

114TH CONGRESS  
1ST SESSION

# S. 1271

To require the Secretary of the Interior to issue regulations to prevent or minimize the venting and flaring of gas in oil and gas production operations in the United States, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 11, 2015

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To require the Secretary of the Interior to issue regulations to prevent or minimize the venting and flaring of gas in oil and gas production operations in the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Fuel Loss Abatement  
5       and Royalty Enhancement Act” or the “FLARE Act”.

1 **SEC. 2. REGULATIONS TO PREVENT OR MINIMIZE VENTING**  
2 **AND FLARING OF GAS.**

3 (a) **IN GENERAL.**—Not later than 180 days after the  
4 date of enactment of this Act, the Secretary of the Interior  
5 shall issue regulations under this Act—

6 (1) to prevent or minimize the venting and flar-  
7 ing of gas in oil and gas production operations on  
8 Federal land onshore and offshore in the United  
9 States; and

10 (2) to promote the capture and beneficial use or  
11 reinjection of gas in the operations referred to in  
12 paragraph (1).

13 (b) **ROYALTIES.**—A regulation issued under this sec-  
14 tion shall include provisions that treat gas that is flared  
15 or vented in operations under a lease under this Act as  
16 production for which royalty is required to be paid to the  
17 United States.

18 (c) **LIMITATION ON APPLICATION TO EXISTING**  
19 **LEASES.**—Regulations issued under subsection (a) shall  
20 not apply with respect to production under a lease in effect  
21 on the date of enactment of this Act to the extent such  
22 application would constitute a breach of the terms of the  
23 lease by the United States.

1 **SEC. 3. ASSESSMENT OF VENTING AND FLARING OF GAS IN**  
2 **PRODUCTION OPERATIONS IN UNITED**  
3 **STATES.**

4 Not later than 18 months after the date of enactment  
5 of this Act, the Comptroller General of the United States  
6 shall—

7 (1) assess the venting and flaring of gas in oil  
8 and gas production operations on Federal land on-  
9 shore and offshore in the United States; and

10 (2) submit to Congress a report on the venting  
11 and flaring of gas in oil and gas production oper-  
12 ations on Federal land onshore and offshore in the  
13 United States, including an estimate of the volume  
14 of gas that is vented or flared in such operations  
15 each year.

16 **SEC. 4. REGULATIONS.**

17 The Secretary of the Interior shall issue regulations  
18 that define the terms “vent”, “venting”, “flare”, and  
19 “flaring” for purposes of this Act.

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