

111TH CONGRESS  
1ST SESSION

# S. 1623

To prohibit the Secretary of the Interior from issuing new Federal oil and gas leases to holders of existing leases who do not diligently develop the land subject to the existing leases or relinquish the leases, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 6, 2009

Mr. FEINGOLD (for himself, Mr. DODD, and Mr. MENENDEZ) 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 prohibit the Secretary of the Interior from issuing new Federal oil and gas leases to holders of existing leases who do not diligently develop the land subject to the existing leases or relinquish the leases, 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 “Responsible Federal  
5 Oil and Gas Lease Act”.

6 **SEC. 2. ISSUANCE OF NEW LEASES.**

7 (a) DEFINITIONS.—In this section:

1           (1) LESSEE.—The term “lessee” includes any  
2           person or other entity that controls, is controlled by,  
3           or is in or under common control with, a lessee.

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

6           (b) LEASES.—Effective beginning on the date of pro-  
7           mulgation of regulations under subsection (c), the Sec-  
8           retary shall not issue any new lease that authorizes the  
9           exploration for or production of oil or natural gas under  
10          section 17 of the Mineral Leasing Act (33 U.S.C. 226),  
11          the Mineral Leasing Act for Acquired Lands (30 U.S.C.  
12          351 et seq.), or the Outer Continental Shelf Lands Act  
13          (43 U.S.C. 1331 et seq.) to a person unless the person—

14               (1) certifies for each existing lease under those  
15               Acts for the production of oil or gas with respect to  
16               which the person is a lessee, that the person has dili-  
17               gently developed the Federal land that is subject to  
18               the lease in order to produce oil or natural gas or  
19               is producing oil or natural gas from the land; or

20               (2) has relinquished all Federal oil and gas  
21               leases under which oil and gas is not being diligently  
22               developed.

23          (c) DILIGENT DEVELOPMENT.—

24               (1) IN GENERAL.—Not later than 180 days  
25               after the date of enactment of this Act, the Sec-

1       retary shall promulgate regulations that define “dili-  
2       gently developed” for purposes of this section.

3               (2) REGULATIONS.—The regulations shall—

4                       (A) include benchmarks for oil and gas de-  
5       velopment that will ensure that leaseholders  
6       produce oil and gas from each lease within the  
7       original term of the lease; and

8                       (B) require each leaseholder to submit to  
9       the Secretary a diligent development plan dem-  
10      onstrating how the lessee will meet the bench-  
11      marks.

12       (d) FAILURE TO COMPLY WITH REQUIREMENTS.—  
13      Any person that fails to comply with this section (includ-  
14      ing any regulation or order issued under this section) shall  
15      be liable for a civil penalty under the terms and conditions  
16      of section 109 of the Federal Oil and Gas Royalty Man-  
17      agement Act of 1982 (30 U.S.C. 1719).

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