

COMMITTEE PRINT

(Providing for reconciliation pursuant to S. Con. Res. 14, the
Concurrent Resolution on the Budget for Fiscal Year 2022)

1 **TITLE VII—COMMITTEE ON**
2 **NATURAL RESOURCES**
3 **Subtitle A—Bureau of Indian**
4 **Affairs and Indian Health Service**

5 **SEC. 70101. TRIBAL CONSULTATION.**

6 In addition to amounts otherwise available, there is
7 appropriated to the Department of the Interior for fiscal
8 year 2022, out of any money in the Treasury not otherwise
9 appropriated, \$30,000,000, to remain available until Sep-
10 tember 30, 2031, except that no amounts may be ex-
11 pended after September 30, 2031, for the purposes of con-
12 ducting consultation with Tribal Governments.

13 **SEC. 70102. BUREAU OF INDIAN AFFAIRS.**

14 (a) BIA ROAD MAINTENANCE.—In addition to
15 amounts otherwise available, there is appropriated to the
16 Bureau of Indian Affairs for fiscal year 2022, out of any
17 money in the Treasury not otherwise appropriated,
18 \$300,000,000, to remain available until September 30,
19 2031, except that no amounts may be expended after Sep-

1 tember 30, 2031, for carrying out the Act of November
2 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder
3 Act”) for Bureau of Indian Affairs road maintenance and
4 to address the deferred maintenance backlog, of which no
5 more than 2 percent shall be used for administrative costs
6 to carry out this subsection.

7 (b) BIA PUBLIC SAFETY.—In addition to amounts
8 otherwise available, there is appropriated to the Bureau
9 of Indian Affairs for fiscal year 2022, out of any money
10 in the Treasury not otherwise appropriated,
11 \$200,000,000, to remain available until September 30,
12 2031, except that no amounts may be expended after Sep-
13 tember 30, 2031, for carrying out the Act of November
14 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder
15 Act”) for Bureau of Indian Affairs Public Safety and Jus-
16 tice Construction, of which no more than 2 percent shall
17 be used for administrative costs to carry out this sub-
18 section.

19 (c) BIA CLIMATE RESILIENCE.—In addition to
20 amounts otherwise available, there is appropriated to the
21 Bureau of Indian Affairs for fiscal year 2022, out of any
22 money in the Treasury not otherwise appropriated,
23 \$1,000,000,000, to remain available until September 30,
24 2031, except that no amounts may be expended after Sep-
25 tember 30, 2031, for carrying out the Act of November

1 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder
2 Act”) for Tribal climate resilience and adaptation pro-
3 grams, of which no more than 2 percent shall be used for
4 administrative costs to carry out this subsection.

5 (d) TRIBAL HOUSING.—In addition to amounts oth-
6 erwise available, there is appropriated to the Bureau of
7 Indian Affairs for fiscal year 2022, out of any money in
8 the Treasury not otherwise appropriated, \$500,000,000,
9 to remain available until September 30, 2031, except that
10 no amounts may be expended after September 30, 2031,
11 for carrying out the Act of November 2, 1921 (25 U.S.C.
12 13; commonly known as the “Snyder Act”) to improve
13 Tribal housing, of which no more than 2 percent shall be
14 used for administrative costs to carry out this subsection.

15 (e) TRIBAL ENERGY.—In addition to amounts other-
16 wise available, there is appropriated to the Bureau of In-
17 dian Affairs for fiscal year 2022, out of any money in the
18 Treasury not otherwise appropriated, \$35,000,000, to re-
19 main available until September 30, 2031, except that no
20 amounts may be expended after September 30, 2031, for
21 carrying out the Act of November 2, 1921 (25 U.S.C. 13;
22 commonly known as the “Snyder Act”) for Tribal energy
23 programs, of which no more than 2 percent shall be used
24 for administrative costs to carry out this subsection.

1 (f) SMALL AND NEEDY PROGRAM.—Funds appro-
2 priated under this section shall be excluded from the cal-
3 culation of funds received by those Tribal Governments
4 that participate in the “Small and Needy” program.

5 (g) ONE-TIME BASIS FUNDS.—Funds appropriated
6 under this section to Tribes and Tribal organizations
7 under the Indian Self-Determination and Education As-
8 sistance Act (25 U.S.C. 5301) shall be available on a one-
9 time basis. Such nonrecurring funds shall not be part of
10 the amount required by section 106 of the Indian Self-
11 Determination and Education Assistance Act (25 U.S.C.
12 5325), and such funds shall only be used for the purposes
13 identified in this section.

14 **SEC. 70103. INDIAN HEALTH SERVICE.**

15 (a) IHS INFORMATION TECHNOLOGY.—In addition
16 to amounts otherwise available, there is appropriated to
17 the Indian Health Service for fiscal year 2022, out of any
18 money in the Treasury not otherwise appropriated,
19 \$140,000,000, to remain available until September 30,
20 2031, except that no amounts may be expended after Sep-
21 tember 30, 2031, for carrying out the Act of August 5,
22 1954 (68 Stat. 674), the Indian Self-Determination and
23 Education Assistance Act, the Indian Health Care Im-
24 provement Act, and titles II and III of the Public Health
25 Service Act, with respect to the Indian Health Service, for

1 Indian Health Service electronic records (25 U.S.C.
2 1660h), telehealth, system modernization, and information
3 technology infrastructure.

4 (b) URBAN INDIAN HEALTH.—In addition to
5 amounts otherwise available, there is appropriated to the
6 Indian Health Service for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$42,000,000, to remain available until September 30,
9 2031, except that no amounts may be expended after Sep-
10 tember 30, 2031, for carrying out the Act of August 5,
11 1954 (68 Stat. 674), the Indian Self-Determination and
12 Education Assistance Act, the Indian Health Care Im-
13 provement Act, and titles II and III of the Public Health
14 Service Act, with respect to the Indian Health Service, for
15 the Urban Indian Health program for renovations, con-
16 struction, expansion of facilities, including leased facilities,
17 which shall be in addition to other amounts made available
18 for Urban Indian organizations (as defined in section 4
19 of the Indian Health Care Improvement Act 25 U.S.C.
20 1603)) under this subsection.

21 (c) IHS FACILITIES MAINTENANCE.—In addition to
22 amounts otherwise available, there is appropriated to the
23 Indian Health Service for fiscal year 2022, out of any
24 money in the Treasury not otherwise appropriated,
25 \$610,000,000, to remain available until September 30,

1 2031, except that no amounts may be expended after Sep-
2 tember 30, 2031, for carrying out the Act of August 5,
3 1954 (68 Stat. 674), the Indian Self-Determination and
4 Education Assistance Act, the Indian Health Care Im-
5 provement Act, and titles II and III of the Public Health
6 Service Act, with respect to the Indian Health Service, for
7 maintenance and improvement of Indian Health Service
8 and Tribal facilities.

9 (d) GREEN INFRASTRUCTURE.—In addition to
10 amounts otherwise available, there is appropriated to the
11 Indian Health Service for fiscal year 2022, out of any
12 money in the Treasury not otherwise appropriated,
13 \$10,000,000, to remain available until September 30,
14 2031, except that no amounts may be expended after Sep-
15 tember 30, 2031, for carrying out the Act of August 5,
16 1954 (68 Stat. 674), the Indian Self-Determination and
17 Education Assistance Act, the Indian Health Care Im-
18 provement Act, and titles II and III of the Public Health
19 Service Act, with respect to the Indian Health Service, for
20 sustainability features for existing facilities.

21 (e) INPATIENT AND COMMUNITY HEALTH FACILI-
22 TIES.—In addition to amounts otherwise available, there
23 is appropriated to the Indian Health Service for fiscal year
24 2022, out of any money in the Treasury not otherwise ap-
25 propriated, \$40,000,000, to remain available until Sep-

1 tember 30, 2031, except that no amounts may be ex-
2 pended after September 30, 2031, for carrying out the Act
3 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-
4 mination and Education Assistance Act, the Indian Health
5 Care Improvement Act, and titles II and III of the Public
6 Health Service Act, with respect to the Indian Health
7 Service, for Inpatient and Community Health Facilities
8 Design, Construction, in accordance with 25 U.S.C.
9 1665h.

10 (f) MEDICAL EQUIPMENT.—In addition to amounts
11 otherwise available, there is appropriated to the Indian
12 Health Service for fiscal year 2022, out of any money in
13 the Treasury not otherwise appropriated, \$150,000,000,
14 to remain available until September 30, 2031, except that
15 no amounts may be expended after September 30, 2031,
16 for carrying out the Act of August 5, 1954 (68 Stat. 674),
17 the Indian Self-Determination and Education Assistance
18 Act, the Indian Health Care Improvement Act, and titles
19 II and III of the Public Health Service Act, with respect
20 to the Indian Health Service, for maintaining, upgrading,
21 and replacing medical equipment for IHS and Tribal fa-
22 cilities.

23 (g) SMALL AMBULATORY CONSTRUCTION.—In addi-
24 tion to amounts otherwise available, there is appropriated
25 to the Indian Health Service for fiscal year 2022, out of

1 any money in the Treasury not otherwise appropriated,
2 \$60,000,000, to remain available until September 30,
3 2031, except that no amounts may be expended after Sep-
4 tember 30, 2031, for carrying out the Act of August 5,
5 1954 (68 Stat. 674), the Indian Self-Determination and
6 Education Assistance Act, the Indian Health Care Im-
7 provement Act, and titles II and III of the Public Health
8 Service Act, with respect to the Indian Health Service, for
9 the small ambulatory construction program.

10 (h) PERSONNEL QUARTERS CONSTRUCTION.—In ad-
11 dition to amounts otherwise available, there is appro-
12 priated to the Indian Health Service for fiscal year 2022,
13 out of any money in the Treasury not otherwise appro-
14 priated, \$278,000,000, to remain available until Sep-
15 tember 30, 2031, except that no amounts may be ex-
16 pended after September 30, 2031, for carrying out the Act
17 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-
18 mination and Education Assistance Act, the Indian Health
19 Care Improvement Act, and titles II and III of the Public
20 Health Service Act, with respect to the Indian Health
21 Service, for personnel quarters construction.

22 (i) IHS PRIORITY HEALTH CARE FACILITIES.—In
23 addition to amounts otherwise available, there is appro-
24 priated to the Indian Health Service for fiscal year 2022,
25 out of any money in the Treasury not otherwise appro-

1 priated, \$2,000,000,000, to remain available until Sep-
2 tember 30, 2031, except that no amounts may be ex-
3 pended after September 30, 2031, for projects identified
4 through the health care facility priority system established
5 and maintained pursuant to section 301(e) of the Indian
6 Health Care Improvement Act (25 U.S.C. 1631(e)).

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

15 (k) NONRECURRING FUNDS.—Funds made available
16 under this section to Tribes and Tribal organizations
17 under the Indian Self-Determination and Education As-
18 sistance Act (25 U.S.C. 5301 et seq.) shall be available
19 on a one-time basis. Such nonrecurring funds shall not
20 be part of the amount required by section 106 of the In-
21 dian Self-Determination and Education Assistance Act
22 (25 U.S.C. 5325), and such funds shall only be used for
23 the purposes identified in this section.

1 **Subtitle B—Subcommittee on Na-**
2 **tional Parks, Forests, and Pub-**
3 **lic Lands**

4 **SEC. 70201. OAK FLAT WITHDRAWAL.**

5 (a) DEFINITIONS.—In this section:

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

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

16 (3) LOCATION.—The term “location” has the
17 meaning as it is used under section 2320 of the Re-
18 vised Statutes (30 U.S.C. 23), in its application to
19 lands under the jurisdiction of the Secretary;

20 (4) OAK FLAT WITHDRAWAL AREA.—the term
21 “Oak Flat” means the approximately 2,422 acres of
22 Forest System land in the Tonto National Forest in
23 southeastern Arizona commonly known as “Oak
24 Flat” and generally depicted as “Oak Flat With-

1 drawal Area” on the map titled “Oak Flat With-
2 drawal” and dated June 15, 2021.

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

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

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

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

17 **SEC. 70202. CIVILIAN CLIMATE CORPS.**

18 (a) NATIONAL PARK SERVICE CIVILIAN CLIMATE
19 CORPS.—

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

22 (A) CONSERVATION PROJECT.—The term
23 “conservation project” means a project for the
24 conservation, restoration, construction, or reha-

1 bilitation of natural, cultural, historic, archae-
2 ological, recreational, or scenic resources.

3 (B) CORPS PROGRAM.—The term “corps
4 program” means a program established by a
5 Federal, State, Tribal, or local government, or
6 nonprofit organization that performs conserva-
7 tion projects on Public Lands.

8 (C) PUBLIC LANDS.—The term “Public
9 Lands” means lands administered by the Na-
10 tional Park Service.

11 (2) IN GENERAL.—In addition to amounts oth-
12 erwise available, there is appropriated to the Na-
13 tional Park Service for fiscal year 2022, out of any
14 money in the Treasury not otherwise appropriated,
15 \$1,700,000,000, to remain available until September
16 30, 2031, except that no amounts may be expended
17 after September 30, 2031, for carrying out edu-
18 cation and job training projects and conservation
19 projects on Public Lands, including through the use
20 of direct expenditure contracts, grants, and coopera-
21 tive agreements with corps programs.

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

1 (b) BUREAU OF LAND MANAGEMENT CIVILIAN CLI-
2 MATE CORPS.—

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

5 (A) CONSERVATION PROJECT.—The term
6 “conservation project” means a project for the
7 conservation, restoration, construction, or reha-
8 bilitation of natural, cultural, historic, archae-
9 ological, recreational, or scenic resources.

10 (B) CORPS PROGRAM.—The term “corps
11 program” means a program established by a
12 Federal, State, Tribal, or local government, or
13 nonprofit organization that performs conserva-
14 tion projects on Public Lands.

15 (C) PUBLIC LANDS.—The term “Public
16 Lands” means lands administered by the Bu-
17 reau of Land Management.

18 (2) IN GENERAL.—In addition to amounts oth-
19 erwise available, there is appropriated to the Bureau
20 of Land Management for fiscal year 2022, out of
21 any money in the Treasury not otherwise appro-
22 priated, \$900,000,000, to remain available until
23 September 30, 2031, except that no amounts may be
24 expended after September 30, 2031, for carrying out
25 education and job training projects and conservation

1 projects on Public Lands, including through the use
2 of direct expenditure contracts, grants, and coopera-
3 tive agreements with corps programs.

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

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

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

12 (A) CONSERVATION PROJECT.—The term
13 “conservation project” means a project for the
14 conservation, restoration, construction, or reha-
15 bilitation of natural, cultural, historic, archae-
16 ological, recreational, or scenic resources.

17 (B) CORPS PROGRAM.—The term “corps
18 program” means a program established by a
19 Federal, State, Tribal, or local government, or
20 nonprofit organization that performs conserva-
21 tion projects on Public Lands.

22 (C) PUBLIC LANDS.—The term “Public
23 Lands” means lands administered by the
24 United States Fish and Wildlife Service.

1 (2) IN GENERAL.—In addition to amounts oth-
2 erwise available, there is appropriated to the United
3 States Fish and Wildlife Service for fiscal year
4 2022, out of any money in the Treasury not other-
5 wise appropriated, \$400,000,000, to remain avail-
6 able until September 30, 2031, except that no
7 amounts may be expended after September 30,
8 2031, for carrying out education and job training
9 projects and conservation projects on Public Lands,
10 including through the use of direct expenditure con-
11 tracts, grants, and cooperative agreements with
12 corps programs.

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

17 (d) TRIBAL CIVILIAN CLIMATE CORPS.—

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

20 (A) CONSERVATION PROJECT.—The term
21 “conservation project” means any project for
22 the conservation, restoration, construction, or
23 rehabilitation of natural, cultural, historic, ar-
24 chaeological, recreational, or scenic resources.

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

6 (C) INDIAN LAND.—The term “Indian
7 land” means land of an Indian Tribe or an In-
8 dian individual that is—

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

10 or

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

13 (D) INDIAN TRIBE.—The term “Indian
14 Tribe” has the meaning given the term in sec-
15 tion 101 of the Federally Recognized Indian
16 Tribe List Act (25 U.S.C. 5130).

17 (E) NATIVE HAWAIIAN.—The term “Na-
18 tive Hawaiian” means any individual who is—

19 (I) a citizen of the United States; and

20 (ii) a descendant of the aboriginal
21 people who, before 1778, occupied and ex-
22 exercised sovereignty in the area that now
23 comprises the State of Hawaii, as evi-
24 denced by—

25 (I) genealogical records;

1 (II) Kupuna (elders) or
2 Kamaaina (long-term community resi-
3 dents) verification; or

4 (III) certified birth records.

5 (F) NATIVE HAWAIIAN ORGANIZATION.—

6 The term “Native Hawaiian organization”
7 means a private nonprofit organization that—

8 (I) serves the interests of Native Ha-
9 waiians;

10 (ii) has Native Hawaiians in sub-
11 stantive and policymaking positions within
12 the organization; and

13 (iii) is recognized by the Governor of
14 Hawaii for the purposes of planning, con-
15 ducting, or administering programs (or
16 portions of programs) for the benefit of
17 Native Hawaiians.

18 (2) IN GENERAL.—In addition to amounts oth-
19 erwise available, there is appropriated to the Bureau
20 of Indian Affairs for fiscal year 2022, out of any
21 money in the Treasury not otherwise appropriated,
22 \$500,000,000, to remain available until September
23 30, 2031, except that no amounts may be expended
24 after September 30, 2031, for carrying out edu-
25 cation and job training projects and conservation

1 projects, including through the use of direct expendi-
2 ture contracts, grants, and cooperative agreements
3 with corps programs, and including projects on In-
4 dian lands, pursuant to an agreement between an
5 Indian Tribe or Native Hawaiian organization and a
6 corps program for the benefit of an Indian Tribe or
7 Native Hawaiians. None of the funds provided by
8 this subsection shall be subject to cost-share require-
9 ments.

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

14 **SEC. 70203. PRESIDIO TRUST.**

15 (a) PRESIDIO TRUST DEFINED.—With regard to this
16 section, the term “Presidio Trust” means the entity estab-
17 lished under section 103(a) of title I of division I of Public
18 Law 104–333 and under the requirements placed upon
19 that entity by section 104(a) of title I of division I of Pub-
20 lic Law 104–333.

21 (b) IN GENERAL.—In addition to amounts otherwise
22 available, there is appropriated to the Presidio Trust for
23 fiscal year 2022, out of any money in the Treasury not
24 otherwise appropriated, \$200,000,000, to remain available
25 until September 30, 2026, for carrying out projects identi-

1 fied by the Presidio Trust in accordance with the purposes
2 identified under the first section of Public Law 92–589
3 (16 U.S.C. 460bb).

4 **SEC. 70204. GRAND CANYON.**

5 (a) DEFINITION.—In this section:

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

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

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

22 (4) LOCATION.—The term “location” has the
23 meaning as it is used under section 2320 of the Re-
24 vised Statutes (30 U.S.C. 23), in its application to
25 lands under the jurisdiction of the Secretary.

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

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

7 (b) WITHDRAWAL.—In addition to amounts other-
8 wise available, there is appropriated to the Bureau of
9 Land Management for fiscal year 2022, out of any money
10 in the Treasury not otherwise appropriated, \$1,500,000,
11 to remain available until September 30, 2026, to carry
12 out, subject to valid rights in existence on the date of en-
13 actment of this section, the withdrawal of the Grand Can-
14 yon Protection Area from all forms of disposal, location,
15 entry, and patent.

16 **SEC. 70205. WILDFIRE.**

17 (a) PROTECTING COMMUNITIES AND ECOSYSTEMS
18 FROM WILDFIRE.—In addition to amounts otherwise
19 available, there is appropriated to the Bureau of Land
20 Management for fiscal year 2022, out of any money in
21 the Treasury not otherwise appropriated, \$900,000,000,
22 to remain available until September 30, 2031, except that
23 no amounts may be expended after September 30, 2031,
24 to reduce wildfire risk on landscapes and communities
25 through fire preparedness, fire science and research, emer-

1 gency rehabilitation, rural fire assistance, fuels manage-
2 ment activities, the renovation or construction of fire fa-
3 cilities, and for expenses necessary to support firefighter
4 workforce reforms.

5 (b) TRIBAL WILDFIRE PREVENTION.—In addition to
6 amounts otherwise available, there is appropriated to the
7 Bureau of Indian Affairs for fiscal year 2022, out of any
8 money in the Treasury not otherwise appropriated,
9 \$100,000,000, to remain available until September 30,
10 2031, except that no amounts may be expended after Sep-
11 tember 30, 2031, For carrying out the National Indian
12 Forest Management Act (25 U.S.C. 3101 et seq.) for re-
13 newable and manageable resources, communications, eco-
14 nomic and cultural benefits, and to protect Tribal forest
15 lands from wildfire.

16 **SEC. 70206. URBAN PARKS.**

17 In addition to amounts otherwise available, there is
18 appropriated to the National Park Service for fiscal year
19 2022, out of any amounts in the Treasury not otherwise
20 appropriated, \$100,000,000, to remain available until
21 September 30, 2026, to carry out direct, competitive
22 grants to localities to create or significantly enhance ac-
23 cess to parks or outdoor recreation facilities in urban
24 areas, in accordance with the authorities outlined under
25 section 200305(e)(2)(A) or 200305(e)(3) of title 54,

1 United States Code, and subject to limitations outlined
2 under section 200305(f)(3) of such title, of which no more
3 than 2 percent shall be used for administrative costs to
4 carry out this section.

5 **SEC. 70207. EVERY KID OUTDOORS.**

6 (a) DEFINITIONS.—With respect to this section:

7 (1) FEDERAL LAND AND WATERS.—The term
8 “Federal land and waters” means any Federal land
9 or body of water under the jurisdiction of the Direc-
10 tor to which the public has access.

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

13 (3) STUDENT OR STUDENTS.—The term “stu-
14 dent” or “students” means any fourth grader or
15 home-schooled learner 10 years of age residing in
16 the United States.

17 (b) IN GENERAL.—In addition to amounts otherwise
18 available, there is appropriated to the National Park Serv-
19 ice for fiscal year 2022, out of any money in the Treasury
20 not otherwise appropriated, \$100,000,000, to remain
21 available until September 30, 2031, except that no
22 amounts may be expended after September 30, 2031, for
23 the carrying out of the issuance and administration of
24 passes, effective during the period beginning on September
25 1 and ending on August 31 of the following year, at the

1 request of a student, which allows access, when the stu-
2 dent to which the pass was issued is present, to Federal
3 lands and waters for which access is subject to an en-
4 trance, standard amenity, or day use fee, free of charge
5 for the student and three accompanying adults, and for
6 carrying out the purposes outlined under section
7 9001(b)(3)(D) of Public Law 116–9.

8 **SEC. 70208. NATIONAL PARK SERVICE CLIMATE RESIL-**
9 **IENCE.**

10 In addition to amounts otherwise available, there is
11 appropriated to the National Park Service for fiscal year
12 2022, out of any money in the Treasury not otherwise ap-
13 propriated, \$115,000,000, to remain available until Sep-
14 tember 30, 2031, except that no amounts may be ex-
15 pended after September 30, 2031, for the protection, res-
16 toration, and resiliency of public lands and resources in
17 accordance with the purposes outlined in section
18 100101(a) of title 54, United States Code. None of the
19 funds provided by this section shall be subject to cost-
20 sharing requirements.

21 **SEC. 70209. BUREAU OF LAND MANAGEMENT CLIMATE RE-**
22 **SILIENCE.**

23 In addition to amounts otherwise available, there is
24 appropriated to the Bureau of Land Management for fis-
25 cal year 2022, out of any money in the Treasury not other-

1 wise appropriated, \$110,000,000, to remain available until
2 September 30, 2031, except that no amounts may be ex-
3 pended after September 30, 2031, for the protection, res-
4 toration, and resiliency of public lands and resources in
5 accordance with the purposes outlined in section 102(a)(8)
6 of the Federal Land Policy and Management Act of 1976
7 (43 U.S.C. 1701(a)(8)). None of the funds provided by this
8 section shall be subject to cost-sharing requirements.

9 **SEC. 70210. HISTORIC PRESERVATION.**

10 (a) **IN GENERAL.**—In addition to amounts otherwise
11 available, there is appropriated to the Director of the Na-
12 tional Park Service for fiscal year 2022, out of any money
13 in the Treasury not otherwise appropriated, \$75,000,000,
14 to remain available until September 30, 2031, except that
15 no amounts may be expended after September 30, 2031,
16 to carry out preservation or historic preservation as de-
17 fined by section 300315 of title 44, United States Code.

18 (b) **ADMINISTRATIVE EXPENSES.**—Of the funds pro-
19 vided by this section, no more than 2 percent shall be used
20 for administrative costs to carry out this section.

1 **Subtitle C—Drought Response and**
2 **Preparedness**

3 **SEC. 70301. INDIAN WATER RIGHTS SETTLEMENT EXTEN-**
4 **SION.**

5 Section 10501 of the Omnibus Public Land Manage-
6 ment Act of 2009 (43 U.S.C. 407) is amended as follows:

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

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

11 “(A) for fiscal year 2032 and each fiscal
12 year thereafter out of any money in the Treas-
13 ury not otherwise appropriated, \$370,000,000,
14 for deposit in the Fund, to remain available
15 until expended; and

16 “(B) for fiscal year 2022, out of any
17 money in the Treasury not otherwise appro-
18 priated, \$2,000,000,000, for deposit in the
19 Fund, to remain available until September 30,
20 2031, except that no amounts may be expended
21 after September 30, 2031.”.

22 (2) In subsection (c)(1)—

23 (A) in subparagraph (A), by striking “for
24 each of fiscal years 2020 through 2034, the
25 Secretary may expend from the Fund an

1 amount not to exceed \$120,000,000,” and in-
2 sserting “for fiscal year 2022 and each fiscal
3 year thereafter, the Secretary may expend from
4 the Fund an amount not to exceed
5 \$370,000,000”;

6 (B) in subparagraph (B), by striking
7 “more than \$120,000,000, for any fiscal year if
8 such amounts are available in the Fund due to
9 expenditures not reaching \$120,000,000” and
10 inserting “more than \$370,000,000 for any fis-
11 cal year if such amounts are available in the
12 Fund, for the fiscal year in which expenditures
13 are made pursuant to subparagraph (D) and
14 paragraphs (2) and (3)”;

15 (C) by adding at the end the following:

16 “(C) The Secretary shall expend all
17 amounts in the Fund available from deposits
18 made under subsection (b)(1) and subsection
19 (b)(3)(B) not later than the end of fiscal year
20 2031.

21 “(D) If, in the judgment of the Secretary
22 on an annual basis, the Secretary is unlikely to
23 expend the amounts as required under subpara-
24 graph (C) because expenditures cannot be made
25 for activities authorized under paragraph (2),

1 the Secretary shall expend from the Fund on an
2 annual basis any projected unused funds by not
3 later than the end of fiscal year 2031 on grants
4 to Indian Tribes in a manner the Secretary
5 deems appropriate for up to 100 percent of the
6 cost of the planning, design, or construction of
7 water projects to provide potable water supplies
8 to communities or households on Tribal land
9 that do not have access to running water, pro-
10 vided that the project is located in a State or
11 territory described in the first section of the Act
12 of June 17, 1902 (43 U.S.C. 391; 32 Stat. 388,
13 chapter 1093).”.

14 (3) In subsection (c)(2), by striking “litigation
15 involving the United States, if the settlement agree-
16 ment or implementing legislation requires the Bu-
17 reau of Reclamation” and inserting “claims con-
18 cerning Indian water resources, if the settlement
19 agreement or implementing legislation authorizes the
20 Secretary”.

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

24 (5) By striking subsection (f).

1 **SEC. 70302. EMERGENCY DROUGHT RELIEF.**

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

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

11 (2) the Klamath Basin Water Supply Enhance-
12 ment Act of 2000 (Public Law 106–498);

13 (3) section 201 of division D of Public Law
14 108–7; or

15 (4) section 1109 of division FF of Public Law
16 116–260.

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

20 **SEC. 70303. EMERGENCY DROUGHT RELIEF FOR TRIBES.**

21 In addition to amounts otherwise available, there is
22 appropriated to the Bureau of Reclamation for fiscal year
23 2022, out of any money in the Treasury not otherwise ap-
24 propriated, \$150,000,000, to remain available until Sep-
25 tember 30, 2026, except that no amounts may be ex-
26 pended after September 30, 2026, for near-term drought

1 relief actions to mitigate drought impacts for Indian
2 Tribes (as defined in section 4(e) of the Act popularly
3 known as the Indian Self-Determination and Education
4 Assistance Act (25 U.S.C. 5304(e)) that are impacted by
5 the operation of a Bureau of Reclamation water project,
6 including through direct financial assistance to address
7 drinking water shortages and to mitigate for the loss of
8 Tribal trust resources.

9 **SEC. 70304. SALTON SEA PROJECTS.**

10 (a) APPROPRIATION.—

11 (1) IN GENERAL.—In addition to amounts oth-
12 erwise available, there is appropriated to the Bureau
13 of Reclamation for fiscal year 2022, out of any
14 money in the Treasury not otherwise appropriated,
15 \$250,000,000, to remain available until September
16 30, 2031, except that no amounts may be expended
17 after September 30, 2031, to provide grants and
18 enter into contracts and cooperative agreements to
19 carry out projects located in the area of the Salton
20 Sea in Southern California to improve air quality,
21 habitat, and water quality, in partnership with—

22 (A) State, Tribal, and local governments;

23 (B) water districts;

24 (C) joint powers authorities;

25 (D) nonprofit organizations; and

1 (E) institutions of higher education.

2 (2) COST SHARE.—The non-Federal share of
3 the cost of a project under this subsection shall be
4 50 percent of the cost of the project.

5 (b) INCLUDED ACTIVITIES.—The projects described
6 in subsection (a) may include—

7 (1) construction, operation, maintenance, per-
8 mitting, and design activities required for such
9 projects; and

10 (2) dust suppression projects.

11 (c) FUNDING ELIGIBILITY.—To be eligible to receive
12 funding, non-Tribal grantees must demonstrate compli-
13 ance with prevailing wage requirements.

14 (d) ADMINISTRATIVE EXPENSES.—Of the funds pro-
15 vided by this section, no more than 2 percent shall be used
16 for administrative costs to carry out this section.

17 **SEC. 70305. WATER RESOURCES RESEARCH AND TECH-**
18 **NOLOGY INSTITUTES.**

19 (a) IN GENERAL.—In addition to amounts otherwise
20 available, there is appropriated to the United States Geo-
21 logical Survey for fiscal year 2022, out of any money in
22 the Treasury not otherwise appropriated, \$75,000,000, to
23 remain available until September 30, 2031, except that no
24 amounts may be expended after September 30, 2031, for

1 carrying out section 104 of the Water Resources Research
2 Act of 1984 (42 U.S.C. 10303).

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

6 **SEC. 70306. FEDERAL PRIORITY STREAMGAGES.**

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

15 (b) COLLABORATION WITH NON-FEDERAL PART-
16 NERS.—The Secretary of the Interior shall prioritize the
17 expenditure of funds available under subsection (a) in a
18 manner that seeks to leverage the use of non-Federal
19 funds made available through streamgage funding agree-
20 ments with States and local agencies to improve environ-
21 mental quality and water supply reliability.

22 (c) ADMINISTRATIVE EXPENSES.—Of the funds pro-
23 vided by this section, no more than 2 percent shall be used
24 for administrative costs to carry out this section.

1 **SEC. 70307. SNOW WATER SUPPLY FORECASTING.**

2 (a) IN GENERAL.—In addition to amounts otherwise
3 available, there is appropriated to the Bureau of Reclama-
4 tion for fiscal year 2022, out of any money in the Treasury
5 not otherwise appropriated, \$50,000,000, to remain avail-
6 able until September 30, 2031, except that no amounts
7 may be expended after September 30, 2031, for carrying
8 out section 1111 of division FF of the Consolidated Ap-
9 propriations Act, 2021 (Public Law 116–260).

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

13 **SEC. 70308. WATER TECHNOLOGY INVESTMENT.**

14 (a) IN GENERAL.—In addition to amounts otherwise
15 available, there is appropriated to the Bureau of Reclama-
16 tion for fiscal year 2022, out of any money in the Treasury
17 not otherwise appropriated, \$50,000,000, to remain avail-
18 able until September 30, 2031, except that no amounts
19 may be expended after September 30, 2031, for carrying
20 out section 1112 of division FF of the Consolidated Ap-
21 propriations Act, 2021 (Public Law 116–260).

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

1 **SEC. 70309. AQUATIC ECOSYSTEM RESTORATION.**

2 (a) IN GENERAL.—In addition to amounts otherwise
3 available, there is appropriated to the Bureau of Reclama-
4 tion for fiscal year 2022, out of any money in the Treasury
5 not otherwise appropriated, \$250,000,000, to remain
6 available until September 30, 2031, except that no
7 amounts may be expended before fiscal year 2027 or after
8 September 30, 2031, for carrying out section 1109 of divi-
9 sion FF of the Consolidated Appropriations Act, 2021
10 (Public Law 116–260).

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

14 **SEC. 70310. LARGE SCALE WATER REUSE.**

15 (a) DEFINITIONS.—In this section:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means—

18 (A) a State, Indian Tribe, municipality, ir-
19 rigation district, water district, wastewater dis-
20 trict, or other organization with water or power
21 delivery authority;

22 (B) a State, regional, or local authority,
23 the members of which include 1 or more organi-
24 zations with water or power delivery authority;
25 or

1 (C) an agency established under State law
2 for the joint exercise of powers or a combina-
3 tion of entities described in subparagraphs (A)
4 through (B).

5 (2) INDIAN TRIBE.—The term “Indian Tribe”
6 has the meaning given the term in section 4 of the
7 Indian Self-Determination and Education Assistance
8 Act (25 U.S.C. 5304).

9 (3) RECLAMATION STATE.—The term “Rec-
10 lamation State” means a State or territory described
11 in the first section of the Act of June 17, 1902 (32
12 Stat. 388, chapter 1093; 43 U.S.C. 391).

13 (b) IN GENERAL.—In addition to amounts otherwise
14 available, there is appropriated to the Bureau of Reclama-
15 tion for fiscal year 2022, out of any money in the Treasury
16 not otherwise appropriated, \$100,000,000, to remain
17 available until September 30, 2031, except that no
18 amounts may be expended before fiscal year 2027 or after
19 September 30, 2031, to provide nonreimbursable grants
20 on a competitive basis to eligible entities that shall not
21 exceed 25 percent of the total cost of an eligible project
22 unless the project advances at least a proportionate share
23 of nonreimbursable benefits authorized under the reclama-
24 tion laws (including fish and wildlife benefits provided
25 through measurable reductions in water diversions from

1 imperiled ecosystems) up to a maximum 75 percent of the
2 total costs of an eligible project, to carry out the planning,
3 design, and construction of projects to reclaim and reuse
4 municipal, industrial, domestic, or agricultural wastewater
5 or impaired ground or surface waters that have a total
6 estimated cost of more than \$500,000,000 and that pro-
7 vide substantial water supply and other benefits to
8 drought stricken regions within the Reclamation States for
9 the purposes of—

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

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

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

22 (c) TOTAL DOLLAR CAP.—The Bureau of Reclama-
23 tion shall not impose a total dollar cap on Federal con-
24 tributions that applies to all individual projects under the
25 grant program established by this section.

1 (d) FUNDING ELIGIBILITY.—An eligible project shall
2 not be considered ineligible for assistance under this sec-
3 tion because the project has received assistance authorized
4 under title XVI of Public Law 102–575 or section 4009
5 of Public Law 114–322.

6 (e) TREATMENT OF CONVEYANCE.—The Bureau of
7 Reclamation shall consider the planning, design, and con-
8 struction of an eligible project’s conveyance system to be
9 eligible for grant funding under this section.

10 **Subtitle D—Efficient and Effective** 11 **NEPA Implementation**

12 **SEC. 70401. EFFICIENT AND EFFECTIVE NEPA IMPLEMEN-** 13 **TATION.**

14 In addition to amounts otherwise available, there is
15 appropriated to the Department of the Interior for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$150,000,000, to remain available until
18 September 30, 2031, except that no amounts may be ex-
19 pended after September 30, 2031, to provide for more effi-
20 cient and more effective environmental reviews under the
21 National Environmental Policy Act of 1969 through the
22 hiring and training of additional personnel, the develop-
23 ment of programmatic assessments or templates, the pro-
24 curement of technical or scientific services, the develop-

1 ment of data or technology systems, stakeholder and com-
2 munity engagement, and the purchase of new equipment.

3 **Subtitle E—National Oceanic and**
4 **Atmospheric Administration**

5 **SEC. 70501. COASTAL AND GREAT LAKES RESTORATION**
6 **AND TECHNICAL ASSISTANCE.**

7 (a) IN GENERAL.—In addition to amounts otherwise
8 available, there is appropriated to the National Oceanic
9 and Atmospheric Administration for fiscal year 2022, out
10 of any money in the Treasury not otherwise appropriated,
11 \$9,500,000,000, to remain available until September 30,
12 2031, except that no amounts may be expended after Sep-
13 tember 30, 2031, through direct expenditure, contracts,
14 grants, and cooperative agreements to provide funding and
15 technical assistance for the purposes of restoring a ma-
16 rine, estuarine, coastal, or Great Lake habitat; or pro-
17 viding adaptation to climate change, including by pro-
18 tecting, restoring, or establishing ecological features that
19 protects coastal communities from sea-level rise, coastal
20 storms, or flooding; or designing or implementing blue car-
21 bon projects. None of the funds provided by this section
22 shall be subject to cost share or matching requirements.

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

1 **SEC. 70502. PACIFIC COASTAL SALMON RECOVERY FUND.**

2 (a) IN GENERAL.—In addition to amounts otherwise
3 available, there is appropriated to the National Oceanic
4 and Atmospheric Administration for fiscal year 2022, out
5 of funds in the Treasury not otherwise appropriated
6 \$400,000,000, to remain available until 2026, for the pur-
7 poses of climate resilience, habitat protection, and other
8 habitat restoration projects to recover Pacific salmon.
9 None of the funds provided by this section shall be subject
10 to cost-sharing or matching requirements.

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

14 **SEC. 70503. NOAA STOCK ASSESSMENTS.**

15 (a) STOCK ASSESSMENTS.—In addition to amounts
16 otherwise available, there is appropriated to the National
17 Oceanic and Atmospheric Administration for fiscal year
18 2022, out of any money in the Treasury not otherwise ap-
19 propriated, \$200,000,000, to remain available until Sep-
20 tember 30, 2031, except that no amount may be expended
21 after September 30, 2031, for carrying out section 401
22 of the Magnuson-Stevens Fishery Conservation and Man-
23 agement Reauthorization Act of 2006 (16 U.S.C. 1881)
24 and, section 117 of the Marine Mammal Protection Act
25 of 1972 (16 U.S.C. 1386) for fisheries data collections,
26 surveys, and science, management, and ecosystem-based

1 assessments in support of federally managed marine fish-
2 eries.

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

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

7 In addition to amounts otherwise available, there is
8 appropriated to the National Oceanic and Atmospheric
9 Administration for fiscal year 2022, out of any money in
10 the Treasury not otherwise appropriated, \$500,000,000,
11 to remain available until September 30, 2031, except that
12 no amounts may be expended after September 30, 2031,
13 for carrying out the provisions of section 12304 of the In-
14 tegrated Coastal and Ocean Observation System Act of
15 2009 (33 U.S.C. 3603), section 4 of the Digital Coast Act
16 (16 U.S.C. 1467), section 310 of the Coastal Zone Man-
17 agement Act of 1972 (16 U.S.C. 1456c), section 303 of
18 the Hydrographic Services Improvement Act of 1988 (33
19 U.S.C. 892a), and the first section and section 2 of the
20 Act of August 6, 1947 (chapter 504; 33 U.S.C. 883a and
21 33 U.S.C. 883b), popularly known as the Coast and Geo-
22 detic Survey Act of 1947; for the purposes of making up-
23 grades to the Integrated Ocean Observing System; making
24 upgrades to the Shoreline Mapping Program; developing
25 products, services, and coordinated decision-support

1 frameworks with respect to coastal floods, sea level rise,
2 Great Lakes water level, and vertical land motion data and
3 conducting the research and development necessary to
4 support such products and services; producing and main-
5 taining authoritative and timely data, maps, charts, tidal
6 and water level observations and information services for
7 communities to plan for present and future coastal flood
8 risks and to sustain the economic viability of ports and
9 marine transportation system; and providing technical as-
10 sistance to States, Insular areas, local governments, and
11 end user at-risk communities.

12 **SEC. 70505. BLUE CARBON.**

13 In addition to amounts otherwise available, there is
14 appropriated to the National Oceanic and Atmospheric
15 Administration for fiscal year 2022, out of any money in
16 the Treasury not otherwise appropriated, \$95,000,000, to
17 remain available until September 30, 2031, except that no
18 amounts may be expended after September 30, 2031, for
19 carrying out the provisions of section 117 of the Magnu-
20 son-Stevens Fishery Conservation and Management Reau-
21 thorization Act of 2006 (16 U.S.C. 1891a); and section
22 309 of the National Marine Sanctuaries Act (16 U.S.C.
23 1440); for research and extension activities to charac-
24 terize, quantify, map, and study blue carbon ecosystems

1 or protection and restoration efforts in blue carbon eco-
2 systems.

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

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

20 **SEC. 70507. NMFS SHORESIDE FACILITIES.**

21 In addition to amounts otherwise available, there is
22 appropriated to the National Oceanic and Atmospheric
23 Administration for fiscal year 2022, out of any money in
24 the Treasury not otherwise appropriated, \$150,000,000,
25 to remain available until September 30, 2031, except that

1 no amounts may be expended after September 30, 2031,
2 for carrying out the provisions of sections 404 through
3 408 of the Magnuson-Stevens Fishery Conservation and
4 Management Act (16 U.S.C. 1881c–1884), to replace,
5 renovate, or maintain aging facilities in need of repair or
6 replacement including piers, fisheries laboratories, and
7 laboratory facilities.

8 **SEC. 70508. NOAA VESSEL RECAPITALIZATION.**

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

16 **SEC. 70509. CIVILIAN CLIMATE CORPS AT NOAA.**

17 (a) NOAA CIVILIAN CLIMATE CORPS.—In addition
18 to amounts otherwise available, there is appropriated to
19 the National Oceanic and Atmospheric Administration for
20 fiscal year 2022, out of any money in the Treasury not
21 otherwise appropriated, \$120,000,000, to remain available
22 until September 30, 2026, to carry out education and job
23 training projects that conserve, restore, construct, or reha-
24 bilitate natural, cultural, historic, archaeological, rec-
25 reational, or scenic resources through direct expenditure,

1 contracts, grants, and cooperative agreements. None of
2 the funds provided by this section shall be subject to cost-
3 sharing or matching requirements.

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

7 **SEC. 70510. NOAA HATCHERIES.**

8 (a) NOAA HATCHERIES.—In addition to amounts
9 otherwise available, there is appropriated to the National
10 Oceanic and Atmospheric Administration, for fiscal year
11 2022, out of any money in the Treasury not otherwise ap-
12 propriated, \$250,000,000, to remain available until Sep-
13 tember 30, 2026, for grants to States and Indian Tribes
14 (as defined in section 4(e) of the Indian Self-Determina-
15 tion and Education Assistance Act (25 U.S.C. 5304(e)),
16 to repair, replace, and upgrade hatchery infrastructure for
17 production of a marine fishery. None of the funds provided
18 by this section shall be subject to cost-sharing or matching
19 requirements.

20 (b) FUNDING ELIGIBILITY.—To be eligible to receive
21 funding under this section, non-Tribal grantees must dem-
22 onstrate compliance with prevailing wage requirements.

23 **SEC. 70511. ELECTRONIC MONITORING.**

24 (a) ELECTRONIC MONITORING.—In addition to
25 amounts otherwise available, there is appropriated to the

1 National Oceanic and Atmospheric Administration for fis-
2 cal year 2022, out of any money in the Treasury not other-
3 wise appropriated, \$75,000,000, to remain available until
4 September 30, 2031, except that no amounts may be ex-
5 pended after September 30, 2031, for the purposes of sup-
6 porting the continued and timely implementation of elec-
7 tronic monitoring and fishing effort reporting.

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

11 **SEC. 70512. WORKING WATERFRONTS.**

12 (a) WORKING WATERFRONTS.—In addition to
13 amounts otherwise available, there is appropriated to the
14 National Oceanic and Atmospheric Administration for fis-
15 cal year 2022, out of any money in the Treasury not other-
16 wise appropriated, \$160,000,000, to remain available until
17 September 30, 2031, except that no amounts may be ex-
18 pended after September 30, 2031, for carrying out the
19 provisions of section 309 of the Coastal Zone Management
20 Act (16 U.S.C. 1456b) through direct expenditure, con-
21 tracts, grants, and cooperative agreements for projects
22 that preserve and protect coastal access for water-depend-
23 ent commercial activities.

1 (b) FUNDING ELIGIBILITY.—To be eligible to receive
2 funding under this section, the grantee must demonstrate
3 compliance with prevailing wage requirements.

4 **SEC. 70513. MARINE SANCTUARY AND NATIONAL ESTUA-**
5 **RINE RESEARCH RESERVE MAINTENANCE**
6 **BACKLOG.**

7 In addition to amounts otherwise available, there is
8 appropriated to the National Oceanic and Atmospheric
9 Administration for fiscal year 2022, out of any money in
10 the Treasury not otherwise appropriated, \$98,000,000, to
11 remain available until September 30, 2031, except that no
12 amounts may be expended after September 30, 2031, for
13 carrying out the provisions of the National Marine Sanc-
14 tuary Act (16 U.S.C. 1431) and the Coastal Zone Man-
15 agement Act (16 U.S.C. 1461) for construction, mainte-
16 nance, and renovation of facilities of National Marine
17 Sanctuaries and National Estuarine Research Reserves.

18 **SEC. 70514. SEAFOOD IMPORT MONITORING PROGRAM EX-**
19 **PANSION.**

20 In addition to amounts otherwise available, there is
21 appropriated to the National Oceanic and Atmospheric
22 Administration for fiscal year 2022, out of any money in
23 the Treasury not otherwise appropriated, \$2,000,000, to
24 remain available until September 30, 2031, except that no
25 amounts may be expended after September 30, 2031, for

1 carrying out the provisions of section 307 of the Magnu-
2 son-Stevens Fishery Conservation and Management Reau-
3 thorization Act (16 U.S.C. 1857(1)(Q)), to expand the
4 Seafood Import Monitoring Program to apply to all sea-
5 food and seafood products.

6 **Subtitle F—United States Fish and**
7 **Wildlife Service**

8 **SEC. 70601. ENDANGERED SPECIES ACT RECOVERY PLANS.**

9 In addition to amounts otherwise available, there is
10 appropriated to the United States Fish and Wildlife Serv-
11 ice for fiscal year 2022, out of any money in the Treasury
12 not otherwise appropriated, \$150,000,000, to remain
13 available until September 30, 2031, except that no
14 amounts may be expended after September 30, 2031, for
15 the development and implementation of recovery plans
16 under section 4(f) of the Endangered Species Act of 1973
17 (16 U.S.C. 1533(f)).

18 **SEC. 70602. ENDANGERED SPECIES ACT HABITAT CON-**
19 **SERVATION.**

20 In addition to amounts otherwise available, there is
21 appropriated to the United States Fish and Wildlife Serv-
22 ice for fiscal year 2022, out of any money in the Treasury
23 not otherwise appropriated, \$50,000,000, to remain avail-
24 able until September 30, 2031, except that no amounts
25 may be expended after September 30, 2031, for United

1 States Fish and Wildlife Service responsibilities in the de-
2 velopment, review, and permitting of Habitat Conservation
3 Plans under section 10(a)(2) of the Endangered Species
4 Act of 1973 (16 U.S.C. 1539(a)(2)) and for State pro-
5 grams under section 6(d) of the Endangered Species Act
6 of 1973 (16 U.S.C. 1535(d)).

7 **SEC. 70603. ENDANGERED SPECIES ACT INTERAGENCY**
8 **CONSULTATIONS.**

9 In addition to amounts otherwise available, there is
10 appropriated to the United States Fish and Wildlife Serv-
11 ice for fiscal year 2022, out of any money in the Treasury
12 not otherwise appropriated, \$40,000,000, to remain avail-
13 able until September 30, 2031, except that no amounts
14 may be expended after September 30, 2031, for carrying
15 out consultations with Federal agencies that undertake
16 agency actions affecting endangered species and threat-
17 ened species under section 7 of the Endangered Species
18 Act of 1973 (16 U.S.C. 1536).

19 **SEC. 70604. FUNDING FOR ISLAND PLANT CONSERVATION.**

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

1 for the conservation of endangered species and threatened
2 species of plants in the Hawaiian Islands and the Pacific
3 Island Territories of the United States as authorized by
4 section 4 of the Endangered Species Act of 1973 (16
5 U.S.C. 1533).

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

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

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

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

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

24 (a) IN GENERAL.—In addition to amounts otherwise
25 available, there is appropriated to the United States Fish

1 and Wildlife Service for fiscal year 2022, out of any money
2 in the Treasury not otherwise appropriated, \$25,000,000,
3 to remain available until September 30, 2031, except that
4 no amounts may be expended after September 30, 2031,
5 for the conservation of endangered species and threatened
6 species of freshwater mussels in the United States as au-
7 thorized by section 4 of the Endangered Species Act of
8 1973 (16 U.S.C. 1533).

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

12 **SEC. 70607. FUNDING FOR DESERT FISH CONSERVATION.**

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

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

1 **SEC. 70608. FUNDING FOR THE UNITED STATES FISH AND**
2 **WILDLIFE SERVICE TO ADDRESS CLIMATE-IN-**
3 **DUCTED WEATHER EVENTS.**

4 (a) **IN GENERAL.**—In addition to amounts otherwise
5 available, there is appropriated to the United States Fish
6 and Wildlife Service for fiscal year 2022, out of any money
7 in the Treasury not otherwise appropriated,
8 \$100,000,000, to remain available until September 30,
9 2031, except that no amounts may be expended after Sep-
10 tember 30, 2031, through direct expenditure, contracts,
11 grants, and cooperative agreements, for the purposes of
12 carrying out the Fish and Wildlife Act of 1956 (16 U.S.C.
13 742a) and the Fish and Wildlife Coordination Act (16
14 U.S.C. 661), for the purposes of rebuilding and restoring
15 units of the National Wildlife Refuge System, other Fed-
16 eral public assets, and State wildlife management areas
17 including by addressing the threat of invasive species, in-
18 creasing the resiliency and capacity of habitats and infra-
19 structure to withstand weather events, or reducing the
20 amount of damage caused by those events. None of the
21 funds provided by this section shall be subject to cost-
22 share requirements.

23 (b) **ADMINISTRATIVE EXPENSES.**—Of the funds pro-
24 vided by this section, no more than 2 percent shall be used
25 for administrative costs to carry out this section.

1 **SEC. 70609. FUNDING FOR THE UNITED STATES FISH AND**
2 **WILDLIFE SERVICE FOR WILDLIFE COR-**
3 **RIDOR CONSERVATION.**

4 In addition to amounts otherwise available, there is
5 appropriated to the United States Fish and Wildlife Serv-
6 ice for fiscal year 2022, out of any money in the Treasury
7 not otherwise appropriated, \$10,000,000, to remain avail-
8 able until September 30, 2026, except that no amounts
9 may be expended after September 30, 2026, to carry out
10 the provisions of the Fish and Wildlife Act of 1956 (16
11 U.S.C. 742a) and the Fish and Wildlife Coordination Act
12 (16 U.S.C. 661) through direct expenditure, contracts,
13 grants, and cooperative agreements, for mapping wildlife
14 corridors and providing assistance to States and Indian
15 Tribes as defined in section 4(e) of the Indian Self-Deter-
16 mination and Education Assistance Act (25 U.S.C.
17 5304(e)) for the conservation and restoration of wildlife
18 corridors.

19 **SEC. 70610. FUNDING FOR THE UNITED STATES FISH AND**
20 **WILDLIFE SERVICE FOR GRASSLAND RES-**
21 **TORATION.**

22 In addition to amounts otherwise available, there is
23 appropriated to the United States Fish and Wildlife Serv-
24 ice for fiscal year 2022, out of any money in the Treasury
25 not otherwise appropriated, \$100,000,000, to remain
26 available until September 30, 2026, except that no

1 amounts may be expended after September 30, 2026, to
2 carry out the provisions of the Fish and Wildlife Act of
3 1956 (16 U.S.C. 742a) and the Fish and Wildlife Coordi-
4 nation Act (16 U.S.C. 661) through direct expenditure,
5 contracts, grants, and cooperative agreements, for the pro-
6 tection and restoration of grassland habitats.

7 **Subtitle G—Insular Affairs**

8 **SEC. 70701. INSULAR AFFAIRS HOSPITAL AND OTHER CRIT-** 9 **ICAL HEALTH INFRASTRUCTURE FUNDING.**

10 In addition to amounts otherwise available, there is
11 appropriated to the Department of the Interior Office of
12 Insular Affairs for fiscal year 2022, out of any money in
13 the Treasury not otherwise appropriated, \$993,000,000,
14 to remain available until September 30, 2031, except that
15 no amounts may be made available after September 30,
16 2031, for hospitals and other critical health infrastructure
17 in the territories. Amounts made available under this sec-
18 tion shall be divided among the territories in accordance
19 with needs identified by assessments completed by the De-
20 partment of the Interior, Office of Insular Affairs, of
21 health care facilities in each territory, but not less than
22 35 percent shall be provided to Guam, not less than 35
23 percent shall be provided to the United States Virgin Is-
24 lands, not less than 20 percent shall be provided to the

1 Commonwealth of the Northern Mariana Islands, and not
2 less than 10 percent shall be provided to American Samoa.

3 **SEC. 70702. OFFICE OF INSULAR AFFAIRS CLIMATE**
4 **CHANGE TECHNICAL ASSISTANCE.**

5 (a) IN GENERAL.—In addition to amounts otherwise
6 available, there is appropriated to the Department of the
7 Interior Office of Insular Affairs for fiscal year 2022, out
8 of any money in the Treasury not otherwise appropriated,
9 \$25,000,000, to remain available until September 30,
10 2026, to provide technical assistance for climate-change
11 planning, mitigation, adaptation, and resilience to United
12 States-affiliated Insular Areas under the Office of Insular
13 Affairs.

14 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-
15 vided by this section, not more than 2 percent shall be
16 used for administrative costs to carry out this section.

17 **SEC. 70703. SETTLEMENT OF CLAIMS AGAINST THE UNITED**
18 **STATES FOR CERTAIN RESIDENTS OF THE IS-**
19 **LAND OF VIEQUES, PUERTO RICO.**

20 (a) IN GENERAL.—In addition to amounts otherwise
21 available, there is appropriated to the Department of the
22 Interior Office of Insular Affairs, for fiscal year 2022, out
23 of any money in the Treasury not otherwise appropriated,
24 \$300,000,000, to remain available until September 30,
25 2031, except that no amounts may be made available after

1 September 30, 2031, to compensate through the appoint-
2 ment of a Special Master, the municipality of Vieques, and
3 an individual claimant who is or was a resident, the child
4 of a resident, or an immediate heir (as determined by the
5 laws of Puerto Rico) of a deceased claimant who was a
6 resident on the island of Vieques, Puerto Rico, in the pe-
7 riod or after the United States Government used the is-
8 land of Vieques, Puerto Rico, for military readiness.

9 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-
10 vided by this section, not more than 2 percent shall be
11 used for administrative costs to carry out this section.

12 **SEC. 70704. DEFINITIONS.**

13 For the purposes of this subtitle:

14 (1) FREELY ASSOCIATED STATES.—The term
15 “Freely Associated States” means the Republic of
16 the Marshall Islands, the Federated States of Micro-
17 nesia, and the Republic of Palau.

18 (2) UNITED STATES-AFFILIATED INSULAR
19 AREAS.—The term “United States-affiliated Insular
20 Areas” means the territories and Freely Associated
21 States.

22 (3) TERRITORIES.—The term “territories”
23 means American Samoa, the Commonwealth of the
24 Northern Mariana Islands, Guam, Puerto Rico, and
25 the Virgin Islands of the United States.

1 (4) TERRITORY.—The term “territory” means
2 American Samoa, the Commonwealth of the North-
3 ern Mariana Islands, Guam, Puerto Rico, or the Vir-
4 gin Islands of the United States.

5 **Subtitle H—Energy and Mineral**
6 **Resources**

7 **SEC. 70801. OFFSHORE WIND FOR THE TERRITORIES.**

8 (a) APPLICATION OF OUTER CONTINENTAL SHELF
9 LANDS ACT WITH RESPECT TO TERRITORIES OF THE
10 UNITED STATES.—

11 (1) IN GENERAL.—Section 2 of the Outer Con-
12 tinental Shelf Lands Act (43 U.S.C. 1331) is
13 amended—

14 (A) in subsection (a)—

15 (i) by striking “The term” and insert-
16 ing the following:

17 “(1) The term”

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

24 (iii) by adding at the end the fol-
25 lowing:

1 “(2) The term ‘outer Continental Shelf’ does
2 not include any area conveyed by Congress to a ter-
3 ritorial government for administration.”;

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

6 (C) in subsection (q), by striking the pe-
7 riod at the end and inserting “; and”; and

8 (D) by adding at the end the following:

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

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

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

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

1 **“SEC. 33. WIND LEASE SALES FOR AREAS OF THE OUTER**
2 **CONTINENTAL SHELF.**

3 “(a) WIND LEASE SALES OFF COASTS OF TERRI-
4 TORIES OF THE UNITED STATES.—

5 “(1) CALL FOR INFORMATION AND NOMINA-
6 TIONS.—The Secretary shall issue a call for informa-
7 tion and nominations for proposed wind lease sales
8 for areas determined to be feasible.

9 “(2) CONDITIONAL WIND LEASE SALES.—

10 “(A) IN GENERAL.—For each territory,
11 the Secretary shall conduct not less than one
12 wind lease sale in the area of the outer Conti-
13 nental Shelf within the territorial jurisdiction of
14 such territory if such area meets each of the
15 following criteria:

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

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

21 “(iii) The Secretary has consulted
22 with other relevant Federal agencies re-
23 garding such sale.

24 “(iv) The Secretary has consulted
25 with the Governor of the territory regard-

1 ing the suitability of the area for wind en-
2 ergy development.

3 “(B) EXCEPTION.—If no area of the outer
4 Continental Shelf within the territorial jurisdic-
5 tion of a territory meets each of the criteria in
6 clauses (i) through (iv) of subparagraph (A),
7 the requirement under subparagraph (A) shall
8 not apply to such territory.”.

9 **SEC. 70802. LEASING ON THE OUTER CONTINENTAL SHELF.**

10 (a) LEASING AUTHORIZED.—The Secretary of the
11 Interior is authorized to grant leases pursuant to section
12 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43
13 U.S.C. 1337(p)(1)(C)) in the areas withdrawn by the
14 Presidential Memorandum entitled “Memorandum on the
15 Withdrawal of Certain Areas of the United States Outer
16 Continental Shelf from Leasing Disposition” (issued Sep-
17 tember 8, 2020) and the Presidential Memorandum enti-
18 tled “Presidential Determination on the Withdrawal of
19 Certain Areas of the United States Outer Continental
20 Shelf from Leasing Disposition” (issued September 25,
21 2020).

22 (b) WITHDRAWALS.—Any Presidential withdrawal of
23 an area of the Outer Continental Shelf from leasing under
24 section 12(a) of the Outer Continental Shelf Lands Act
25 (43 U.S.C. 1341(a)) issued after the date of enactment

1 of this Act shall apply only to leasing authorized under
2 subsections (a) and (i) of section 8 of the Outer Conti-
3 nental Shelf Lands Act (43 U.S.C. 1337(a) and 1337(i)),
4 unless otherwise specified.

5 **SEC. 70803. UNITED STATES GEOLOGICAL SURVEY.**

6 (a) 3D ELEVATION PROGRAM.—In addition to
7 amounts otherwise available, there is appropriated to the
8 United States Geological Survey for fiscal year 2022, out
9 of any money in the Treasury not otherwise appropriated,
10 \$50,000,000, to remain available until September 30,
11 2031, except that no amounts may be expended after Sep-
12 tember 30, 2031, to carry out the 3D elevation program
13 (43 U.S.C. 3104).

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

1 **SEC. 70804. FOSSIL FUEL RESOURCES.**

2 (a) REPEAL OF THE ARCTIC NATIONAL WILDLIFE
3 REFUGE OIL AND GAS PROGRAM.—Section 20001 of Pub-
4 lic Law 115–97 is repealed and any leases issued pursuant
5 to section 20001 of Public Law 115–97 are hereby can-
6 celled and all payments related to the leases shall be re-
7 turned to the lessee(s) within 30 days of enactment of this
8 Act.

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

13 “(q) PROHIBITION OF OIL AND GAS LEASING IN
14 CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—
15 The Secretary of the Interior may not issue a lease or
16 any other authorization for the exploration, development,
17 or production of oil or natural gas in the areas of the
18 Outer Continental Shelf designated by section 104(a) of
19 the Gulf of Mexico Energy Security Act of 2006 or in any
20 area within the Atlantic Region planning areas or the Pa-
21 cific Region planning areas (as such planning areas are
22 described in the document entitled ‘2017 – 2022 Outer
23 Continental Shelf Oil and Gas Leasing Proposed Final
24 Program’ dated November 2016, or a subsequent oil and
25 gas leasing program developed under section 18 of the
26 Outer Continental Shelf Lands Act (43 U.S.C. 1344).”.

1 (c) ONSHORE FOSSIL FUEL ROYALTY RATES.—The
2 Mineral Leasing Act (30 U.S.C. 207) is amended—

3 (1) in section 7(a), by striking “12½” and in-
4 serting “20”;

5 (2) in section 17, by—

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

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

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

12 (d) OFFSHORE OIL AND GAS ROYALTY RATE.—Sec-
13 tion 8 of the Outer Continental Shelf Lands Act (43
14 U.S.C. 1337) is amended by striking—

15 (1) “12 ½” each place such term appears and
16 inserting “20”; and

17 (2) “12 and ½” each place such term appears
18 and inserting “20”.

19 (e) OIL AND GAS MINIMUM BID.—Section 17 of the
20 Mineral Leasing Act (30 U.S.C. 226) is amended—

21 (1) in subsection (b)(1)(B)—

22 (A) by striking “\$2 per acre” and insert-
23 ing “\$10 per acre, except as otherwise provided
24 by this paragraph”; and

1 (B) by striking “Federal Onshore Oil and
2 Gas Leasing Reform Act of 1987” and insert-
3 ing “subtitle H of the Act to provide for rec-
4 onciliation pursuant to title II of S. Con. Res.
5 14 of the 117th Congress”;

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

8 (3) by adding at the end the following:

9 “(q) INFLATION ADJUSTMENT.—The Secretary
10 shall—

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

15 “(2) publish each such regulation in the Fed-
16 eral Register.”.

17 (f) DEFERRED COAL BONUS PAYMENTS.—Section
18 2(a) of the Mineral Leasing Act (30 U.S.C. 201(a)) is
19 amended—

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

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

23 (g) FOSSIL FUEL RENTAL RATES.—

24 (1) Section 7(a) of the Mineral Leasing Act (30
25 U.S.C. 207) is amended in the third sentence by in-

1 serting “at a rental rate of not less than \$100 per
2 acre (as reviewed and, if appropriate, adjusted by
3 the Secretary every 4 years)” before the period.

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

13 (3) Section 31(e) of the Mineral Leasing Act
14 (30 U.S.C. 188(e)) is amended by striking “\$10”
15 and inserting “\$20”.

16 (h) FOSSIL FUEL LEASE TERM LENGTH.—

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

19 (A) in subsection (a)—

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

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

24 (iii) in the sixth sentence—

1 (I) by striking “twenty” and in-
2 serting “10”; and

3 (II) by striking “ten” and insert-
4 ing “5”; and

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

7 (2) Section 17(e) of the Mineral Leasing Act
8 (30 U.S.C. 226(e)) is amended by striking “10
9 years:” and inserting “5 years.”.

10 (i) EXPRESSION OF INTEREST FEE.—Section 17 of
11 the Mineral Leasing Act (30 U.S.C. 226), as amended by
12 this subtitle is amended by adding at the end the fol-
13 lowing:

14 “(r) FEE FOR EXPRESSION OF INTEREST.—

15 “(1) IN GENERAL.—The Secretary shall charge
16 any person who submits, in accordance with proce-
17 dures established by the Secretary to carry out this
18 subsection, an expression of interest in leasing land
19 available for disposition under this section for explo-
20 ration for, and development of, oil or gas a fee in
21 an amount determined by the Secretary under para-
22 graph (2).

23 “(2) AMOUNT.—The fee authorized under para-
24 graph (1) shall be established by the Secretary in an
25 amount that is determined by the Secretary to be

1 appropriate to cover the aggregate cost of processing
2 an expression of interest under this subsection, but
3 not less than \$15 per acre of the area covered by the
4 applicable expression of interest.

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

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

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

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

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

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

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

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

23 (A) by striking “Competitive and non-
24 competitive leases” and inserting “Leases, in-
25 cluding leases for tar sand areas,”; and

1 (B) by striking “*Provided, however*” and
2 all that follows through “ten years.”;

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

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

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

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

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

12 and

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

14 (A) in paragraph (1) by striking “as a
15 competitive” and all that follows through the
16 period and inserting “in the same manner as
17 the original lease issued pursuant to section
18 17.”;

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

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

1 (k) OIL AND GAS BONDING REQUIREMENTS.—Sec-
2 tion 17(g) of the Mineral Leasing Act (30 U.S.C. 226(g))
3 is amended—

4 (1) by inserting “Each such bond, surety, or
5 other financial arrangement shall be considered in-
6 adequate if such bond, surety, or other financial ar-
7 rangement is for less than \$150,000 in the case of
8 an arrangement for an individual surface-disturbing
9 activity of each entity on an individual oil or gas
10 lease in a State, or \$500,000 in the case of an ar-
11 rangement for all surface-disturbing activities of
12 each entity on all oil and gas leases in a State.”
13 after “on the lease.”;

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

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

18 “(2)(A) Not later than 180 days after the date
19 of enactment of subtitle H of the Act to provide for
20 reconciliation pursuant to title II of S. Con. Res. 14
21 of the 117th Congress the Secretary concerned shall
22 initiate a rulemaking to require that an adequate
23 bond, surety, or other financial arrangement be pro-
24 vided by the lessee prior to the commencement of
25 surface-disturbing activities on any lease issued

1 under this Act to ensure the complete and timely re-
2 mediation and reclamation of any land, water, or
3 other resources (including resources with recreation,
4 range, timber, mineral, watershed, fish or wildlife,
5 natural scenic, scientific, or historical value) ad-
6 versely affected by lease activities and operations
7 after the abandonment or cessation of oil and gas
8 operations on the lease.

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

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

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

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

22 “(C) The Secretary concerned shall review the
23 adequacy of each such bond, surety, or other finan-
24 cial arrangement at least once every 5 years and

1 anytime a lease issued under this Act is trans-
2 ferred.”.

3 (1) PER-ACRE LEASE FEES.—

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

8 (A) CONSERVATION OF RESOURCES FEE.—

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

13 (B) SPECULATIVE LEASING FEE.—There is

14 established a Speculative Leasing Fee of \$6 per
15 acre per year on new nonproducing Federal on-
16 shore and offshore oil and gas leases.

17 (2) DEPOSIT.—All funds collected pursuant to

18 paragraph (1) shall be deposited into the United
19 States Treasury General Fund.

20 (3) ADJUSTMENT FOR INFLATION.—The Sec-

21 retary of the Interior shall, by regulation at least
22 once every four years, adjust each fee created by
23 paragraph (1) to reflect any increase in inflation.

24 (m) ONSHORE OIL AND GAS INSPECTION FEES.—

1 (1) IN GENERAL.—Section 108 of the Federal
2 Oil and Gas Royalty Management Act of 1982 (30
3 U.S.C. 1718) is amended by adding at the end the
4 following:

5 “(d) INSPECTION FEES.—

6 “(1) IN GENERAL.—The designated operator
7 under each oil and gas lease on Federal or Indian
8 lands, or each unit and communitization agreement
9 that includes one or more such Federal or Indian
10 leases, that is subject to inspection under subsection
11 (b) and that is in force at the start of the fiscal year
12 2021, shall pay a nonrefundable annual inspection
13 fee in an amount that, except as provided in para-
14 graph (2), is established by the Secretary by regula-
15 tion and is sufficient to recover the full costs in-
16 curred by the United States for inspection and en-
17 forcement with respect to such leases.

18 “(2) AMOUNT.—Until the effective date of reg-
19 ulations under paragraph (1), the amount of the fee
20 shall be—

21 “(A) \$800 for each lease or unit or
22 communitization agreement with no active or
23 inactive wells, but with surface use, disturbance
24 or reclamation;

1 “(B) \$1,400 for each lease or unit or
2 communitization agreement with 1 to 10 wells,
3 with any combination of active or inactive wells;

4 “(C) \$5,600 for each lease or unit or
5 communitization agreement with 11 to 50 wells,
6 with any combination of active or inactive wells;
7 and

8 “(D) \$11,300 for each lease or unit or
9 communitization agreement with more than 50
10 wells, with any combination of active or inactive
11 wells.

12 “(3) DUE DATE.—Payment of the fee under
13 this section shall be due, annually, not later than 30
14 days after the Secretary provides notice of the as-
15 sessment of the fee.

16 “(4) PENALTY.—If the designated operator
17 fails to pay the full amount of the fee as prescribed
18 in this section, the Secretary may, in addition to uti-
19 lizing any other applicable enforcement authority,
20 assess civil penalties against the operator under sec-
21 tion 109 in the same manner as if this section were
22 a mineral leasing law.

23 “(5) EXEMPTION FOR TRIBAL OPERATORS.—An
24 operator that is a Tribe or is controlled by a Tribe
25 is not subject to paragraph (1) with respect to a

1 lease, unit, or communitization agreement that is lo-
2 cated entirely on the lands of such Tribe.”.

3 (2) ASSESSMENT FOR FISCAL YEAR 2022.—The
4 Secretary of the Interior shall assess the fee under
5 the amendment made by paragraph (1) for fiscal
6 year 2022, and provide notice of such assessment to
7 each designated operator who is liable for such fee,
8 by not later than 60 days after the date of enact-
9 ment of this Act.

10 (n) OFFSHORE OIL AND GAS INSPECTION FEES.—
11 Section 22 of the Outer Continental Shelf Lands Act (43
12 U.S.C. 1348) is amended by adding at the end the fol-
13 lowing:

14 “(g) INSPECTION FEES.—

15 “(1) IN GENERAL.—

16 “(A) ESTABLISHMENT.—The Secretary
17 shall collect from the operators of facilities sub-
18 ject to inspection under subsection (c) non-
19 refundable fees for such inspections—

20 “(i) at an aggregate level equal to the
21 amount necessary to offset the annual ex-
22 penses of such inspections;

23 “(ii) using a schedule that reflect the
24 differences in complexity among the classes
25 of facilities to be inspected; and

1 “(iii) in accordance with subpara-
2 graph (C).

3 “(B) ADJUSTMENT FOR INFLATION.—For
4 each fiscal year beginning after fiscal year
5 2022, the Secretary shall adjust the amount of
6 the fees collected under this paragraph for in-
7 flation.

8 “(C) FEES FOR FISCAL YEAR 2022.—

9 “(i) ANNUAL FEES.—For fiscal year
10 2022, the Secretary shall collect annual
11 fees from the operator of facilities that are
12 above the waterline, excluding drilling rigs,
13 and are in place at the start of the fiscal
14 year in the following amounts:

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

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

21 “(III) \$35,176 for facilities with
22 more than 10 wells, with any com-
23 bination of active or inactive wells.

24 “(ii) FEES FOR DRILLING RIGS.—For
25 fiscal year 2022, the Secretary shall collect

1 fees for each inspection from the operators
2 of drilling rigs in the following amounts:

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

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

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

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

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

23 “(III) \$4,470 per inspection for
24 non-rig units operating in water
25 depths of less than 500 feet.

1 “(2) DISPOSITION.—Amounts collected as fees
2 under paragraph (1) shall be deposited into the gen-
3 eral fund of the Treasury.

4 “(3) BILLING.—

5 “(A) ANNUAL FEES.—The Secretary shall
6 bill designated operators under paragraph
7 (1)(C)(i) annually, with payment required not
8 later than 30 days after such billing.

9 “(B) FEES FOR DRILLING RIGS.—The Sec-
10 retary shall bill designated operators under
11 paragraph (1)(C)(ii) not later than 30 days
12 after the end of the month in which the inspec-
13 tion occurred, with payment required not later
14 than 30 days after such billing.

15 “(4) PUBLICATION.—The Secretary shall annu-
16 ally make available to the public the following infor-
17 mation about each fee deposited into the Fund:

18 “(A) The facility that was inspected.

19 “(B) The name of the operator of such fa-
20 cility.

21 “(C) The amount of the payment.”.

22 (o) SEVERANCE FEES.—The Secretary of Interior
23 shall collect annual, non-refundable fees on fossil fuels
24 produced from new leases on Federal lands and the Outer

1 Continental Shelf and deposit the funds into the United
2 States Treasury General Fund. Such fees shall be—

3 (1) not less than \$0.50 per barrel of oil equiva-
4 lent on oil and natural gas produced from Federal
5 lands and the Outer Continental Shelf; and

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

8 (p) IDLED WELL FEES.—

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

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

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

21 (B) \$1,500 for each well that has been
22 considered an idled well for at least 5 years, but
23 not more than 10 years.

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

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

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

10 (4) CIVIL PENALTY.—If the operator of a idled
11 well fails to pay the full amount of a fee under this
12 subsection, the Secretary may assess a civil penalty
13 against the operator under section 109 of the Fed-
14 eral Oil and Gas Royalty Management Act of 1982
15 (30 U.S.C. 1719) as if such failure to pay were a
16 violation under such section.

17 (5) ADJUSTMENT FOR INFLATION.—The Sec-
18 retary shall, by regulation not less than once every
19 4 years, adjust each fee under this subsection to ac-
20 count for inflation.

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

24 (7) IDLED WELL DEFINITION.—For the pur-
25 poses of this section, the term “idled well” means a

1 well that has been non-operational for at least two
2 consecutive years for which there is no anticipated
3 beneficial future use.

4 (q) ANNUAL PIPELINE OWNERS FEE.—Not later
5 than 180 after the date of enactment of this Act, the Bu-
6 reau of Safety and Environmental Enforcement shall issue
7 regulations to assess an annual fee on owners of offshore
8 oil and gas pipelines. Such fee may not qualify as a trans-
9 portation allowance and shall be no less than—

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

12 (2) \$1,000 per mile for pipelines in water depth
13 of under 500 feet.

14 (r) ROYALTIES ON ALL EXTRACTED METHANE.—

15 (1) ASSESSMENT ON ALL PRODUCTION.—

16 (A) IN GENERAL.—Except as provided in
17 subparagraph (B), royalties paid for gas pro-
18 duced from Federal lands and on the Outer
19 Continental Shelf shall be assessed on all gas
20 produced, including—

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

24 (ii) all gas that is consumed or lost by
25 venting, flaring, or fugitive releases

1 through any equipment during upstream
2 operations.

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

5 (i) gas vented or flared for not longer
6 than 48 hours in an acute emergency situ-
7 ation that poses a danger to human health;
8 and

9 (ii) gas used or consumed within the
10 area of the lease tract for the benefit of
11 the lease when the operator is a Tribe or
12 is controlled by a Tribe that is located en-
13 tirely on the lands of such Tribe.

14 (2) CONFORMING AMENDMENTS.—

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

17 (i) in section 14 (30 U.S.C. 223), by
18 adding at the end the following: “Royalties
19 shall be assessed with respect to oil and
20 gas, other than gas vented or flared for not
21 longer than 48 hours in an acute emer-
22 gency situation that poses a danger to
23 human health and gas used or gas con-
24 sumed within the area of the lease tract
25 for the benefit of the lease when the oper-

1 ator is a Tribe or is controlled by a Tribe
2 that is located entirely on the lands of such
3 Tribe, without regard to whether oil or gas
4 is removed or sold from the leased land.”;

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

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

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

13 (i) in section 6(a)(8) (43 U.S.C.
14 1335(a)(8)), by striking “saved, removed,
15 or sold” each place it appears; and

16 (ii) in section 8(a) (43 U.S.C.
17 1337(a))—

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

21 (II) by adding at the end the fol-
22 lowing:

23 “(9) Royalties under this Act shall be assessed
24 with respect to oil and gas, other than gas vented
25 or flared for not longer than 48 hours in an acute

1 emergency situation that poses a danger to human
2 health and gas used or gas consumed within the
3 area of the lease tract for the benefit of the lease
4 when the operator is a Tribe or is controlled by a
5 Tribe that is located entirely on the lands of such
6 Tribe, without regard to whether oil or gas is re-
7 moved or sold from the leased land.”.

8 (s) ELIMINATION OF ROYALTY RELIEF.—

9 (1) IN GENERAL.—

10 (A) OUTER CONTINENTAL SHELF LANDS
11 ACT.—Section 8(a)(3) of the Outer Continental
12 Shelf Lands Act (43 U.S.C. 1337(a)(3)) is
13 amended—

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

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

18 (B) ENERGY POLICY ACT OF 2005.—

19 (i) INCENTIVES FOR NATURAL GAS
20 PRODUCTION FROM DEEP WELLS IN THE
21 SHALLOW WATERS OF THE GULF OF MEX-
22 ICO.—Section 344 of the Energy Policy
23 Act of 2005 (42 U.S.C. 15904) is repealed.

1 (ii) DEEP WATER PRODUCTION.—Sec-
2 tion 345 of the Energy Policy Act of 2005
3 (42 U.S.C. 15905) is repealed.

4 (2) FUTURE PROVISIONS.—Royalty relief shall
5 not be permitted under a lease issued under section
6 8 of the Outer Continental Shelf Lands Act (43
7 U.S.C. 1337).

8 (3) PROVISIONS RELATING TO NAVAL PETRO-
9 LEUM RESERVE IN ALASKA.—Section 107 of the
10 Naval Petroleum Reserves Production Act of 1976
11 (42 U.S.C. 6506a) is amended—

12 (A) in subsection (i), by striking para-
13 graphs (2) through (6); and

14 (B) by striking subsection (k).

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

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

19 (B) CONFORMING AMENDMENTS.—

20 (i) Section 8721(b) of title 10, United
21 States Code, is amended by striking “202–
22 209” and inserting “202–208”.

23 (ii) Section 8735(a) of title 10, United
24 States Code, is amended by striking “202–
25 209” and inserting “202–208”.

1 (iii) Section 31(h) of the Mineral
2 Leasing Act (30 U.S.C. 188(h)) is amend-
3 ed by striking “and the provisions of sec-
4 tion 39 of this Act”.

5 **SEC. 70805. CIVIL AND CRIMINAL PENALTIES.**

6 (a) MINERAL LEASING ACT.—Section 41 of the Min-
7 eral Leasing Act (30 U.S.C. 195) is amended—

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

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

12 (b) FEDERAL OIL AND GAS ROYALTY MANAGEMENT
13 ACT OF 1982.—The Federal Oil and Gas Royalty Man-
14 agement Act of 1982 is amended—

15 (1) in section 109 (30 U.S.C. 1719)—

16 (A) in subsection (a)(2), by striking
17 “\$500” and inserting “\$1,500”;

18 (B) in subsection (b), by striking
19 “\$5,000” and inserting “\$15,000”;

20 (C) in subsection (c)(3), by striking
21 “\$10,000” and inserting “\$30,000”;

22 (D) in subsection (d)(3), by striking
23 “\$25,000” and inserting “\$75,000”;

1 (E) by redesignating existing subsections
2 (e) through (l) as (f) through (m), respectively;
3 and

4 (F) by adding at the end:

5 “(n) INFLATION ADJUSTMENT OF MAXIMUM PEN-
6 ALTIES.—

7 “(1) The maximum civil penalty amounts listed
8 in subsections (a) through (d) shall automatically
9 adjust for inflation on the 1st day of each calendar
10 year in accordance with the provisions of this sub-
11 section.

12 “(2) The inflation adjustment under this sub-
13 section shall be based on the Consumer Price Index
14 published by the Department of Labor for all Urban
15 Consumers (CPI-U) and shall be calculated by the
16 percentage change, if any, by which the CPI-U for
17 the month of October preceding the adjustment date
18 exceeds the CPI-U for the month of October one
19 year before.

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

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

1 (c) OUTER CONTINENTAL SHELF LANDS ACT.—

2 (1) CIVIL PENALTY, GENERALLY.—Section
3 24(b) of the Outer Continental Shelf Lands Act (43
4 U.S.C. 1350(b)) is amended to read as follows:

5 “(b) CIVIL PENALTIES.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), any person who fails to comply with any
8 provision of this Act, or any term of a lease, license,
9 or permit issued pursuant to this Act, or any regula-
10 tion or order issued under this Act, shall be liable
11 for a civil administrative penalty of not more than
12 \$75,000 for each day of the continuance of such fail-
13 ure. The Secretary may assess, collect, and com-
14 promise any such penalty.

15 “(2) OPPORTUNITY FOR A HEARING.—No pen-
16 alty shall be assessed until the person charged with
17 a violation has been given an opportunity for a hear-
18 ing.

19 “(3) ADJUSTMENT FOR INFLATION.—The Sec-
20 retary shall, by regulation at least every 3 years, ad-
21 just the penalty specified in this paragraph to reflect
22 any increases in inflation.

23 “(4) THREAT OF HARM.—If a failure described
24 in paragraph (1) constitutes or constituted a threat
25 of harm or damage to life, property, any mineral de-

1 posit, or the marine, coastal, or human environment,
2 a civil penalty of not more than \$150,000 shall be
3 assessed for each day of the continuance of the fail-
4 ure.”.

5 (2) KNOWING AND WILLFUL VIOLATIONS.—Sec-
6 tion 24(c) of the Outer Continental Shelf Lands Act
7 (43 U.S.C. 1350(c)) is amended by striking
8 “\$100,000” and inserting “\$1,000,000”.

9 (3) OFFICERS AND AGENTS OF CORPORA-
10 TIONS.—Section 24(d) of the Outer Continental
11 Shelf Lands Act (43 U.S.C. 1350(d)) is amended by
12 striking “knowingly and willfully authorized, or-
13 dered, or carried out” and inserting “authorized, or-
14 dered, carried out, or through reckless disregard of
15 the law caused”.

16 **SEC. 70806. TECHNICAL AMENDMENTS TO FOGRMA.**

17 (a) AMENDMENTS TO DEFINITIONS.—Section 3 of
18 the Federal Oil and Gas Royalty Management Act of 1982
19 (30 U.S.C. 1702) is amended—

20 (1) in paragraph (20)(A), by striking “: *Pro-*
21 *vided, That*” and all that follows through “subject of
22 the judicial proceeding”;

23 (2) in paragraph (20)(B), by striking “(with
24 written notice to the lessee who designated the des-
25 ignee)”;

1 (3) in paragraph (23)(A), by striking “(with
2 written notice to the lessee who designated the des-
3 ignee)”;

4 (4) by amending paragraph (24) to read as fol-
5 lows:

6 “(24) ‘designee’ means a person who pays, off-
7 sets, or credits monies, makes adjustments, requests
8 and receives refunds, or submits reports with respect
9 to payments a lessee must make pursuant to section
10 102(a);”;

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

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

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

17 “(IV) any assignment, that arises
18 from or relates to any lease, ease-
19 ment, right-of-way, permit, or other
20 agreement regardless of form adminis-
21 tered by the Secretary for, or any
22 mineral leasing law related to, the ex-
23 ploration, production, and develop-
24 ment of oil and gas or other energy

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

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

5 (b) COMPLIANCE REVIEWS.—Section 101 of the Fed-
6 eral Oil and Gas Royalty Management Act of 1982 (30
7 U.S.C. 1711) is amended by adding at the end the fol-
8 lowing new subsection:

9 “(d) The Secretary may, as an adjunct to audits of
10 accounts for leases, conduct compliance reviews of ac-
11 counts. Such reviews shall not constitute nor substitute
12 for audits of lease accounts. The Secretary shall imme-
13 diately refer any disparity uncovered in such a compliance
14 review to a program auditor. The Secretary shall, before
15 completion of a compliance review, provide notice of the
16 review to designees whose obligations are the subject of
17 the review.”.

18 (c) LIABILITY FOR ROYALTY PAYMENTS.—Section
19 102(a) of the Federal Oil and Gas Royalty Management
20 Act of 1982 (30 U.S.C. 1712(a)) is amended to read as
21 follows:

22 “(a) LIABILITY FOR ROYALTY PAYMENTS.—

23 “(1) TIME AND MANNER OF PAYMENT.—In
24 order to increase receipts and achieve effective col-
25 lections of royalty and other payments, a lessee who

1 is required to make any royalty or other payment
2 under a lease, easement, right-of-way, permit, or
3 other agreement, regardless of form, or under the
4 mineral leasing laws, shall make such payment in
5 the time and manner as may be specified by the Sec-
6 retary or the applicable delegated State.

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

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

19 (d) RECORDKEEPING.—Section 103(b) of the Federal
20 Oil and Gas Royalty Management Act of 1982 (30 U.S.C.
21 1713(b)) is amended by striking “6” and inserting “7”.

22 (e) ADJUSTMENTS AND REFUNDS.—Section 111A of
23 the Federal Oil and Gas Royalty Management Act of 1982
24 (30 U.S.C. 1721a) is amended—

25 (1) in subsection (a)—

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

3 “(3)(A) An adjustment or a request for a re-
4 fund for an obligation may be made after the adjust-
5 ment period only upon written notice to and ap-
6 proval by the Secretary or the applicable delegated
7 State, as appropriate, during an audit of the period
8 which includes the production month for which the
9 adjustment is being made.

10 “(B) Except as provided in subparagraph (C),
11 no adjustment may be made with respect to an obli-
12 gation after the completion of an audit or compli-
13 ance review of such obligation unless such adjust-
14 ment is approved by the Secretary or the applicable
15 delegated State, as appropriate.

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

19 (B) in paragraph (4)—

20 (i) by striking “six-year” and insert-
21 ing “four-year”; and

22 (ii) by striking “period shall” and in-
23 serting “period may”; and

24 (2) in subsection (b)(1)—

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

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

5 (C) by adding at the end the following:

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

8 (f) OBLIGATION PERIOD.—

9 (1) Section 115(b)(1) of the Federal Oil and
10 Gas Royalty Management Act of 1982 (30 U.S.C.
11 1724(b)(1)) is amended to read as follows:

12 “(1) The Secretary or a delegated State shall
13 commence a judicial proceeding or demand which
14 arises from, or relates to an obligation, within seven
15 years from the date on which the obligation becomes
16 due and if not so commenced shall be barred. A les-
17 see shall commence a judicial proceeding or demand
18 which arises from, or relates to an obligation, within
19 four years from the date on which an obligation be-
20 comes due and if not so commenced shall be barred.
21 If the Secretary, a delegated State, a lessee, or des-
22 ignee is barred from commencement of a judicial
23 proceeding or demand for an obligation, it—

24 “(A) shall not take any other or further
25 action regarding that obligation, including (but

1 not limited to) the issuance of any order, re-
2 quest, demand or other communication seeking
3 any document, accounting, determination, cal-
4 culation, recalculation, payment, principal, in-
5 terest, assessment, or penalty or the initiation,
6 pursuit or completion of an audit with respect
7 to that obligation; and

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

13 (2) Section 115(c) of the Federal Oil and Gas
14 Royalty Management Act of 1982 (30 U.S.C.
15 1724(c)) is amended by adding at the end the fol-
16 lowing new paragraph:

17 “(3) ADJUSTMENTS.—In the case of an adjust-
18 ment under section 111A(a) in which a recoupment
19 by the lessee results in an underpayment of an obli-
20 gation, the obligation becomes due on the date the
21 lessee or its designee makes the adjustment.”.

22 (g) APPEALS.—Section 115(h) of the Federal Oil and
23 Gas Royalty Management Act of 1982 (30 U.S.C.
24 1724(h)) is amended—

1 (1) in paragraph (1), in the heading, by strik-
2 ing “33-MONTH” and inserting “48-MONTH”;

3 (2) by striking “33 months” each place it ap-
4 pears and inserting “48 months”; and

5 (3) by striking “33-month” each place it ap-
6 pears and inserting “48-month”.

7 (h) PENALTY FOR LATE OR INCORRECT REPORTING
8 OF DATA.—

9 (1) IN GENERAL.—The Secretary of the Inte-
10 rior shall issue regulations by not later than 1 year
11 after the date of enactment of this Act that establish
12 a civil penalty for late or incorrect reporting of data
13 under the Federal Oil and Gas Royalty Management
14 Act of 1982.

15 (2) AMOUNT.—The amount of the civil penalty
16 shall be—

17 (A) an amount that the Secretary deter-
18 mines is sufficient to ensure filing of data in ac-
19 cordance with that Act; and

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

22 (3) CONTENT OF REGULATIONS.—Except as
23 provided in paragraph (2), the regulations issued
24 under this section shall be substantially similar to
25 section 216.40 of title 30, Code of Federal Regula-

1 tions, as most recently in effect before the date of
2 enactment of this Act.

3 (i) SHARED PENALTIES.—Section 206 of the Federal
4 Oil and Gas Royalty Management Act of 1982 (30 U.S.C.
5 1736) is amended by striking “Any payments under this
6 section shall be reduced by an amount equal to any pay-
7 ments provided or due to such State or Indian Tribe under
8 the cooperative agreement or delegation, as applicable,
9 during the fiscal year in which the civil penalty is received,
10 up to the total amount provided or due for that fiscal
11 year.”.

12 (j) ADJUSTMENTS AND REFUNDS.—Section 111A of
13 the Federal Oil and Gas Royalty Management Act of 1982
14 (30 U.S.C. 1721a) is amended—

15 (1) in subsection (a)—

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

18 “(3)(A) An adjustment or a request for a re-
19 fund for an obligation may be made after the adjust-
20 ment period only upon written notice to and ap-
21 proval by the Secretary or the applicable delegated
22 State, as appropriate, during an audit of the period
23 which includes the production month for which the
24 adjustment is being made.

1 “(B) Except as provided in subparagraph (C),
2 no adjustment may be made with respect to an obli-
3 gation after the completion of an audit or compli-
4 ance review of such obligation unless such adjust-
5 ment is approved by the Secretary or the applicable
6 delegated State, as appropriate.

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

10 (B) in paragraph (4)—

11 (i) by striking “six-year” and insert-
12 ing “four-year”; and

13 (ii) by striking “period shall” and in-
14 serting “period may”; and

15 (2) in subsection (b)(1)—

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

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

20 (C) by adding at the end the following:

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

23 (k) TOLLING AGREEMENTS AND SUBPOENAS.—

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

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

6 (B) by adding at the end “A tolling agree-
7 ment executed by a designee shall bind both the
8 owner of legal record title in a lease and the
9 owner of operating rights in a lease, and any
10 designee. The owner of the legal record title
11 and the owner of operating rights in a lease
12 shall be bound by the tolling agreement to the
13 extent of their pro rata share of payment obli-
14 gations under the lease.”.

15 (2) SUBPOENAS.—Section 115(d)(2)(A) of the
16 Federal Oil and Gas Royalty Management Act of
17 1982 (30 U.S.C. 1724(d)(2)(A)) is amended by
18 striking “(with notice to the lessee who designated
19 the designee, which notice shall not constitute a sub-
20 poena to the lessee)”.

21 (1) REQUIRED RECORDKEEPING FOR NATURAL GAS
22 PLANTS.—

23 (1) Not later than 1 year after the date of en-
24 actment of this Act, the Secretary of the Interior
25 shall publish final regulations with respect to re-

1 quired recordkeeping, under the authority provided
2 in section 103 of the Federal Oil and Gas Royalty
3 Management Act of 1982 (30 U.S.C. 1713), as
4 amended by this Act.

5 (2) Section 103(a) of the Federal Oil and Gas
6 Royalty Management Act of 1982 (30 U.S.C.
7 1713(a)) is amended to read:

8 “(a) A lessee, operator, or other person directly in-
9 volved in developing, producing, treating, transporting,
10 processing, purchasing, or selling oil or gas subject to this
11 chapter through the point of first arm’s-length sale, the
12 point of royalty determination, or the point that proc-
13 essing is complete, whichever is later, shall establish and
14 maintain any records, make any reports, and provide any
15 information that the Secretary may, by rule, reasonably
16 require for the purposes of implementing this chapter or
17 determining compliance with rules or orders under this
18 chapter. Upon the request of any officer or employee duly
19 designated by the Secretary or any State or Indian Tribe
20 conducting an audit or investigation pursuant to this
21 chapter, the appropriate records, reports, or information
22 which may be required by this section shall be made avail-
23 able for inspection and duplication by such officer or em-
24 ployee, State, or Indian Tribe.”.

25 (m) ENTITLEMENTS.—

1 (1) DIRECTED RULEMAKING.—Not later than
2 180 days after the date of enactment of this Act, the
3 Secretary of the Interior shall publish final regula-
4 tions prescribing when a Federal lessee or designee
5 must report and pay royalties on oil and gas produc-
6 tion for each month based on—

7 (A) the volume of oil and gas produced
8 from a lease or allocated to the lease in accord-
9 ance with the terms of a unit or
10 communitization agreement; or

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

13 (2) 100 PERCENT ENTITLEMENT REPORTING
14 AND PAYING.—The Secretary shall give consider-
15 ation to requiring all reporting and paying based on
16 the volume of oil and gas produced from a lease or
17 allocated to the lease in accordance with the terms
18 of a unit or communitization agreement without re-
19 gard to the actual volume of oil and gas sold by or
20 on behalf of a lessee.

21 (3) VOLUME ALLOCATION OF OIL AND GAS PRO-
22 DUCTION.—Section 111(i) of the Federal Oil and
23 Gas Royalty Management Act of 1982 (30 U.S.C.
24 1721(i)) is amended to read:

1 “(i) VOLUME ALLOCATION OF OIL AND GAS PRO-
2 DUCTION.—Except as otherwise provided by this sub-
3 section—

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

11 “(B) a lessee or its designee of a lease that is
12 not contained in a unit or communitization agree-
13 ment shall report and pay royalties on oil and gas
14 production for each production month based on the
15 volume of oil and gas produced from the lease unless
16 the Secretary promulgates a final rule to allow or re-
17 quire that the lessee report and pay royalties on oil
18 and gas production for each production month based
19 on the actual volume of production sold by or on be-
20 half of that lessee.”.

21 **SEC. 70807. HARDROCK MINING.**

22 (a) ABANDONED MINE LAND CLEANUP.—In addition
23 to amounts otherwise available, there is appropriated to
24 the Bureau of Land Management for fiscal year 2022, out
25 of any money in the Treasury not otherwise appropriated

1 \$2,500,000,000, to remain available until September 30,
2 2031, except that no amounts may be expended after Sep-
3 tember 30, 2031, for all activities necessary to inventory,
4 assess, decommission, reclaim, respond to hazardous sub-
5 stance releases on, and remediate abandoned locatable
6 minerals mine land.

7 (b) ROYALTY.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2) and subject to paragraph (3), production
10 of all locatable minerals from any mining claim lo-
11 cated under the general mining laws and maintained
12 in compliance with this Act, or mineral concentrates
13 or products derived from locatable minerals from
14 any such mining claim, as the case may be, shall be
15 subject to a royalty of 8 percent of the gross income
16 from mining. The claim holder or any operator to
17 whom the claim holder has assigned the obligation
18 to make royalty payments under the claim and any
19 person who controls such claim holder or operator
20 shall be liable for payment of such royalties.

21 (2) ROYALTY FOR FEDERAL LANDS SUBJECT
22 TO APPROVED PLAN OF OPERATIONS.—The royalty
23 under paragraph (2) shall be 4 percent in the case
24 of any Federal land that is subject to an approved

1 plan of operations on the date of the enactment of
2 this Act.

3 (3) FEDERAL LAND ADDED TO EXISTING PLANS
4 OF OPERATIONS.—Any Federal land added through
5 a plan modification to a mining plan of operations
6 that is submitted after the date of enactment of this
7 Act shall be subject to the royalty that applies to
8 Federal land under paragraph (1).

9 (4) LIMITATION ON APPLICATION.—

10 (A) IN GENERAL.—Any royalty under this
11 subsection shall not apply to small miners. In
12 this subparagraph, the term “small miner”
13 means a person (including all related parties
14 thereto) that certifies to the Secretary in writ-
15 ing that the person had annual gross income in
16 the preceding calendar year from mineral pro-
17 duction in an amount less than \$100,000.

18 (B) RELATED PARTIES DEFINED.—For the
19 purposes of this paragraph, the term “related
20 parties” means, with respect to a person—

21 (i) the spouse and all dependents (as
22 defined in section 152 of the Internal Rev-
23 enue Code of 1986 (26 U.S.C. 152)) of the
24 person; or

1 (ii) another person who is affiliated
2 with the person, including—

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

6 (II) a subsidiary or parent com-
7 pany or corporation of the person.

8 (C) CONTROL DEFINED.—For purposes of
9 this paragraph, the term “control” includes ac-
10 tual control, legal control, and the power to ex-
11 ercise control, through or by common directors,
12 officers, stockholders, a voting trust, or a hold-
13 ing company or investment company, or any
14 other means.

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

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

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

23 (ii) shall notify the Secretary of any
24 assignment that such person may have
25 made of the obligation to make any royalty

1 or other payment under a mining claim
2 under this section.

3 (B) WRITTEN INSTRUMENT.—Any person
4 paying royalties under this section shall file a
5 written instrument, together with the first roy-
6 alty payment, affirming that such person is re-
7 sponsible for making proper payments for all
8 amounts due for all time periods for which such
9 person has a payment responsibility.

10 (C) ADDITIONAL AMOUNTS.—Such respon-
11 sibility for the periods referred to in subpara-
12 graph (B) shall include any and all additional
13 amounts billed by the Secretary and determined
14 to be due by final agency or judicial action.

15 (D) JOINT AND SEVERAL LIABILITY.—Any
16 person liable for royalty payments under this
17 section who assigns any payment obligation
18 shall remain jointly and severally liable for all
19 royalty payments due for the period.

20 (E) OBLIGATIONS.—A person conducting
21 mineral activities shall—

22 (i) develop and comply with the site
23 security provisions in the mining plan of
24 operations designed to protect from theft
25 the hardrock minerals, concentrates, or

1 products derived therefrom that are pro-
2 duced or stored on the area subject to a
3 mining claim or lease, and such provisions
4 shall conform with such minimum stand-
5 ards as the Secretary may prescribe by
6 rule, taking into account the variety of cir-
7 cumstances on areas subject to mining
8 claims and leases; and

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

17 (F) REQUIRED DOCUMENTATION.—The
18 Secretary may by rule require any person en-
19 gaged in transporting a hardrock mineral, con-
20 centrate, or product derived therefrom to carry
21 on his or her person, in his or her vehicle, or
22 in his or her immediate control, documentation
23 showing, at a minimum, the amount, origin,
24 and intended destination of the hardrock min-
25 eral, concentrate, or product derived therefrom

1 in such circumstances as the Secretary deter-
2 mines is appropriate.

3 (6) RECORDKEEPING AND REPORTING RE-
4 QUIREMENTS.—

5 (A) IN GENERAL.—A claim holder, oper-
6 ator, or other person directly involved in devel-
7 oping, producing, processing, transporting, pur-
8 chasing, or selling hardrock minerals, con-
9 centrates, or products derived therefrom, sub-
10 ject to this section, shall establish and maintain
11 any records, make any reports, and provide any
12 information that the Secretary may reasonably
13 require for the purposes of implementing this
14 section or determining compliance with rules or
15 orders under this section. Such records shall in-
16 clude periodic reports, records, documents, and
17 other data. Such reports may also include perti-
18 nent technical and financial data relating to the
19 quantity, quality, composition volume, weight,
20 and assay of all minerals extracted from the
21 mining claim or lease.

22 (B) FORFEITURE.—Failure by a claim
23 holder or operator to cooperate with such an
24 audit, provide data required by the Secretary,

1 or grant access to information may, at the dis-
2 cretion of the Secretary, be declared void.

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

15 (7) AUDITS.—The Secretary is authorized to
16 conduct such audits of all operators, transporters,
17 purchasers, processors, or other persons directly or
18 indirectly involved in the production or sale of min-
19 erals covered by this section, as the Secretary deems
20 necessary for the purposes of ensuring compliance
21 with the requirements of this section. For purposes
22 of performing such audits, the Secretary shall, at
23 reasonable times and upon request, have access to,
24 and may copy, all books, papers and other docu-

1 ments that relate to compliance with any provision
2 of this section by any person.

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

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

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

23 (C) SELF-REPORTING.—The Secretary
24 may waive or reduce the assessment provided in
25 subparagraph (B) if the person liable for roy-

1 alty payments under this section corrects the
2 underreporting before the date such person re-
3 ceives notice from the Secretary that an under-
4 reporting may have occurred, or before 90 days
5 after the date of the enactment of this section,
6 whichever is later.

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

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

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

20 (iii) such person previously had noti-
21 fied the Secretary, in such manner as the
22 Secretary may by rule prescribe, of rel-
23 evant reasons or facts affecting the royalty
24 treatment of specific production which led
25 to the underreporting; or

1 (iv) such person meets any other ex-
2 ception which the Secretary may, by rule,
3 establish.

4 (E) DEFINITION.—For the purposes of
5 this subsection, the term “underreporting”
6 means the difference between the royalty on the
7 value of the production that should have been
8 reported and the royalty on the value of the
9 production which was reported, if the value that
10 should have been reported is greater than the
11 value that was reported.

12 (9) EXPANDED ROYALTY OBLIGATIONS.—Each
13 person liable for royalty payments under this section
14 shall be jointly and severally liable for royalty on all
15 hardrock minerals, concentrates, or products derived
16 therefrom lost or wasted from a mining claim when
17 such loss or waste is due to negligence on the part
18 of any person or due to the failure to comply with
19 any rule, regulation, or order issued under this sec-
20 tion.

21 (10) GROSS INCOME FROM MINING DEFINED.—
22 For the purposes of this section, for any hardrock
23 mineral, the term “gross income from mining” has
24 the same meaning as the term “gross income” in the
25 Internal Revenue Code of 1986 (26 CFR 61).

1 (11) EFFECTIVE DATE.—Royalties under this
2 section shall take effect with respect to the produc-
3 tion of hardrock minerals after the enactment of this
4 Act, but any royalty payments attributable to pro-
5 duction during the first 12 calendar months after
6 the enactment of this Act shall be payable at the ex-
7 piration of such 12-month period.

8 (12) FAILURE TO COMPLY WITH ROYALTY RE-
9 QUIREMENTS.—Any person who fails to comply with
10 the requirements of this section or any regulation or
11 order issued to implement this section shall be liable
12 for a civil penalty under section 109 of the Federal
13 Oil and Gas Royalty Management Act (30 U.S.C.
14 1719) to the same extent as if the claim maintained
15 in compliance with this title were a lease under such
16 Act.

17 (c) RECLAMATION FEE.—

18 (1) IMPOSITION OF FEE.—Except as provided
19 in paragraph (7), each operator conducting hardrock
20 mineral activities shall pay to the Secretary of the
21 Interior a reclamation fee of 7 cents per ton of dis-
22 placed material.

23 (2) PAYMENT DEADLINE.—Such reclamation
24 fee shall be paid not later than 60 days after the
25 end of each calendar year beginning with the first

1 calendar year occurring after the date of enactment
2 of this Act.

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

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

19 (5) CIVIL ACTION TO RECOVER FEE.—Any por-
20 tion of such reclamation fee not properly or prompt-
21 ly paid pursuant to this section shall be recoverable,
22 with statutory interest, from the hardrock mineral
23 activities operator, in any court of competent juris-
24 diction in any action at law to compel payment of
25 debts.

1 (6) EFFECT.—Nothing in this section requires
2 a reduction in, or otherwise affects, any similar fee
3 required under any law (including regulations) of
4 any State.

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

7 (8) DEFINITIONS.—

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

13 (B) The term “hardrock mineral”—

14 (i) means any mineral that was sub-
15 ject to location under the general mining
16 laws as of the date of enactment of this
17 Act, and that is not subject to disposition
18 under—

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

21 (II) the Geothermal Steam Act of
22 1970 (30 U.S.C. 1001 et seq.);

23 (III) the Act of July 31, 1947,
24 commonly known as the Materials Act
25 of 1947 (30 U.S.C. 601 et seq.); or

1 (IV) the Mineral Leasing for Ac-
2 quired Lands Act (30 U.S.C. 351 et
3 seq.); and

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

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

12 (II) owned by any Indian or In-
13 dian Tribe, as defined in that section.

14 (C) The term “mineral activities” means
15 any activity on a mining claim, mill site, or tun-
16 nel site, or a mining plan of operations, for, re-
17 lated to, or incidental to, mineral exploration,
18 mining, beneficiation, processing, or reclama-
19 tion activities for any hardrock mineral.

20 (D) The term “operator” means any per-
21 son authorized at the date of enactment of this
22 Act or proposing after the date of enactment of
23 this Act to conduct mineral activities under the
24 Mining Law of 1872 (30 U.S.C. 22) and any
25 agent of such person.

1 (E) The term “small miner” means a per-
2 son (including all related parties thereto) that
3 certifies to the Secretary in writing that the
4 person had annual gross income in the pre-
5 ceding calendar year from mineral production
6 in an amount less than \$100,000.

7 (F) The term “displaced material” means
8 any crude ore and waste dislodged from its lo-
9 cation at the time hardrock mineral activities
10 begin at a surface, underground, or in-situ
11 mine.

12 (d) CLAIM MAINTENANCE FEE.—

13 (1) HARDROCK MINING CLAIM MAINTENANCE
14 FEE.—

15 (A) REQUIRED FEES.—

16 (i) For each unpatented mining claim,
17 mill, or tunnel site on federally owned
18 lands, whether located before, on, or after
19 the date of enactment of this Act, each
20 claimant shall pay to the Secretary, on or
21 before September 1 of each year, a claim
22 maintenance fee of \$200 per claim to hold
23 such unpatented mining claim, mill or tun-
24 nel site for the assessment year beginning
25 at noon on the next day, September 1.

1 (ii) For each unpatented placer min-
2 ing claim on federally owned lands, wheth-
3 er located before, on, or after the date of
4 enactment of this Act, each claimant shall
5 pay to the Secretary, on or before Sep-
6 tember 1 of each year, a claim mainte-
7 nance fee of \$200 for each 20 acres of the
8 placer claim or portion thereof.

9 (iii) Such claim maintenance fee de-
10 scribed in this section shall be in lieu of
11 the assessment work requirement con-
12 tained in the Mining Law of 1872 (30
13 U.S.C. 28 et seq.) and the related filing re-
14 quirements contained in section 314 (a)
15 and (c) of the Federal Land Policy and
16 Management Act of 1976 (43 U.S.C. 1744
17 (a) and (c)).

18 (iv) The claim maintenance fee in this
19 section shall be paid for the year in which
20 the location is made, at the time the loca-
21 tion notice is recorded with the Bureau of
22 Land Management.

23 (B) FEE ADJUSTMENTS.—

24 (i) The Secretary shall provide claim-
25 ants notice of any adjustment made under

1 this subsection not later than July 1 of
2 any year in which the adjustment is made.

3 (ii) A fee adjustment under this sub-
4 section shall begin to apply the first as-
5 sessment year which begins after adjust-
6 ment is made.

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

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

16 (ii) have performed assessment work
17 required under the Mining Law of 1872
18 (30 U.S.C. 28–28e) to maintain the min-
19 ing claims held by the claimant and such
20 related parties for the assessment year
21 ending on noon of September 1 of the cal-
22 endar year in which payment of the claim
23 maintenance fee was due.

24 (2) CO-OWNERSHIP.—The co-ownership provi-
25 sions of the Mining Law of 1872 (30 U.S.C. 28 et

1 seq.) shall remain in effect except that the annual
2 claim maintenance fee, where applicable, shall re-
3 place applicable assessment requirements and ex-
4 penditures.

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

11 (e) FUNDING TO PREVENT ENVIRONMENTAL DAM-
12 AGE FROM MINING.—In addition to amounts otherwise
13 available, there is appropriated to the Bureau of Land
14 Management for fiscal year 2022, out of any money in
15 the Treasury not otherwise appropriated, \$3,000,000, to
16 remain available until September 30, 2031, except that no
17 amounts may be expended after September 30, 2031, to
18 revise rules and regulations to prevent undue degradation
19 of public lands due to hardrock mining activities as au-
20 thorized by the Federal Land Policy and Management Act
21 (43 U.S.C. 1701) and the Mining Law of 1872 (30 U.S.C.
22 22).