable grants
on a competitive basis to eligible entities that shall not
exceed 25 percent of the total cost of an eligible project
unless the project advances at least a proportionate share
of nonreimbursable benefits authorized under the reclama-
tion laws (including fish and wildlife benefits provided
through measurable reductions in water diversions from
imperiled ecosystems) up to a maximum 75 percent of the
total costs of an eligible project, to carry out the planning,
design, and construction of projects to reclaim and reuse
municipal, industrial, domestic, or agricultural wastewater
or impaired ground or surface waters that have a total
estimated cost of more than $500,000,000 and that pro-
vide substantial water supply and other benefits to
drought stricken regions within the Reclamation States for
the purposes of—

(1) helping to advance water management plans
across a multi-state area, such as drought contingency plans in the Colorado River Basin;

(2) providing multiple benefits, including water
supply reliability benefits for drought-stricken
States, Tribes, and communities, fish and wildlife
benefits, and water quality improvements; and

(3) reducing impacts on environmental re-
sources from water projects owned or operated by
Federal and State agencies, including through meas-
urable reductions in water diversions from imperiled
ecosystems.

(c) TOTAL DOLLAR CAP.—The Bureau of Reclama-
tion shall not impose a total dollar cap on Federal con-
tributions that applies to all individual projects under the
grant program established by this section.
(d) **FUNDING ELIGIBILITY.**—An eligible project shall not be considered ineligible for assistance under this section because the project has received assistance authorized under title XVI of Public Law 102–575 or section 4009 of Public Law 114–322.

(e) **TREATMENT OF CONVEYANCE.**—The Bureau of Reclamation shall consider the planning, design, and construction of an eligible project’s conveyance system to be eligible for grant funding under this section.

**Subtitle D—Efficient and Effective NEPA Implementation**

**SEC. 70401. EFFICIENT AND EFFECTIVE NEPA IMPLEMENTATION.**

In addition to amounts otherwise available, there is appropriated to the Department of the Interior for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, to provide for more efficient and more effective environmental reviews under the National Environmental Policy Act of 1969 through the hiring and training of additional personnel, the development of programmatic assessments or templates, the procurement of technical or scientific services, the develop-
ment of data or technology systems, stakeholder and com-
munity engagement, and the purchase of new equipment.

Subtitle E—National Oceanic and
Atmospheric Administration

SEC. 70501. COASTAL AND GREAT LAKES RESTORATION
AND TECHNICAL ASSISTANCE.

(a) In General.—In addition to amounts otherwise
available, there is appropriated to the National Oceanic
and Atmospheric Administration for fiscal year 2022, out
of any money in the Treasury not otherwise appropriated,
$9,500,000,000, to remain available until September 30,
2031, except that no amounts may be expended after Sep-
tember 30, 2031, through direct expenditure, contracts,
grants, and cooperative agreements to provide funding and
technical assistance for the purposes of restoring a ma-
rine, estuarine, coastal, or Great Lake habitat; or pro-
viding adaptation to climate change, including by pro-
tecting, restoring, or establishing ecological features that
protects coastal communities from sea-level rise, coastal
storms, or flooding; or designing or implementing blue car-
bon projects. None of the funds provided by this section
shall be subject to cost share or matching requirements.

(b) Administrative Expenses.—Of the funds pro-
vided by this section, no more than 2 percent shall be used
for administrative costs to carry out this section.
SEC. 70502. PACIFIC COASTAL SALMON RECOVERY FUND.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of funds in the Treasury not otherwise appropriated $400,000,000, to remain available until 2026, for the purposes of climate resilience, habitat protection, and other habitat restoration projects to recover Pacific salmon. None of the funds provided by this section shall be subject to cost-sharing or matching requirements.

(b) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70503. NOAA STOCK ASSESSMENTS.

(a) STOCK ASSESSMENTS.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until September 30, 2031, except that no amount may be expended after September 30, 2031, for carrying out section 401 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1881) and, section 117 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1386) for fisheries data collections, surveys, and science, management, and ecosystem-based
assessments in support of federally managed marine fisheries.

(b) **Administrative Expenses.**—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

**SEC. 70504. COASTAL HAZARDS AND SEA LEVEL RISE.**

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the provisions of section 12304 of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603), section 4 of the Digital Coast Act (16 U.S.C. 1467), section 310 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456c), section 303 of the Hydrographic Services Improvement Act of 1988 (33 U.S.C. 892a), and the first section and section 2 of the Act of August 6, 1947 (chapter 504; 33 U.S.C. 883a and 33 U.S.C. 883b), popularly known as the Coast and Geodetic Survey Act of 1947; for the purposes of making upgrades to the Integrated Ocean Observing System; making upgrades to the Shoreline Mapping Program; developing products, services, and coordinated decision-support
frameworks with respect to coastal floods, sea level rise, Great Lakes water level, and vertical land motion data and conducting the research and development necessary to support such products and services; producing and maintaining authoritative and timely data, maps, charts, tidal and water level observations and information services for communities to plan for present and future coastal flood risks and to sustain the economic viability of ports and marine transportation system; and providing technical assistance to States, Insular areas, local governments, and end user at-risk communities.

SEC. 70505. BLUE CARBON.

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $95,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the provisions of section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a); and section 309 of the National Marine Sanctuaries Act (16 U.S.C. 1440); for research and extension activities to characterize, quantify, map, and study blue carbon ecosystems
or protection and restoration efforts in blue carbon eco-
systems.

SEC. 70506. COASTAL HAZARDS IN UNITED STATES INSU-
LAR AREAS.

In addition to amounts otherwise available, there is
appropriated to the National Oceanic and Atmospheric
Administration for fiscal year 2022, out of any money in
the Treasury not otherwise appropriated, $50,000,000, to
remain available until September 30, 2031, except that no
amounts may be expended after September 30, 2031, for
carrying out the provisions of the Integrated Coastal and
Ocean Observation System Act of 2009 (33 U.S.C. 3601),
section 4 of the Digital Coast Act (16 U.S.C. 1467, and
section 303 of the Hydrographic Services Improvement
Act (33 U.S.C. 892a) to improve weather data collection
and provide science, data, information, and impact-based
decision support services to reduce tsunami, hurricane, ty-
phoon, drought, tide, and sea-level rise impacts in Insular
Areas.

SEC. 70507. NMFS SHORESIDE FACILITIES.

In addition to amounts otherwise available, there is
appropriated to the National Oceanic and Atmospheric
Administration for fiscal year 2022, out of any money in
the Treasury not otherwise appropriated, $150,000,000,
to remain available until September 30, 2031, except that
no amounts may be expended after September 30, 2031, for carrying out the provisions of sections 404 through 408 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881c–1884), to replace, renovate, or maintain aging facilities in need of repair or replacement including piers, fisheries laboratories, and laboratory facilities.

SEC. 70508. NOAA VESSEL RECAPITALIZATION.

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the treasury not otherwise appropriated, $300,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for vessel recapitalization needs.

SEC. 70509. CIVILIAN CLIMATE CORPS AT NOAA.

(a) NOAA CIVILIAN CLIMATE CORPS.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $120,000,000, to remain available until September 30, 2026, to carry out education and job training projects that conserve, restore, construct, or rehabilitate natural, cultural, historic, archaeological, recreational, or scenic resources through direct expenditure,
contracts, grants, and cooperative agreements. None of
the funds provided by this section shall be subject to cost-
sharing or matching requirements.

(b) Administrative Expenses.—Of the funds pro-
vided by this section, no more than 2 percent shall be used
for administrative costs to carry out this section.

SEC. 70510. NOAA HATCHERIES.

(a) NOAA Hatcheries.—In addition to amounts
otherwise available, there is appropriated to the National
Oceanic and Atmospheric Administration, for fiscal year
2022, out of any money in the Treasury not otherwise ap-
propriated, $250,000,000, to remain available until Sep-
tember 30, 2026, for grants to States and Indian Tribes
(as defined in section 4(e) of the Indian Self-Determina-
tion and Education Assistance Act (25 U.S.C. 5304(e)),
to repair, replace, and upgrade hatchery infrastructure for
production of a marine fishery. None of the funds provided
by this section shall be subject to cost-sharing or matching
requirements.

(b) Funding Eligibility.—To be eligible to receive
funding under this section, non-Tribal grantees must dem-
onstrate compliance with prevailing wage requirements.

SEC. 70511. ELECTRONIC MONITORING.

(a) Electronic Monitoring.—In addition to
amounts otherwise available, there is appropriated to the
National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the purposes of supporting the continued and timely implementation of electronic monitoring and fishing effort reporting.

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70512. WORKING WATERFRONTS.

(a) Working Waterfronts.—In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $160,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the provisions of section 309 of the Coastal Zone Management Act (16 U.S.C. 1456b) through direct expenditure, contracts, grants, and cooperative agreements for projects that preserve and protect coastal access for water-dependent commercial activities.
(b) FUNDING ELIGIBILITY.—To be eligible to receive funding under this section, the grantee must demonstrate compliance with prevailing wage requirements.

SEC. 70513. MARINE SANCTUARY AND NATIONAL ESTUARINE RESEARCH RESERVE MAINTENANCE BACKLOG.

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $98,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the provisions of the National Marine Sanctuary Act (16 U.S.C. 1431) and the Coastal Zone Management Act (16 U.S.C. 1461) for construction, maintenance, and renovation of facilities of National Marine Sanctuaries and National Estuarine Research Reserves.

SEC. 70514. SEAFOOD IMPORT MONITORING PROGRAM EXPANSION.

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $2,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for...
carrying out the provisions of section 307 of the Magnus-
son-Stevens Fishery Conservation and Management Reau-
thorization Act (16 U.S.C. 1857(1)(Q)), to expand the
Seafood Import Monitoring Program to apply to all sea-
food and seafood products.

Subtitle F—United States Fish and
Wildlife Service

SEC. 70601. ENDANGERED SPECIES ACT RECOVERY PLANS.

In addition to amounts otherwise available, there is
appropriated to the United States Fish and Wildlife Serv-
ice for fiscal year 2022, out of any money in the Treasury
not otherwise appropriated, $150,000,000, to remain
available until September 30, 2031, except that no
amounts may be expended after September 30, 2031, for
the development and implementation of recovery plans
under section 4(f) of the Endangered Species Act of 1973
(16 U.S.C. 1533(f)).

SEC. 70602. ENDANGERED SPECIES ACT HABITAT CON-
SERVATION.

In addition to amounts otherwise available, there is
appropriated to the United States Fish and Wildlife Serv-
ice for fiscal year 2022, out of any money in the Treasury
not otherwise appropriated, $50,000,000, to remain avail-
able until September 30, 2031, except that no amounts
may be expended after September 30, 2031, for United
States Fish and Wildlife Service responsibilities in the de-
velopment, review, and permitting of Habitat Conservation
Plans under section 10(a)(2) of the Endangered Species
Act of 1973 (16 U.S.C. 1539(a)(2)) and for State pro-
grams under section 6(d) of the Endangered Species Act
of 1973 (16 U.S.C. 1535(d)).

SEC. 70603. ENDANGERED SPECIES ACT INTERAGENCY
CONSULTATIONS.

In addition to amounts otherwise available, there is
appropriated to the United States Fish and Wildlife Serv-
ice for fiscal year 2022, out of any money in the Treasury
not otherwise appropriated, $40,000,000, to remain avail-
able until September 30, 2031, except that no amounts
may be expended after September 30, 2031, for carrying
out consultations with Federal agencies that undertake
agency actions affecting endangered species and threat-
ened species under section 7 of the Endangered Species

SEC. 70604. FUNDING FOR ISLAND PLANT CONSERVATION.

(a) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the United States Fish
and Wildlife Service for fiscal year 2022, out of any money
in the Treasury not otherwise appropriated, $25,000,000,
to remain available until September 30, 2031, except that
no amounts may be expended after September 30, 2031,

(b) **Administrative Expenses.**—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

**SEC. 70605. FUNDING FOR BUTTERFLY CONSERVATION.**

(a) **In General.**—In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the conservation of endangered species and threatened species of butterflies in the United States as authorized by section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(b) **Administrative Expenses.**—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

**SEC. 70606. FUNDING FOR MUSSEL CONSERVATION.**

(a) **In General.**—In addition to amounts otherwise available, there is appropriated to the United States Fish
and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the conservation of endangered species and threatened species of freshwater mussels in the United States as authorized by section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.

SEC. 70607. FUNDING FOR DESERT FISH CONSERVATION.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for the conservation of endangered species and threatened species of desert fish in the Southwestern United States as authorized by section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(b) Administrative Expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.
SEC. 70608. FUNDING FOR THE UNITED STATES FISH AND WILDLIFE SERVICE TO ADDRESS CLIMATE-INDUCED WEATHER EVENTS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, through direct expenditure, contracts, grants, and cooperative agreements, for the purposes of carrying out the Fish and Wildlife Act of 1956 (16 U.S.C. 742a) and the Fish and Wildlife Coordination Act (16 U.S.C. 661), for the purposes of rebuilding and restoring units of the National Wildlife Refuge System, other Federal public assets, and State wildlife management areas including by addressing the threat of invasive species, increasing the resiliency and capacity of habitats and infrastructure to withstand weather events, or reducing the amount of damage caused by those events. None of the funds provided by this section shall be subject to cost-share requirements.

(b) ADMINISTRATIVE EXPENSES.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section.
SEC. 70609. FUNDING FOR THE UNITED STATES FISH AND
WILDLIFE SERVICE FOR WILDLIFE CORRIDOR CONSERVATION.

In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until September 30, 2026, except that no amounts may be expended after September 30, 2026, to carry out the provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a) and the Fish and Wildlife Coordination Act (16 U.S.C. 661) through direct expenditure, contracts, grants, and cooperative agreements, for mapping wildlife corridors and providing assistance to States and Indian Tribes as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)) for the conservation and restoration of wildlife corridors.

SEC. 70610. FUNDING FOR THE UNITED STATES FISH AND
WILDLIFE SERVICE FOR GRASSLAND RESTORATION.

In addition to amounts otherwise available, there is appropriated to the United States Fish and Wildlife Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2026, except that no
amounts may be expended after September 30, 2026, to carry out the provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a) and the Fish and Wildlife Coordination Act (16 U.S.C. 661) through direct expenditure, contracts, grants, and cooperative agreements, for the protection and restoration of grassland habitats.

Subtitle G—Insular Affairs

SEC. 70701. INSULAR AFFAIRS HOSPITAL AND OTHER CRITICAL HEALTH INFRASTRUCTURE FUNDING.

In addition to amounts otherwise available, there is appropriated to the Department of the Interior Office of Insular Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $993,000,000, to remain available until September 30, 2031, except that no amounts may be made available after September 30, 2031, for hospitals and other critical health infrastructure in the territories. Amounts made available under this section shall be divided among the territories in accordance with needs identified by assessments completed by the Department of the Interior, Office of Insular Affairs, of health care facilities in each territory, but not less than 35 percent shall be provided to Guam, not less than 35 percent shall be provided to the United States Virgin Islands, not less than 20 percent shall be provided to the
Commonwealth of the Northern Mariana Islands, and not
less than 10 percent shall be provided to American Samoa.

SEC. 70702. OFFICE OF INSULAR AFFAIRS CLIMATE
CHANGE TECHNICAL ASSISTANCE.
(a) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the Department of the
Interior Office of Insular Affairs for fiscal year 2022, out
of any money in the Treasury not otherwise appropriated,
$25,000,000, to remain available until September 30,
2026, to provide technical assistance for climate-change
planning, mitigation, adaptation, and resilience to United
States-affiliated Insular Areas under the Office of Insular
Affairs.
(b) ADMINISTRATIVE EXPENSES.—Of the funds pro-
vided by this section, not more than 2 percent shall be
used for administrative costs to carry out this section.

SEC. 70703. SETTLEMENT OF CLAIMS AGAINST THE UNITED
STATES FOR CERTAIN RESIDENTS OF THE IS-
LAND OF VIEQUES, PUERTO RICO.
(a) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the Department of the
Interior Office of Insular Affairs, for fiscal year 2022, out
of any money in the Treasury not otherwise appropriated,
$300,000,000, to remain available until September 30,
2031, except that no amounts may be made available after
September 30, 2031, to compensate through the appointment of a Special Master, the municipality of Vieques, and an individual claimant who is or was a resident, the child of a resident, or an immediate heir (as determined by the laws of Puerto Rico) of a deceased claimant who was a resident on the island of Vieques, Puerto Rico, in the period or after the United States Government used the island of Vieques, Puerto Rico, for military readiness.

(b) **Administrative Expenses.**—Of the funds provided by this section, not more than 2 percent shall be used for administrative costs to carry out this section.

**SEC. 70704. DEFINITIONS.**

For the purposes of this subtitle:

(1) **Freely Associated States.**—The term “Freely Associated States” means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(2) **United States-affiliated Insular Areas.**—The term “United States-affiliated Insular Areas” means the territories and Freely Associated States.

(3) **Territories.**—The term “territories” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States.
(4) TERRITORY.—The term “territory” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the Virgin Islands of the United States.

Subtitle H—Energy and Mineral Resources

SEC. 70801. OFFSHORE WIND FOR THE TERRITORIES.

(a) Application of Outer Continental Shelf Lands Act With Respect to Territories of the United States.—

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

(A) in subsection (a)—

(i) by striking “The term” and inserting the following:

“(1) The term”

(ii) by inserting after “control” the following: “or lying within the exclusive economic zone of the United States and the outer Continental Shelf adjacent to any territory or possession of the United States”; and

(iii) by adding at the end the following:
“(2) The term ‘outer Continental Shelf’ does not include any area conveyed by Congress to a territorial government for administration.”;

(B) in subsection (p), by striking “and” after the semicolon at the end;

(C) in subsection (q), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(r) The term ‘State’ means the several States, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.”.

(2) EXCLUSIONS.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

“(i) This section shall not apply to the scheduling of any lease sale in an area of the outer Continental Shelf that is adjacent to any insular area of the United States.”.

(b) WIND LEASE SALES FOR AREAS OF THE OUTER CONTINENTAL SHELF.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:
"SEC. 33. WIND LEASE SALES FOR AREAS OF THE OUTER CONTINENTAL SHELF.

“(a) Wind Lease Sales Off Coasts of Territories of the United States.—

“(1) Call for Information and Nominations.—The Secretary shall issue a call for information and nominations for proposed wind lease sales for areas determined to be feasible.

“(2) Conditional Wind Lease Sales.—

“(A) In General.—For each territory, the Secretary shall conduct not less than one wind lease sale in the area of the outer Continental Shelf within the territorial jurisdiction of such territory if such area meets each of the following criteria:

“(i) The Secretary has concluded that a wind lease sale on the area is feasible.

“(ii) The Secretary has determined that the call for information has generated sufficient interest in the area.

“(iii) The Secretary has consulted with other relevant Federal agencies regarding such sale.

“(iv) The Secretary has consulted with the Governor of the territory regard-
ing the suitability of the area for wind energy development.

“(B) EXCEPTION.—If no area of the outer Continental Shelf within the territorial jurisdiction of a territory meets each of the criteria in clauses (i) through (iv) of subparagraph (A), the requirement under subparagraph (A) shall not apply to such territory.”.

SEC. 70802. LEASING ON THE OUTER CONTINENTAL SHELF.

(a) LEASING AUTHORIZED.—The Secretary of the Interior is authorized to grant leases pursuant to section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)) in the areas withdrawn by the Presidential Memorandum entitled “Memorandum on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” (issued September 8, 2020) and the Presidential Memorandum entitled “Presidential Determination on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition” (issued September 25, 2020).

(b) WITHDRAWALS.—Any Presidential withdrawal of an area of the Outer Continental Shelf from leasing under section 12(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(a)) issued after the date of enactment
of this Act shall apply only to leasing authorized under 
subsections (a) and (i) of section 8 of the Outer Conti-
nental Shelf Lands Act (43 U.S.C. 1337(a) and 1337(i)), 
unless otherwise specified.

SEC. 70803. UNITED STATES GEOLOGICAL SURVEY.

(a) 3D ELEVATION PROGRAM.—In addition to 
amOUNTS otherwise available, there is appropriated to the 
United States Geological Survey for fiscal year 2022, out 
of any money in the Treasury not otherwise appropriated, 
$50,000,000, to remain available until September 30, 
2031, except that no amounts may be expended after Sep-
tember 30, 2031, to carry out the 3D elevation program 
(43 U.S.C. 3104).

(b) CLIMATE ADAPTATION SCIENCE CENTERS.—In 
addition to amounts otherwise available, there is appro-
priated to the United States Geological Survey for fiscal 
year 2022, out of any money in the Treasury not otherwise 
appropriated, $100,000,000, to remain available until 
September 30, 2031, except that no amounts may be ex-
pended after September 30, 2031, for the Regional and 
National Climate Adaptation Science Centers to provide 
localized information to help communities respond to cli-
mate change.
SEC. 70804. FOSSIL FUEL RESOURCES.

(a) REPEAL OF THE ARCTIC NATIONAL WILDLIFE REFUGE OIL AND GAS PROGRAM.—Section 20001 of Public Law 115–97 is repealed and any leases issued pursuant to section 20001 of Public Law 115–97 are hereby cancelled and all payments related to the leases shall be returned to the lessee(s) within 30 days of enactment of this Act.

(b) PROTECTION OF THE EASTERN GULF, ATLANTIC, AND PACIFIC COASTS.—Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

“(q) PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—The Secretary of the Interior may not issue a lease or any other authorization for the exploration, development, or production of oil or natural gas in the areas of the Outer Continental Shelf designated by section 104(a) of the Gulf of Mexico Energy Security Act of 2006 or in any area within the Atlantic Region planning areas or the Pacific Region planning areas (as such planning areas are described in the document entitled ‘2017 – 2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program’ dated November 2016, or a subsequent oil and gas leasing program developed under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).”).
(c) Onshore Fossil Fuel Royalty Rates.—The Mineral Leasing Act (30 U.S.C. 207) is amended—

(1) in section 7(a), by striking “12½” and inserting “20”;

(2) in section 17, by—

(A) striking “12.5” each place such term appears and inserting “20”; and

(B) striking “12 ½” each place such term appears and inserting “20”; and

(3) in section 31(e), by striking “16 ⅔” both places such term appears and inserting “25”.

(d) Offshore Oil and Gas Royalty Rate.—Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by striking—

(1) “12 ½” each place such term appears and inserting “20”; and

(2) “12 and ½” each place such term appears and inserting “20”.

(e) Oil and Gas Minimum Bid.—Section 17 of the Mineral Leasing Act (30 U.S.C. 226) is amended—

(1) in subsection (b)(1)(B)—

(A) by striking “$2 per acre” and inserting “$10 per acre, except as otherwise provided by this paragraph”; and
(B) by striking “Federal Onshore Oil and Gas Leasing Reform Act of 1987” and inserting “subtitle H of the Act to provide for reconciliation pursuant to title II of S. Con. Res. 14 of the 117th Congress”;

(2) in subsection (b)(2)(C), by striking “$2 per acre” and inserting “$10 per acre”; and

(3) by adding at the end the following:

“(q) Inflation Adjustment.—The Secretary shall—

“(1) by regulation, at least once every 4 years, adjust each of the dollar amounts that apply under subsections (b)(1)(B), (b)(2)(C), and (d) to reflect the change in inflation; and

“(2) publish each such regulation in the Federal Register.”.

(f) Deferred Coal Bonus Payments.—Section 2(a) of the Mineral Leasing Act (30 U.S.C. 201(a)) is amended—

(1) in paragraph (1), by striking the second and third sentences; and

(2) by striking paragraphs (4) and (5).

(g) Fossil Fuel Rental Rates.—

(1) Section 7(a) of the Mineral Leasing Act (30 U.S.C. 207) is amended in the third sentence by in-
serting “at a rental rate of not less than $100 per acre (as reviewed and, if appropriate, adjusted by the Secretary every 4 years)” before the period.

(2) Section 17(d) of the Mineral Leasing Act (30 U.S.C. 226(d)) is amended in the first sentence by striking “$1.50 per acre per year for the first through fifth years of the lease and not less than $2 per acre per year for each year thereafter” and inserting “$3 per acre per year during the 2-year period beginning on the date the lease begins for new leases, and after the end of such two-year period not less than $5 per acre per year”.

(3) Section 31(e) of the Mineral Leasing Act (30 U.S.C. 188(e)) is amended by striking “$10” and inserting “$20”.

(h) Fossil Fuel Lease Term Length.—

(1) Section 7 of the Mineral Leasing Act (30 U.S.C. 207) is amended—

(A) in subsection (a)—

(i) in the first sentence, by striking “twenty” and inserting “10”; and

(ii) in the second sentence, by striking “ten” and inserting “5”; and

(iii) in the sixth sentence—
(I) by striking “twenty” and inserting “10”; and

(II) by striking “ten” and inserting “5”; and

(B) in subsection (b)(5), by striking “20” and inserting “10”.

(2) Section 17(e) of the Mineral Leasing Act

(30 U.S.C. 226(e)) is amended by striking “10 years:” and inserting “5 years.”.

10 (i) EXPRESSION OF INTEREST FEE.—Section 17 of

the Mineral Leasing Act (30 U.S.C. 226), as amended by

this subtitle is amended by adding at the end the fol-

lowing:

“(r) FEE FOR EXPRESSION OF INTEREST.—

“(1) IN GENERAL.—The Secretary shall charge

any person who submits, in accordance with proce-

dures established by the Secretary to carry out this

subsection, an expression of interest in leasing land

available for disposition under this section for explo-

ration for, and development of, oil or gas a fee in

an amount determined by the Secretary under para-

graph (2).

“(2) AMOUNT.—The fee authorized under para-

graph (1) shall be established by the Secretary in an

amount that is determined by the Secretary to be
appropriate to cover the aggregate cost of processing
an expression of interest under this subsection, but
not less than $15 per acre of the area covered by the
applicable expression of interest.

“(3) ADJUSTMENT OF FEE.—The Secretary
shall, by regulation at least every 4 years, establish
a higher expression of interest fee—

“(A) to reflect the change in inflation; and

“(B) as the Secretary determines to be
necessary to enhance financial returns to the
United States.”.

(j) ELIMINATION OF NONCOMPETITIVE LEASING.—
The Mineral Leasing Act is amended—

(1) in section 17(b) (30 U.S.C. 226(b)), by
striking paragraph (3);

(2) by amending section 17(c) (30 U.S.C.
226(c)) to read as follows:

“(c) Lands made available for leasing under sub-
section (b)(1) but for which no bid is accepted may be
made available by the Secretary for a new round of sealed
bidding under such subsection.”;

(3) in section 17(e) (30 U.S.C. 226(e))—

(A) by striking “Competitive and non-
competitive leases” and inserting “Leases, in-
cluding leases for tar sand areas,”; and
(B) by striking “Provided, however” and all that follows through “ten years.”;

(4) in section 31(d)(1) (30 U.S.C. 188(d)(1)) by striking “or (e)”;

(5) in section 31(e) (30 U.S.C. 188(e))—

(A) in paragraph (2) by striking “, or the inclusion” and all that follows and inserting a semicolon; and

(B) in paragraph (3) by striking “(A)” and by striking subparagraph (B);

(6) by striking section 31(f) (30 U.S.C. 188(f));

and

(7) in section 31(g) (30 U.S.C. 188(g))—

(A) in paragraph (1) by striking “as a competitive” and all that follows through the period and inserting “in the same manner as the original lease issued pursuant to section 17.”;

(B) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(C) in paragraph (2), as redesignated, by striking “, applicable to leases issued under subsection 17(c) of this Act (30 U.S.C. 226(c)) except,” and inserting “, except”.


(k) OIL AND GAS BONDING REQUIREMENTS.—Section 17(g) of the Mineral Leasing Act (30 U.S.C. 226(g)) is amended—

(1) by inserting “Each such bond, surety, or other financial arrangement shall be considered inadequate if such bond, surety, or other financial arrangement is for less than $150,000 in the case of an arrangement for an individual surface-disturbing activity of each entity on an individual oil or gas lease in a State, or $500,000 in the case of an arrangement for all surface-disturbing activities of each entity on all oil and gas leases in a State.” after “on the lease.”;

(2) by redesignating existing subsection (g) as paragraph (1); and

(3) by adding at the end the following new paragraph:

“(2)(A) Not later than 180 days after the date of enactment of subtitle H of the Act to provide for reconciliation pursuant to title II of S. Con. Res. 14 of the 117th Congress the Secretary concerned shall initiate a rulemaking to require that an adequate bond, surety, or other financial arrangement be provided by the lessee prior to the commencement of surface-disturbing activities on any lease issued
under this Act to ensure the complete and timely re-
mediation and reclamation of any land, water, or
other resources (including resources with recreation,
range, timber, mineral, watershed, fish or wildlife,
natural scenic, scientific, or historical value) ad-
versely affected by lease activities and operations
after the abandonment or cessation of oil and gas
operations on the lease.

“(B) The Secretary concerned shall find that a
bond, surety or other financial arrangement required
by regulation under subparagraph (A) is inadequate
if it is for less than—

“(i) the complete and timely reclamation of
the lease tract;

“(ii) the restoration of any lands or sur-
face waters adversely affected by lease oper-
ations after the abandonment or cessation of oil
and gas operations on the lease; and

“(iii) in the case of an idled well, the total
plugging and reclamation costs for each idled
well controlled by the same operator.

“(C) The Secretary concerned shall review the
adequacy of each such bond, surety, or other finan-
cial arrangement at least once every 5 years and
anytime a lease issued under this Act is trans-
ferred.”.

(l) PER-ACRE LEASE FEES.—

(1) OIL AND GAS LEASE FEES.—The Secretary
of Interior shall charge onshore and offshore oil and
gas leaseholders the following annual, non-refund-
able fees:

(A) CONSERVATION OF RESOURCES FEE.—

There is established a Conservation of Re-
sources Fee of $4 per acre per year on new pro-
ducing Federal onshore and offshore oil and gas
leases.

(B) SPECULATIVE LEASING FEE.—There is
established a Speculative Leasing Fee of $6 per
acre per year on new nonproducing Federal on-
shore and offshore oil and gas leases.

(2) DEPOSIT.—All funds collected pursuant to
paragraph (1) shall be deposited into the United
States Treasury General Fund.

(3) ADJUSTMENT FOR INFLATION.—The Sec-
retary of the Interior shall, by regulation at least
once every four years, adjust each fee created by
paragraph (1) to reflect any increase in inflation.

(m) ONSHORE OIL AND GAS INSPECTION FEES.—
(1) In general.—Section 108 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1718) is amended by adding at the end the following:

“(d) Inspection Fees.—

“(1) In general.—The designated operator under each oil and gas lease on Federal or Indian lands, or each unit and communitization agreement that includes one or more such Federal or Indian leases, that is subject to inspection under subsection (b) and that is in force at the start of the fiscal year 2021, shall pay a nonrefundable annual inspection fee in an amount that, except as provided in paragraph (2), is established by the Secretary by regulation and is sufficient to recover the full costs incurred by the United States for inspection and enforcement with respect to such leases.

“(2) Amount.—Until the effective date of regulations under paragraph (1), the amount of the fee shall be—

“(A) $800 for each lease or unit or communitization agreement with no active or inactive wells, but with surface use, disturbance or reclamation;
“(B) $1,400 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells; 
“(C) $5,600 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and 
“(D) $11,300 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells.

“(3) DUE DATE.—Payment of the fee under this section shall be due, annually, not later than 30 days after the Secretary provides notice of the assessment of the fee.

“(4) PENALTY.—If the designated operator fails to pay the full amount of the fee as prescribed in this section, the Secretary may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator under section 109 in the same manner as if this section were a mineral leasing law.

“(5) EXEMPTION FOR TRIBAL OPERATORS.—An operator that is a Tribe or is controlled by a Tribe is not subject to paragraph (1) with respect to a
lease, unit, or communitization agreement that is located entirely on the lands of such Tribe.”.

(2) **Assessment for Fiscal Year 2022**.—The Secretary of the Interior shall assess the fee under the amendment made by paragraph (1) for fiscal year 2022, and provide notice of such assessment to each designated operator who is liable for such fee, by not later than 60 days after the date of enactment of this Act.

(n) **Offshore Oil and Gas Inspection Fees**.—

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

“(g) **Inspection Fees.**—

“(1) **In General.**—

“(A) **Establishment.**—The Secretary shall collect from the operators of facilities subject to inspection under subsection (c) non-refundable fees for such inspections—

“(i) at an aggregate level equal to the amount necessary to offset the annual expenses of such inspections;

“(ii) using a schedule that reflect the differences in complexity among the classes of facilities to be inspected; and
“(iii) in accordance with subparagraph (C).

“(B) ADJUSTMENT FOR INFLATION.—For each fiscal year beginning after fiscal year 2022, the Secretary shall adjust the amount of the fees collected under this paragraph for inflation.

“(C) FEES FOR FISCAL YEAR 2022.—

“(i) ANNUAL FEES.—For fiscal year 2022, the Secretary shall collect annual fees from the operator of facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year in the following amounts:

“(I) $11,725 for facilities with no wells, but with processing equipment or gathering lines.

“(II) $18,984 for facilities with 1 to 10 wells, with any combination of active or inactive wells.

“(III) $35,176 for facilities with more than 10 wells, with any combination of active or inactive wells.

“(ii) FEES FOR DRILLING RIGS.—For fiscal year 2022, the Secretary shall collect
fees for each inspection from the operators of drilling rigs in the following amounts:

“(I) $34,059 per inspection for rigs operating in water depths of 500 feet or more.

“(II) $18,649 per inspection for rigs operating in water depths of less than 500 feet.

“(iii) FEES FOR NON-RIG UNITS.—For fiscal year 2022, the Secretary shall collect fees for each inspection from the operators of well operations conducted via non-rig units as outlined in subparts D, E, F, and Q of part 250 of title 30, Code of Federal Regulations (or any successor regulation), in the following amounts:

“(I) $13,260 per inspection for non-rig units operating in water depths of 2,500 feet or more.

“(II) $11,530 per inspection for non-rig units operating in water depths between 500 and 2,499 feet.

“(III) $4,470 per inspection for non-rig units operating in water depths of less than 500 feet.
“(2) Disposition.—Amounts collected as fees under paragraph (1) shall be deposited into the general fund of the Treasury.

“(3) Billing.—

“(A) Annual fees.—The Secretary shall bill designated operators under paragraph (1)(C)(i) annually, with payment required not later than 30 days after such billing.

“(B) Fees for drilling rigs.—The Secretary shall bill designated operators under paragraph (1)(C)(ii) not later than 30 days after the end of the month in which the inspection occurred, with payment required not later than 30 days after such billing.

“(4) Publication.—The Secretary shall annually make available to the public the following information about each fee deposited into the Fund:

“(A) The facility that was inspected.

“(B) The name of the operator of such facility.

“(C) The amount of the payment.”.

(o) Severance fees.—The Secretary of Interior shall collect annual, non-refundable fees on fossil fuels produced from new leases on Federal lands and the Outer
Continental Shelf and deposit the funds into the United
States Treasury General Fund. Such fees shall be—

(1) not less than $0.50 per barrel of oil equiva-

lent on oil and natural gas produced from Federal
lands and the Outer Continental Shelf; and

(2) not less than $2 per metric ton of coal pro-
duced from Federal lands.

(p) IDLED WELL FEES.—

(1) IN GENERAL.—The Secretary shall, not
later than 180 days after the date of enactment of
this section, issue regulations to require each oper-
ator of an idled well on Federal land and the Outer
Continental Shelf to pay an annual, nonrefundable
fee for each such idled well in accordance with this
subsection.

(2) AMOUNTS.—Except as provided in para-
graph (5), the amount of the fee shall be as follows:

(A) $500 for each well that has been con-
sidered an idled well for at least 1 year, but not
more than 5 years.

(B) $1,500 for each well that has been
considered an idled well for at least 5 years, but
not more than 10 years.
(C) $3,500 for each well that has been considered an idled well for at least 10 years, but not more than 15 years.

(D) $7,500 for each well that has been considered an idled well for at least 15 years.

(3) DUE DATE.—An owner of an idled well that is required to pay a fee under this subsection shall submit to the Secretary such fee by not later than May 1 of each year.

(4) CIVIL PENALTY.—If the operator of a idled well fails to pay the full amount of a fee under this subsection, the Secretary may assess a civil penalty against the operator under section 109 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1719) as if such failure to pay were a violation under such section.

(5) ADJUSTMENT FOR INFLATION.—The Secretary shall, by regulation not less than once every 4 years, adjust each fee under this subsection to account for inflation.

(6) DEPOSIT.—All funds collected pursuant to paragraph (1) shall be deposited into the United States Treasury General Fund.

(7) IDLED WELL DEFINITION.—For the purposes of this section, the term “idled well” means a
well that has been non-operational for at least two consecutive years for which there is no anticipated beneficial future use.

(q) **Annual Pipeline Owners Fee.**—Not later than 180 after the date of enactment of this Act, the Bureau of Safety and Environmental Enforcement shall issue regulations to assess an annual fee on owners of offshore oil and gas pipelines. Such fee may not qualify as a transportation allowance and shall be no less than—

(1) $10,000 per mile for such pipelines in water with a depth of 500 feet or greater; and

(2) $1,000 per mile for pipelines in water depth of under 500 feet.

(r) **Royalties on All Extracted Methane.**—

(1) **Assessment on All Production.**—

(A) **In General.**—Except as provided in subparagraph (B), royalties paid for gas produced from Federal lands and on the Outer Continental Shelf shall be assessed on all gas produced, including—

(i) gas used or consumed within the area of the lease tract for the benefit of the lease; and

(ii) all gas that is consumed or lost by venting, flaring, or fugitive releases
through any equipment during upstream operations.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to—

(i) gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health; and

(ii) gas used or consumed within the area of the lease tract for the benefit of the lease when the operator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe.

(2) CONFORMING AMENDMENTS.—

(A) MINERAL LEASING ACT.—The Mineral Leasing Act is amended—

(i) in section 14 (30 U.S.C. 223), by adding at the end the following: “Royalties shall be assessed with respect to oil and gas, other than gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health and gas used or gas consumed within the area of the lease tract for the benefit of the lease when the oper-
ator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe, without regard to whether oil or gas is removed or sold from the leased land.”;

(ii) in section 22 (30 U.S.C. 251), by striking “sold or removed”; and

(iii) in section 31 (30 U.S.C. 188), by striking “removed or sold” each place it appears.

(B) OUTER CONTINENTAL SHELF LANDS ACT.—The Outer Continental Shelf Lands Act is amended—

(i) in section 6(a)(8) (43 U.S.C. 1335(a)(8)), by striking “saved, removed, or sold” each place it appears; and

(ii) in section 8(a) (43 U.S.C. 1337(a))—

(I) in paragraph (1), by striking “saved, removed, or sold” each place it appears; and

(II) by adding at the end the following:

“(9) Royalties under this Act shall be assessed with respect to oil and gas, other than gas vented or flared for not longer than 48 hours in an acute
emergency situation that poses a danger to human health and gas used or gas consumed within the area of the lease tract for the benefit of the lease when the operator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe, without regard to whether oil or gas is removed or sold from the leased land.”

(s) **Elimination of Royalty Relief.**—

(1) **In general.**—

(A) **Outer Continental Shelf Lands Act.**—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended—

(i) by striking subparagraphs (A) and (B); and

(ii) by redesignating subparagraph (C) as subparagraph (A).

(B) **Energy Policy Act of 2005.**—

(i) **Incentives for natural gas production from deep wells in the shallow waters of the Gulf of Mexico.**—Section 344 of the Energy Policy Act of 2005 (42 U.S.C. 15904) is repealed.
(ii) DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed.

(2) FUTURE PROVISIONS.—Royalty relief shall not be permitted under a lease issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337).

(3) PROVISIONS RELATING TO NAVAL PETROLEUM RESERVE IN ALASKA.—Section 107 of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a) is amended—

(A) in subsection (i), by striking paragraphs (2) through (6); and

(B) by striking subsection (k).

(4) ROYALTY RELIEF UNDER THE MINERAL LEASING ACT.—

(A) REPEAL.—Section 39 of the Mineral Leasing Act (30 U.S.C. 209) is repealed.

(B) CONFORMING AMENDMENTS.—

(i) Section 8721(b) of title 10, United States Code, is amended by striking “202–209” and inserting “202–208”.

(ii) Section 8735(a) of title 10, United States Code, is amended by striking “202–209” and inserting “202–208”.
(iii) Section 31(h) of the Mineral Leasing Act (30 U.S.C. 188(h)) is amended by striking “and the provisions of section 39 of this Act”.

SEC. 70805. CIVIL AND CRIMINAL PENALTIES.

(a) MINERAL LEASING ACT.—Section 41 of the Mineral Leasing Act (30 U.S.C. 195) is amended—

(1) in subsection (b), by striking “$500,000” and inserting “$1,000,000”; and

(2) in subsection (c), by striking “$100,000” and inserting “$250,000”.

(b) FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT OF 1982.—The Federal Oil and Gas Royalty Management Act of 1982 is amended—

(1) in section 109 (30 U.S.C. 1719)—

(A) in subsection (a)(2), by striking “$500” and inserting “$1,500”; 

(B) in subsection (b), by striking “$5,000” and inserting “$15,000”;

(C) in subsection (c)(3), by striking “$10,000” and inserting “$30,000”;

(D) in subsection (d)(3), by striking “$25,000” and inserting “$75,000”;
(E) by redesignating existing subsections (e) through (l) as (f) through (m), respectively; and

(F) by adding at the end:

“(n) INFLATION ADJUSTMENT OF MAXIMUM PENALTIES.—

“(1) The maximum civil penalty amounts listed in subsections (a) through (d) shall automatically adjust for inflation on the 1st day of each calendar year in accordance with the provisions of this subsection.

“(2) The inflation adjustment under this subsection shall be based on the Consumer Price Index published by the Department of Labor for all Urban Consumers (CPI–U) and shall be calculated by the percentage change, if any, by which the CPI–U for the month of October preceding the adjustment date exceeds the CPI–U for the month of October one year before.

“(3) The Secretary will provide sufficient notice of adjusted penalties by publishing the adjusted maximum civil penalty amounts on a public website of the Department.”; and

(2) in section 110, by striking “$50,000” and inserting “$150,000”.

(c) OUTER CONTINENTAL SHELF LANDS ACT.—

(1) CIVIL PENALTY, GENERALLY.—Section 24(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1350(b)) is amended to read as follows:

“(b) CIVIL PENALTIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), any person who fails to comply with any provision of this Act, or any term of a lease, license, or permit issued pursuant to this Act, or any regulation or order issued under this Act, shall be liable for a civil administrative penalty of not more than $75,000 for each day of the continuance of such failure. The Secretary may assess, collect, and compromise any such penalty.

“(2) OPPORTUNITY FOR A HEARING.—No penalty shall be assessed until the person charged with a violation has been given an opportunity for a hearing.

“(3) ADJUSTMENT FOR INFLATION.—The Secretary shall, by regulation at least every 3 years, adjust the penalty specified in this paragraph to reflect any increases in inflation.

“(4) THREAT OF HARM.—If a failure described in paragraph (1) constitutes or constituted a threat of harm or damage to life, property, any mineral de-
posit, or the marine, coastal, or human environment, a civil penalty of not more than $150,000 shall be assessed for each day of the continuance of the failure.”.

(2) KNOWING AND WILLFUL VIOLATIONS.—Section 24(c) of the Outer Continental Shelf Lands Act (43 U.S.C. 1350(c)) is amended by striking “$100,000” and inserting “$1,000,000”.

(3) OFFICERS AND AGENTS OF CORPORATIONS.—Section 24(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1350(d)) is amended by striking “knowingly and willfully authorized, ordered, or carried out” and inserting “authorized, ordered, carried out, or through reckless disregard of the law caused”.

SEC. 70806. TECHNICAL AMENDMENTS TO FOGRMA.

(a) AMENDMENTS TO DEFINITIONS.—Section 3 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1702) is amended—

(1) in paragraph (20)(A), by striking “: Provided, That” and all that follows through “subject of the judicial proceeding”;

(2) in paragraph (20)(B), by striking “(with written notice to the lessee who designated the designee)”;

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(3) in paragraph (23)(A), by striking “(with written notice to the lessee who designated the designee)”;

(4) by amending paragraph (24) to read as follows:

“(24) ‘designee’ means a person who pays, offsets, or credits monies, makes adjustments, requests and receives refunds, or submits reports with respect to payments a lessee must make pursuant to section 102(a);”;

(5) in paragraph (25), in subparagraph (B)—

(A) by striking “(subject to the provisions of section 102(a) of this Act)”;

and

(B) in clause (ii), by striking subclause (IV) and all that follows through the end of the subparagraph and inserting the following:

“(IV) any assignment, that arises from or relates to any lease, easement, right-of-way, permit, or other agreement regardless of form administered by the Secretary for, or any mineral leasing law related to, the exploration, production, and development of oil and gas or other energy

resource on Federal lands or the Outer Continental Shelf;”; and

(6) in paragraph (29), by inserting “or permit” after “lease”.

(b) COMPLIANCE REVIEWS.—Section 101 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1711) is amended by adding at the end the following new subsection:

“(d) The Secretary may, as an adjunct to audits of accounts for leases, conduct compliance reviews of accounts. Such reviews shall not constitute nor substitute for audits of lease accounts. The Secretary shall immediately refer any disparity uncovered in such a compliance review to a program auditor. The Secretary shall, before completion of a compliance review, provide notice of the review to designees whose obligations are the subject of the review.”.

(c) LIABILITY FOR ROYALTY PAYMENTS.—Section 102(a) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1712(a)) is amended to read as follows:

“(a) LIABILITY FOR ROYALTY PAYMENTS.—

“(1) TIME AND MANNER OF PAYMENT.—In order to increase receipts and achieve effective collections of royalty and other payments, a lessee who...
is required to make any royalty or other payment
under a lease, easement, right-of-way, permit, or
other agreement, regardless of form, or under the
mineral leasing laws, shall make such payment in
the time and manner as may be specified by the Sec-
retary or the applicable delegated State.

“(2) DESIGNEE.—Any person who pays, offsets,
or credits monies, makes adjustments, requests and
receives refunds, or submits reports with respect to
payments the lessee must make is the lessee’s des-
ignee under this Act.

“(3) LIABILITY.—A designee shall be liable for
any payment obligation of any lessee on whose be-
half the designee pays royalty under the lease. The
person owning operating rights in a lease and a per-
son owning legal record title in a lease shall be liable
for that person’s pro rata share of payment obliga-
tions under the lease.”.

(d) RECORDKEEPING.—Section 103(b) of the Federal
Oil and Gas Royalty Management Act of 1982 (30 U.S.C.
1713(b)) is amended by striking “6” and inserting “7”.
(e) ADJUSTMENTS AND REFUNDS.—Section 111A of
the Federal Oil and Gas Royalty Management Act of 1982
(30 U.S.C. 1721a) is amended—

(1) in subsection (a)—
(A) by amending paragraph (3) to read as follows:

“(3)(A) An adjustment or a request for a refund for an obligation may be made after the adjustment period only upon written notice to and approval by the Secretary or the applicable delegated State, as appropriate, during an audit of the period which includes the production month for which the adjustment is being made.

“(B) Except as provided in subparagraph (C), no adjustment may be made with respect to an obligation after the completion of an audit or compliance review of such obligation unless such adjustment is approved by the Secretary or the applicable delegated State, as appropriate.

“(C) If an overpayment is identified during an audit, the Secretary shall allow a credit in the amount of the overpayment.”; and

(B) in paragraph (4)—

(i) by striking “six-year” and inserting “four-year”; and

(ii) by striking “period shall” and inserting “period may”; and

(2) in subsection (b)(1)—
(A) in subparagraph (C), by striking “and”;

(B) in subparagraph (D), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(E) is made within the adjustment period for that obligation.”.

(f) Obligation Period.—

(1) Section 115(b)(1) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(b)(1)) is amended to read as follows:

“(1) The Secretary or a delegated State shall commence a judicial proceeding or demand which arises from, or relates to an obligation, within seven years from the date on which the obligation becomes due and if not so commenced shall be barred. A lessee shall commence a judicial proceeding or demand which arises from, or relates to an obligation, within four years from the date on which an obligation becomes due and if not so commenced shall be barred. If the Secretary, a delegated State, a lessee, or designee is barred from commencement of a judicial proceeding or demand for an obligation, it—

“(A) shall not take any other or further action regarding that obligation, including (but
not limited to) the issuance of any order, request, demand or other communication seeking any document, accounting, determination, calculation, recalculation, payment, principal, interest, assessment, or penalty or the initiation, pursuit or completion of an audit with respect to that obligation; and

“(B) shall not pursue any other equitable or legal remedy, including equitable recoupment, whether under statute or common law, with respect to an action on, defense against, or an enforcement of said obligation.”.

(2) Section 115(c) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(c)) is amended by adding at the end the following new paragraph:

“(3) ADJUSTMENTS.—In the case of an adjustment under section 111A(a) in which a recoupment by the lessee results in an underpayment of an obligation, the obligation becomes due on the date the lessee or its designee makes the adjustment.”.

(g) APPEALS.—Section 115(h) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(h)) is amended—
(1) in paragraph (1), in the heading, by striking “33-MONTH” and inserting “48-MONTH”;

(2) by striking “33 months” each place it appears and inserting “48 months”; and

(3) by striking “33-month” each place it appears and inserting “48-month”.

(h) Penalty for Late or Incorrect Reporting of Data.—

(1) In general.—The Secretary of the Interior shall issue regulations by not later than 1 year after the date of enactment of this Act that establish a civil penalty for late or incorrect reporting of data under the Federal Oil and Gas Royalty Management Act of 1982.

(2) Amount.—The amount of the civil penalty shall be—

(A) an amount that the Secretary determines is sufficient to ensure filing of data in accordance with that Act; and

(B) not less than $10 for each failure to file correct data in accordance with that Act.

(3) Content of regulations.—Except as provided in paragraph (2), the regulations issued under this section shall be substantially similar to section 216.40 of title 30, Code of Federal Regula-
tions, as most recently in effect before the date of enactment of this Act.

(i) **Shared Penalties.**—Section 206 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1736) is amended by striking “Any payments under this section shall be reduced by an amount equal to any payments provided or due to such State or Indian Tribe under the cooperative agreement or delegation, as applicable, during the fiscal year in which the civil penalty is received, up to the total amount provided or due for that fiscal year.”.

(j) **Adjustments and Refunds.**—Section 111A of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721a) is amended—

(1) in subsection (a)—

(A) by amending paragraph (3) to read as follows:

“(3)(A) An adjustment or a request for a refund for an obligation may be made after the adjustment period only upon written notice to and approval by the Secretary or the applicable delegated State, as appropriate, during an audit of the period which includes the production month for which the adjustment is being made.”
“(B) Except as provided in subparagraph (C), no adjustment may be made with respect to an obligation after the completion of an audit or compliance review of such obligation unless such adjustment is approved by the Secretary or the applicable delegated State, as appropriate.

“(C) If an overpayment is identified during an audit, the Secretary shall allow a credit in the amount of the overpayment.”; and

(B) in paragraph (4)—

(i) by striking “six-year” and inserting “four-year”; and

(ii) by striking “period shall” and inserting “period may”; and

(2) in subsection (b)(1)—

(A) in subparagraph (C), by striking “and”;

(B) in subparagraph (D), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(E) is made within the adjustment period for that obligation.”.

(k) TOLLING AGREEMENTS AND SUBPOENAS.—
(1) TOLLING AGREEMENTS.—Section 115(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(d)(1)) is amended—

(A) by striking “(with notice to the lessee who designated the designee)”; and

(B) by adding at the end “A tolling agreement executed by a designee shall bind both the owner of legal record title in a lease and the owner of operating rights in a lease, and any designee. The owner of the legal record title and the owner of operating rights in a lease shall be bound by the tolling agreement to the extent of their pro rata share of payment obligations under the lease.”.

(2) SUBPOENAS.—Section 115(d)(2)(A) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(d)(2)(A)) is amended by striking “(with notice to the lessee who designated the designee, which notice shall not constitute a subpoena to the lessee)”.

(l) REQUIRED RECORDKEEPING FOR NATURAL GAS PLANTS.—

(1) Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall publish final regulations with respect to re-
quired recordkeeping, under the authority provided in section 103 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1713), as amended by this Act.

(2) Section 103(a) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1713(a)) is amended to read:

“(a) A lessee, operator, or other person directly involved in developing, producing, treating, transporting, processing, purchasing, or selling oil or gas subject to this chapter through the point of first arm’s-length sale, the point of royalty determination, or the point that processing is complete, whichever is later, shall establish and maintain any records, make any reports, and provide any information that the Secretary may, by rule, reasonably require for the purposes of implementing this chapter or determining compliance with rules or orders under this chapter. Upon the request of any officer or employee duly designated by the Secretary or any State or Indian Tribe conducting an audit or investigation pursuant to this chapter, the appropriate records, reports, or information which may be required by this section shall be made available for inspection and duplication by such officer or employee, State, or Indian Tribe.”.

(m) Entitlements.—
(1) DIRECTED RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall publish final regulations prescribing when a Federal lessee or designee must report and pay royalties on oil and gas production for each month based on—

(A) the volume of oil and gas produced from a lease or allocated to the lease in accordance with the terms of a unit or communitization agreement; or

(B) the actual volume of oil and gas sold by or on behalf of the lessee.

(2) 100 PERCENT ENTITLEMENT REPORTING AND PAYING.—The Secretary shall give consideration to requiring all reporting and paying based on the volume of oil and gas produced from a lease or allocated to the lease in accordance with the terms of a unit or communitization agreement without regard to the actual volume of oil and gas sold by or on behalf of a lessee.

(3) VOLUME ALLOCATION OF OIL AND GAS PRODUCTION.—Section 111(i) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(i)) is amended to read:
“(i) VOLUME ALLOCATION OF OIL AND GAS PRODUCTION.—Except as otherwise provided by this subsection—

“(A) a lessee or its designee of a lease in any unit or communitization agreement shall report and pay royalties on oil and gas production for each production month based on the volume of oil and gas produced from such agreement and allocated to the lease in accordance with the terms of the agreement; and

“(B) a lessee or its designee of a lease that is not contained in a unit or communitization agreement shall report and pay royalties on oil and gas production for each production month based on the volume of oil and gas produced from the lease unless the Secretary promulgates a final rule to allow or require that the lessee report and pay royalties on oil and gas production for each production month based on the actual volume of production sold by or on behalf of that lessee.”.

SEC. 70807. HARDROCK MINING.

(a) ABANDONED MINE LAND CLEANUP.—In addition to amounts otherwise available, there is appropriated to the Bureau of Land Management for fiscal year 2022, out of any money in the Treasury not otherwise appropriated
$2,500,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for all activities necessary to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned locatable minerals mine land.

(b) Royalty.—

(1) In general.—Except as provided in paragraph (2) and subject to paragraph (3), production of all locatable minerals from any mining claim located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from any such mining claim, as the case may be, shall be subject to a royalty of 8 percent of the gross income from mining. The claim holder or any operator to whom the claim holder has assigned the obligation to make royalty payments under the claim and any person who controls such claim holder or operator shall be liable for payment of such royalties.

(2) Royalty for Federal lands subject to approved plan of operations.—The royalty under paragraph (2) shall be 4 percent in the case of any Federal land that is subject to an approved
plan of operations on the date of the enactment of this Act.

(3) **Federal land added to existing plans of operations.**—Any Federal land added through a plan modification to a mining plan of operations that is submitted after the date of enactment of this Act shall be subject to the royalty that applies to Federal land under paragraph (1).

(4) **Limitation on application.**—

(A) **In general.**—Any royalty under this subsection shall not apply to small miners. In this subparagraph, the term “small miner” means a person (including all related parties thereto) that certifies to the Secretary in writing that the person had annual gross income in the preceding calendar year from mineral production in an amount less than $100,000.

(B) **Related parties defined.**—For the purposes of this paragraph, the term “related parties” means, with respect to a person—

(i) the spouse and all dependents (as defined in section 152 of the Internal Revenue Code of 1986 (26 U.S.C. 152)) of the person; or
(ii) another person who is affiliated with the person, including—

(I) another person who controls, is controlled by, or is under common control with the person; and

(II) a subsidiary or parent company or corporation of the person.

(C) CONTROL DEFINED.—For purposes of this paragraph, the term “control” includes actual control, legal control, and the power to exercise control, through or by common directors, officers, stockholders, a voting trust, or a holding company or investment company, or any other means.

(5) DUTIES OF CLAIM HOLDERS, OPERATORS, AND TRANSPORTERS.—

(A) REGULATION.—The Secretary shall prescribe by rule the time and manner in which—

(i) a person who is required to make a royalty payment under this section shall make such payment; and

(ii) shall notify the Secretary of any assignment that such person may have made of the obligation to make any royalty
or other payment under a mining claim under this section.

(B) Written instrument.—Any person paying royalties under this section shall file a written instrument, together with the first royalty payment, affirming that such person is responsible for making proper payments for all amounts due for all time periods for which such person has a payment responsibility.

(C) Additional amounts.—Such responsibility for the periods referred to in subparagraph (B) shall include any and all additional amounts billed by the Secretary and determined to be due by final agency or judicial action.

(D) Joint and several liability.—Any person liable for royalty payments under this section who assigns any payment obligation shall remain jointly and severally liable for all royalty payments due for the period.

(E) Obligations.—A person conducting mineral activities shall—

(i) develop and comply with the site security provisions in the mining plan of operations designed to protect from theft the hardrock minerals, concentrates, or
products derived therefrom that are produced or stored on the area subject to a mining claim or lease, and such provisions shall conform with such minimum standards as the Secretary may prescribe by rule, taking into account the variety of circumstances on areas subject to mining claims and leases; and

(ii) not later than the 5th business day after production begins anywhere on an area subject to a mining claim, or production resumes after more than 90 days after production was suspended, notify the Secretary, in the manner prescribed by the Secretary, of the date on which such production has begun or resumed.

(F) REQUIRED DOCUMENTATION.—The Secretary may by rule require any person engaged in transporting a hardrock mineral, concentrate, or product derived therefrom to carry on his or her person, in his or her vehicle, or in his or her immediate control, documentation showing, at a minimum, the amount, origin, and intended destination of the hardrock mineral, concentrate, or product derived therefrom.
in such circumstances as the Secretary determines is appropriate.

(6) Recordkeeping and Reporting Requirements.—

(A) In General.—A claim holder, operator, or other person directly involved in developing, producing, processing, transporting, purchasing, or selling hardrock minerals, concentrates, or products derived therefrom, subject to this section, shall establish and maintain any records, make any reports, and provide any information that the Secretary may reasonably require for the purposes of implementing this section or determining compliance with rules or orders under this section. Such records shall include periodic reports, records, documents, and other data. Such reports may also include pertinent technical and financial data relating to the quantity, quality, composition volume, weight, and assay of all minerals extracted from the mining claim or lease.

(B) Forfeiture.—Failure by a claim holder or operator to cooperate with such an audit, provide data required by the Secretary,
or grant access to information may, at the discretion of the Secretary, be declared void.

(C) MAINTENANCE OF RECORDS.—Records required by the Secretary under this section shall be maintained for 7 years after release of financial assurance unless the Secretary notifies the operator that the Secretary has initiated an audit or investigation involving such records and that such records must be maintained for a longer period. In any case when an audit or investigation is underway, records shall be maintained until the Secretary releases the operator of the obligation to maintain such records.

(7) AUDITS.—The Secretary is authorized to conduct such audits of all operators, transporters, purchasers, processors, or other persons directly or indirectly involved in the production or sale of minerals covered by this section, as the Secretary deems necessary for the purposes of ensuring compliance with the requirements of this section. For purposes of performing such audits, the Secretary shall, at reasonable times and upon request, have access to, and may copy, all books, papers and other docu-
ments that relate to compliance with any provision
of this section by any person.

(8) INTEREST AND SUBSTANTIAL UNDER-
REPORTING ASSESSMENTS.—

(A) PAYMENTS NOT RECEIVED.—In the
case of production where royalty payments are
not received by the Secretary on the date that
such payments are due, the Secretary shall
charge interest on such underpayments at the
same interest rate as the rate applicable under
section 6621(a)(2) of the Internal Revenue
Code of 1986. In the case of an underpayment,
interest shall be computed and charged only on
the amount of the deficiency and not on the
total amount.

(B) UNDERREPORTING.—If there is any
underreporting of royalty owed on production
for any production month by any person liable
for royalty payments under this section, the
Secretary shall assess a penalty of not greater
than 25 percent of the amount of that under-
reporting.

(C) SELF-REPORTING.—The Secretary
may waive or reduce the assessment provided in
subparagraph (B) if the person liable for roy-
alty payments under this section corrects the
underreporting before the date such person re-
ceives notice from the Secretary that an under-
reporting may have occurred, or before 90 days
after the date of the enactment of this section,
whichever is later.

(D) WAIVER.—The Secretary shall waive
any portion of an assessment under subpara-
graph (B) attributable to that portion of the
underreporting for which the person responsible
for paying the royalty demonstrates that—

(i) such person had written authoriza-
tion from the Secretary to report royalty
on the value of the production on basis on
which it was reported;

(ii) such person had substantial au-
thority for reporting royalty on the value
of the production on the basis on which it
was reported;

(iii) such person previously had noti-
fied the Secretary, in such manner as the
Secretary may by rule prescribe, of rel-
levant reasons or facts affecting the royalty
treatment of specific production which led
to the underreporting; or
(iv) such person meets any other exception which the Secretary may, by rule, establish.

(E) Definition.—For the purposes of this subsection, the term “underreporting” means the difference between the royalty on the value of the production that should have been reported and the royalty on the value of the production which was reported, if the value that should have been reported is greater than the value that was reported.

(9) Expanded Royalty Obligations.—Each person liable for royalty payments under this section shall be jointly and severally liable for royalty on all hardrock minerals, concentrates, or products derived therefrom lost or wasted from a mining claim when such loss or waste is due to negligence on the part of any person or due to the failure to comply with any rule, regulation, or order issued under this section.

(10) Gross Income from Mining Defined.—For the purposes of this section, for any hardrock mineral, the term “gross income from mining” has the same meaning as the term “gross income” in the Internal Revenue Code of 1986 (26 CFR 61).
(11) **Effective Date.**—Royalties under this section shall take effect with respect to the production of hardrock minerals after the enactment of this Act, but any royalty payments attributable to production during the first 12 calendar months after the enactment of this Act shall be payable at the expiration of such 12-month period.

(12) **Failure to Comply with Royalty Requirements.**—Any person who fails to comply with the requirements of this section or any regulation or order issued to implement this section shall be liable for a civil penalty under section 109 of the Federal Oil and Gas Royalty Management Act (30 U.S.C. 1719) to the same extent as if the claim maintained in compliance with this title were a lease under such Act.

c) **Reclamation Fee.**—

(1) **Imposition of Fee.**—Except as provided in paragraph (7), each operator conducting hardrock mineral activities shall pay to the Secretary of the Interior a reclamation fee of 7 cents per ton of displaced material.

(2) **Payment Deadline.**—Such reclamation fee shall be paid not later than 60 days after the end of each calendar year beginning with the first
calendar year occurring after the date of enactment
of this Act.

(3) SUBMISSION OF STATEMENT.—All operators
conducting hardrock mineral activities shall submit
to the Secretary a statement of the amount of dis-
placed material produced during mineral activities
during the previous calendar year, the accuracy of
which shall be sworn to by the operator and notar-
ized.

(4) PENALTY.—Any corporate officer, agent, or
director of a person conducting hardrock mineral ac-
tivities, and any other person acting on behalf of
such a person, who knowingly makes any false state-
ment, representation, or certification, or knowingly
fails to make any statement, representation, or cer-
tification, required under this section with respect to
such operation shall, upon conviction, be punished
by a fine of not more than $10,000.

(5) CIVIL ACTION TO RECOVER FEE.—Any por-
tion of such reclamation fee not properly or prompt-
ly paid pursuant to this section shall be recoverable,
with statutory interest, from the hardrock mineral
activities operator, in any court of competent juris-
diction in any action at law to compel payment of
debts.
(6) EFFECT.—Nothing in this section requires a reduction in, or otherwise affects, any similar fee required under any law (including regulations) of any State.

(7) EXEMPTION.—The fee under this section shall not apply for small miners.

(8) DEFINITIONS.—

(A) The term “displaced material” means any unprocessed ore and waste dislodged from its location at the time hardrock mineral activities begin at a surface, underground, or in-situ mine.

(B) The term “hardrock mineral”—

(i) means any mineral that was subject to location under the general mining laws as of the date of enactment of this Act, and that is not subject to disposition under—

(I) the Mineral Leasing Act (30 U.S.C. 181 et seq.);

(II) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.);

(III) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 et seq.); or
(IV) the Mineral Leasing for Acquired Lands Act (30 U.S.C. 351 et seq.); and

(ii) does not include any mineral that is subject to a restriction against alienation imposed by the United States and is—

(I) held in trust by the United States for any Indian or Indian Tribe, as defined in section 2 of the Indian Miner Development Act of 1982 (25 U.S.C. 2101); or

(II) owned by any Indian or Indian Tribe, as defined in that section.

(C) The term “mineral activities” means any activity on a mining claim, mill site, or tunnel site, or a mining plan of operations, for, related to, or incidental to, mineral exploration, mining, beneficiation, processing, or reclamation activities for any hardrock mineral.

(D) The term “operator” means any person authorized at the date of enactment of this Act or proposing after the date of enactment of this Act to conduct mineral activities under the Mining Law of 1872 (30 U.S.C. 22) and any agent of such person.
The term “small miner” means a person (including all related parties thereto) that certifies to the Secretary in writing that the person had annual gross income in the preceding calendar year from mineral production in an amount less than $100,000.

The term “displaced material” means any crude ore and waste dislodged from its location at the time hardrock mineral activities begin at a surface, underground, or in-situ mine.

(d) Claim Maintenance Fee.—

(1) Hardrock mining claim maintenance fee.—

(A) Required fees.—

(i) For each unpatented mining claim, mill, or tunnel site on federally owned lands, whether located before, on, or after the date of enactment of this Act, each claimant shall pay to the Secretary, on or before September 1 of each year, a claim maintenance fee of $200 per claim to hold such unpatented mining claim, mill or tunnel site for the assessment year beginning at noon on the next day, September 1.
(ii) For each unpatented placer mining claim on federally owned lands, whether located before, on, or after the date of enactment of this Act, each claimant shall pay to the Secretary, on or before September 1 of each year, a claim maintenance fee of $200 for each 20 acres of the placer claim or portion thereof.

(iii) Such claim maintenance fee described in this section shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 et seq.) and the related filing requirements contained in section 314 (a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744 (a) and (c)).

(iv) The claim maintenance fee in this section shall be paid for the year in which the location is made, at the time the location notice is recorded with the Bureau of Land Management.

(B) Fee Adjustments.—

(i) The Secretary shall provide claimants notice of any adjustment made under
this subsection not later than July 1 of any year in which the adjustment is made.

(ii) A fee adjustment under this subsection shall begin to apply the first assessment year which begins after adjustment is made.

(C) EXCEPTION FOR SMALL MINERS.—The claim maintenance fee required under this section may be waived for a claimant who certifies in writing to the Secretary that on the date the payment was due, the claimant and all related parties—

(i) held not more than 10 mining claims, mill sites, or tunnel sites, or any combination thereof, on public lands; and

(ii) have performed assessment work required under the Mining Law of 1872 (30 U.S.C. 28–28e) to maintain the mining claims held by the claimant and such related parties for the assessment year ending on noon of September 1 of the calendar year in which payment of the claim maintenance fee was due.

(2) CO-OWNERSHIP.—The co-ownership provisions of the Mining Law of 1872 (30 U.S.C. 28 et
seq.) shall remain in effect except that the annual
claim maintenance fee, where applicable, shall re-
place applicable assessment requirements and ex-
penditures.

(3) Failure to Pay.—Failure to timely pay
the claim maintenance fee as required by the Sec-
retary shall conclusively constitute a forfeiture of the
unpatented mining claim, mill or tunnel site by the
claimant and the claim shall be deemed null and
void by operation of law.

(e) Funding to Prevent Environmental Dam-
age From Mining.—In addition to amounts otherwise
available, there is appropriated to the Bureau of Land
Management for fiscal year 2022, out of any money in
the Treasury not otherwise appropriated, $3,000,000, to
remain available until September 30, 2031, except that no
amounts may be expended after September 30, 2031, to
revise rules and regulations to prevent undue degradation
of public lands due to hardrock mining activities as au-
thorized by the Federal Land Policy and Management Act
(43 U.S.C. 1701) and the Mining Law of 1872 (30 U.S.C.
22 22).