

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “American Energy and Conservation Act of 2016”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ONSHORE AND OFFSHORE ENERGY PRODUCTION  
REFORMS

- Sec. 101. Disposition of outer Continental Shelf revenues to Gulf producing States.
- Sec. 102. Distribution of revenue to Alaska.
- Sec. 103. Disposition of revenues to Atlantic States.
- Sec. 104. Limitations on amount of qualified revenues.
- Sec. 105. Tribal Resilience Program.
- Sec. 106. Tribal Resilience Fund.
- Sec. 107. Restoring equity in State mineral revenue sharing.
- Sec. 108. Parity in offshore wind revenue sharing.
- Sec. 109. Effect.

TITLE II—DEVELOPMENT OF GEOTHERMAL, SOLAR, AND WIND  
ENERGY ON PUBLIC LAND

- Sec. 201. Definitions.
- Sec. 202. Land use planning; supplements to programmatic environmental impact statements.
- Sec. 203. Environmental review on covered land.
- Sec. 204. Program to improve renewable energy project permit coordination.
- Sec. 205. Disposition of revenues from covered land.
- Sec. 206. Savings clause.

TITLE III—CONSERVATION

- Sec. 301. National Park Service Maintenance and Revitalization Conservation Fund.

1 **TITLE I—ONSHORE AND OFF-**  
2 **SHORE ENERGY PRODUCTION**  
3 **REFORMS**

4 **SEC. 101. DISPOSITION OF OUTER CONTINENTAL SHELF**  
5 **REVENUES TO GULF PRODUCING STATES.**

6 Section 105 of the Gulf of Mexico Energy Security  
7 Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432)  
8 is amended—

9 (1) in subsection (a)(2)—

10 (A) in subparagraph (A), by striking  
11 “and” after the semicolon;

12 (B) in subparagraph (B)—

1 (i) by striking “25” and inserting  
2 “22”; and

3 (ii) by striking the period at the end  
4 and inserting “; and”; and

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

6 “(C) 3 percent to be used for projects that  
7 secure recreational public access to Federal  
8 land for hunting, fishing, or other recreational  
9 purposes in accordance with section 200306 of  
10 title 54, United States Code.”; and

11 (2) in subsection (f), by striking paragraph (1)  
12 and inserting the following:

13 “(1) IN GENERAL.—Subject to paragraph (2),  
14 the total amount of qualified outer Continental Shelf  
15 revenues described in section 102(9)(A)(ii) that are  
16 made available under subsection (a)(2) shall not ex-  
17 ceed—

18 “(A) for each of fiscal years 2017 through  
19 2026, \$500,000,000;

20 “(B) for each of fiscal years 2027 through  
21 2036, \$835,000,000; and

22 “(C) for each of fiscal years 2037 through  
23 2055, \$705,000,000.”.

1 **SEC. 102. DISTRIBUTION OF REVENUE TO ALASKA.**

2 Section 9 of the Outer Continental Shelf Lands Act  
3 (43 U.S.C. 1338) is amended—

4 (1) by striking “All rentals,” and inserting the  
5 following:

6 “(a) IN GENERAL.—Except as provided in sub-  
7 sections (b) and (c), all rentals,”; and

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

9 “(b) DISTRIBUTION OF REVENUE TO ALASKA.—

10 “(1) DEFINITIONS.—In this subsection:

11 “(A) COASTAL POLITICAL SUBDIVISION.—

12 The term ‘coastal political subdivision’ means a  
13 county-equivalent or municipal subdivision of  
14 the State—

15 “(i) all or part of which lies within the  
16 coastal zone of the State (as defined in  
17 section 304 of the Coastal Zone Manage-  
18 ment Act of 1972 (16 U.S.C. 1453)); and

19 “(ii)(I) the closest coastal point of  
20 which is not more than 200 nautical miles  
21 from the geographical center of any leased  
22 tract in the Alaska outer Continental Shelf  
23 region; or

24 “(II)(aa) the closest point of which is  
25 more than 200 nautical miles from the

1           geographical center of a leased tract in the  
2           Alaska outer Continental Shelf region; and

3           “(bb) that is determined by the State  
4           to be a significant staging area for oil and  
5           gas servicing, supply vessels, operations,  
6           suppliers, or workers.

7           “(B) QUALIFIED REVENUES.—

8           “(i) IN GENERAL.—The term ‘quali-  
9           fied revenues’ means all revenues derived  
10          from all rentals, royalties, bonus bids, and  
11          other sums due and payable to the United  
12          States from energy development in the  
13          Alaska outer Continental Shelf region.

14          “(ii) EXCLUSIONS.—The term ‘quali-  
15          fied revenues’ does not include revenues  
16          generated from leases subject to section  
17          8(g).

18          “(C) STATE.—The term ‘State’ means the  
19          State of Alaska.

20          “(2) DEPOSIT.—For fiscal year 2027 and each  
21          fiscal year thereafter, the Secretary shall deposit—

22                  “(A) 50 percent of qualified revenues in  
23                  the general fund of the Treasury;

24                  “(B) 6.25 percent of qualified revenues for  
25                  the payment in lieu of taxes program estab-

1           lished by section 6902 of title 31, United States  
2           Code;

3           “(C) 6.25 percent of qualified revenues in  
4           the Tribal Resilience Fund established by sec-  
5           tion 106(a) of the American Energy and Con-  
6           servation Act of 2016;

7           “(D) 28 percent of qualified revenues in a  
8           special account in the Treasury, to be distrib-  
9           uted by the Secretary to the State;

10          “(E) 7.5 percent of qualified revenues in a  
11          special account in the Treasury, to be distrib-  
12          uted by the Secretary to coastal political sub-  
13          divisions; and

14          “(F) 2 percent of qualified revenues in the  
15          general account of the Denali Commission.

16          “(3) ALLOCATION AMONG COASTAL POLITICAL  
17          SUBDIVISIONS.—Of the amount paid by the Sec-  
18          retary to coastal political subdivisions under para-  
19          graph (2)(E)—

20          “(A) 90 percent shall be allocated in  
21          amounts (based on a formula established by the  
22          Secretary by regulation) that are inversely pro-  
23          portional to the respective distances between  
24          the point in each coastal political subdivision  
25          that is closest to the geographic center of the

1 applicable leased tract and not more than 200  
2 miles from the geographic center of the leased  
3 tract; and

4 “(B) 10 percent shall be divided equally  
5 among each coastal political subdivision that—

6 “(i) is more than 200 nautical miles  
7 from the geographic center of a leased  
8 tract; and

9 “(ii) the State of Alaska determines to  
10 be a significant staging area for oil and  
11 gas servicing, supply vessels, operations,  
12 suppliers, or workers.

13 “(4) TIMING.—The amounts required to be de-  
14 posited under paragraph (2) for the applicable fiscal  
15 year shall be made available in accordance with that  
16 paragraph during the fiscal year immediately fol-  
17 lowing the applicable fiscal year.

18 “(5) ADMINISTRATION.—Amounts made avail-  
19 able under subparagraphs (B) through (F) of para-  
20 graph (2) shall—

21 “(A) be made available, without further  
22 appropriation, in accordance with this sub-  
23 section;

24 “(B) remain available until expended; and

1                   “(C) be in addition to any amounts appro-  
2                   priated under any other provision of law.”.

3 **SEC. 103. DISPOSITION OF REVENUES TO ATLANTIC**  
4 **STATES.**

5           Section 9 of the Outer Continental Shelf Lands Act  
6 (43 U.S.C. 1338) (as amended by section 102) is amended  
7 by adding at the end the following:

8           “(c) DISTRIBUTION OF REVENUE TO ATLANTIC  
9 STATES.—

10           “(1) DEFINITIONS.—In this subsection:

11                   “(A) ATLANTIC STATE.—The term ‘Atlan-  
12                   tic State’ means any of the following States,  
13                   which are adjacent to the South Atlantic plan-  
14                   ning area:

15                           “(i) Georgia.

16                           “(ii) North Carolina.

17                           “(iii) South Carolina.

18                           “(iv) Virginia.

19                   “(B) QUALIFIED REVENUES.—

20                           “(i) IN GENERAL.—The term ‘quali-  
21                           fied revenues’ means all revenues derived  
22                           from all rentals, royalties, bonus bids, and  
23                           other sums due and payable to the United  
24                           States from energy development in the At-  
25                           lantic planning region.



1           “(ii) the National Park Service Crit-  
2           ical Maintenance and Revitalization Con-  
3           servations Fund established by section  
4           104908 of title 54, United States Code, for  
5           use in accordance with subsection (c) of  
6           that section; and

7           “(iii) the Secretary of Transportation  
8           to administer and award TIGER discre-  
9           tionary grants; and

10          “(C) 37.5 percent of any qualified revenues  
11          shall be deposited in a special account in the  
12          Treasury from which the Secretary shall dis-  
13          burse amounts to the Atlantic States in accord-  
14          ance with paragraph (3).

15          “(3) ALLOCATION TO STATES.—

16          “(A) IN GENERAL.—Subject to subpara-  
17          graphs (B) and (C), effective for fiscal year  
18          2027 and each fiscal year thereafter, the Sec-  
19          retary of the Treasury shall allocate the quali-  
20          fied revenues described in paragraph (2)(C) to  
21          each Atlantic State in amounts (based on a for-  
22          mula established by the Secretary, by regula-  
23          tion) that are inversely proportional to the re-  
24          spective distances between—



1                   “(ii) 2.5 percent to enhance geological  
2                   and geophysical education for the energy  
3                   future of the United States.

4                   “(4) TIMING.—The amounts required to be de-  
5                   posited under paragraph (2) for the applicable fiscal  
6                   year shall be made available in accordance with that  
7                   paragraph during the fiscal year immediately fol-  
8                   lowing the applicable fiscal year.”.

9   **SEC. 104. LIMITATIONS ON AMOUNT OF QUALIFIED REVE-**  
10                   **NUES.**

11                   Section 9 of the Outer Continental Shelf Lands Act  
12                   (43 U.S.C. 1338) (as amended by section 103) is amended  
13                   by adding at the end the following:

14                   “(d) LIMITATION ON AMOUNT OF QUALIFIED REVE-  
15                   NUES.—

16                   “(1) IN GENERAL.—The total amount of quali-  
17                   fied revenues made available under subparagraphs  
18                   (B), (C), (D), (E), and (F) of subsection (b)(2) and  
19                   subparagraphs (B) and (C) of subsection (c)(2) shall  
20                   not exceed—

21                   “(A) for each of fiscal years 2027 through  
22                   2036, \$75,000,000;

23                   “(B) for each of fiscal years 2037 through  
24                   2055, \$205,000,000; and

1                   “(C) for each of fiscal years 2056 through  
2                   2067, \$410,000,000.

3                   “(2) PRO RATA REDUCTIONS.—If paragraph (1)  
4                   limits the amount of qualified revenues that would  
5                   be paid under subparagraphs (A) and (B) of sub-  
6                   section (b)(3)—

7                   “(A) the Secretary shall reduce the amount  
8                   of qualified revenues provided to each recipient  
9                   under those subparagraphs on a pro rata basis;  
10                  and

11                  “(B) any remainder of the qualified reve-  
12                  nues that would be paid under those subpara-  
13                  graphs if not for paragraph (1) shall revert to  
14                  the general fund of the Treasury.”.

15 **SEC. 105. TRIBAL RESILIENCE PROGRAM.**

16                  (a) DEFINITION OF INDIAN TRIBE.—In this section,  
17                  the term “Indian tribe” has the meaning given the term  
18                  in section 4 of the Indian Self-Determination and Edu-  
19                  cation Assistance Act (25 U.S.C. 450b).

20                  (b) ESTABLISHMENT.—The Secretary shall establish  
21                  a program—

22                         (1) to improve the resilience of Indian tribes to  
23                         the effects of a changing climate;

24                         (2) to support Native American leaders in  
25                         building strong, resilient communities; and

1           (3) to ensure the development of modern, cost-  
2           effective infrastructure.

3           (c) GRANTS.—Subject to the availability of appro-  
4           priations and amounts in the Tribal Resilience Fund es-  
5           tablished by section 106(a), in carrying out the program  
6           described in subsection (b), the Secretary shall make ad-  
7           aptation grants, in amounts not to exceed \$200,000,000  
8           total per fiscal year, to Indian tribes for eligible activities  
9           described in subsection (d).

10          (d) ELIGIBLE ACTIVITIES.—An Indian tribe receiving  
11          a grant under subsection (c) may only use grant funds  
12          for 1 or more of the following eligible activities:

13               (1) Development and delivery of adaptation  
14               training.

15               (2) Adaptation planning, vulnerability assess-  
16               ments, emergency preparedness planning, and moni-  
17               toring.

18               (3) Capacity building through travel support for  
19               training, technical sessions, and cooperative manage-  
20               ment forums.

21               (4) Travel support for participation in ocean  
22               and coastal planning.

23               (5) Development of science-based information  
24               and tools to enable adaptive resource management  
25               and the ability to plan for resilience.

1           (6) Relocation of villages or other communities  
2           experiencing or susceptible to coastal or river ero-  
3           sion.

4           (7) Construction of infrastructure to support  
5           emergency evacuations.

6           (8) Restoration or repair of infrastructure dam-  
7           aged by melting permafrost or coastal or river ero-  
8           sion.

9           (9) Installation and management of energy sys-  
10          tems that reduce energy costs and greenhouse gas  
11          emissions compared to the energy systems in use be-  
12          fore that installation and management.

13          (10) Construction and maintenance of social or  
14          cultural infrastructure that the Secretary determines  
15          supports resilience.

16          (e) APPLICATIONS.—An Indian tribe desiring an ad-  
17          aptation grant under subsection (c) shall submit to the  
18          Secretary an application at such time, in such manner,  
19          and containing such information as the Secretary may re-  
20          quire, including a description of the eligible activities to  
21          be undertaken using the grant.

22          (f) CAPITAL PROJECTS.—Of amounts made available  
23          to carry out this program, not less than 90 percent shall  
24          be used for the engineering, design, and construction or  
25          implementation of capital projects.

1 (g) INTERAGENCY COOPERATION.—The Secretary  
2 and the Administrator of the Environmental Protection  
3 Agency shall establish under the White House Council on  
4 Native American Affairs an interagency subgroup on trib-  
5 al resilience—

6 (1) to work with Indian tribes to collect and  
7 share data and information, including traditional ec-  
8 ological knowledge, about how the effects of a chang-  
9 ing climate are relevant to Indian tribes and Alaska  
10 Natives; and

11 (2) to identify opportunities for the Federal  
12 Government to improve collaboration and assist with  
13 adaptation and mitigation efforts that promote resil-  
14 ience.

15 (h) TRIBAL RESILIENCE LIAISON.—The Secretary  
16 shall establish a tribal resilience liaison—

17 (1) to coordinate with Indian tribes and rel-  
18 evant Federal agencies; and

19 (2) to help ensure tribal engagement in climate  
20 conversations at the Federal level.

21 **SEC. 106. TRIBAL RESILIENCE FUND.**

22 (a) ESTABLISHMENT.—There is established in the  
23 Treasury a fund, to be known as the “Tribal Resilience  
24 Fund” (referred to in this section as the “Fund”).

1 (b) DEPOSITS.—The Fund shall consist of the fol-  
2 lowing:

3 (1) Amounts made available through an appro-  
4 priation Act for deposit in the Fund.

5 (2) Amounts deposited into the Fund under  
6 subsection (b)(2)(C) of section 9 of the Outer Conti-  
7 nental Shelf Lands Act (43 U.S.C. 1338) (as added  
8 by section 102(2)).

9 (c) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—In addition to the amounts  
11 estimated by the Secretary to be deposited in the  
12 Fund under subsection (b), there are authorized to  
13 be appropriated annually to the Fund out of any  
14 money in the Treasury not otherwise appropriated  
15 such amounts as are necessary to make the income  
16 of the Fund not more than \$200,000,000 for fiscal  
17 year 2027 and each fiscal year thereafter.

18 (2) AVAILABILITY OF DEPOSITS.—

19 (A) IN GENERAL.—Amounts deposited in  
20 the Fund under this subsection shall remain  
21 available until expended, without fiscal year  
22 limitation.

23 (B) USE.—Amounts deposited in the Fund  
24 under this subsection and made available for  
25 obligation or expenditure from the Fund may

1           be obligated or expended only to carry out the  
2           Tribal Resilience Program under section 105.

3 **SEC. 107. RESTORING EQUITY IN STATE MINERAL REVENUE**  
4                                   **SHARING.**

5           Section 35(b) of the Mineral Leasing Act (30 U.S.C.  
6 191(b)) is amended—

7           (1) by inserting “through fiscal year 2026”  
8           after “thereafter”;

9           (2) by striking “In determining” and inserting  
10          the following:

11           “(1) FISCAL YEARS 2014 THROUGH 2026.—In  
12          determining”; and

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

14           “(2) FISCAL YEAR 2027 AND THEREAFTER.—In  
15          determining the amount of payments to the States  
16          under this section, beginning in fiscal year 2027 and  
17          for each year thereafter, the amount of such pay-  
18          ments—

19                           “(A) shall not be reduced by any adminis-  
20                           trative or other costs incurred by the United  
21                           States, if the total amount of administrative or  
22                           other costs incurred by the United States in an  
23                           applicable fiscal year is less than \$38,000,000;  
24                           but



1                   “(I) For each fiscal year through  
2                   fiscal year 2026, 27 percent.

3                   “(II) For fiscal year 2027 and  
4                   each fiscal year thereafter, 37.5 per-  
5                   cent.

6                   “(ii) FORMULA.—Payments under  
7                   clause (i) shall be made based on a for-  
8                   mula established by the Secretary by rule-  
9                   making not later than 180 days after the  
10                  date of enactment of the American Energy  
11                  and Conservation Act of 2016 that pro-  
12                  vides for equitable distribution, based on  
13                  proximity to the project, among coastal  
14                  States that have a coastline that is located  
15                  within 30 miles of the geographic center of  
16                  the project.”; and

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

18                  “(C) LIMITATION.—The total amount of  
19                  revenues made available under subparagraph  
20                  (B)(i)(II) shall not exceed for any fiscal year  
21                  \$11,000,000.”.

22 **SEC. 109. EFFECT.**

23                  Nothing in this title or an amendment made by this  
24                  title opens for leasing any area on the outer Continental  
25                  Shelf that is—

1 (1) subject to a moratorium under section 104  
2 of the Gulf of Mexico Energy Security Act of 2006  
3 (43 U.S.C. 1331 note; Public Law 109–432); or

4 (2) off the Atlantic coast of the State of Flor-  
5 ida.

6 **TITLE II—DEVELOPMENT OF**  
7 **GEOHERMAL, SOLAR, AND**  
8 **WIND ENERGY ON PUBLIC**  
9 **LAND**

10 **SEC. 201. DEFINITIONS.**

11 In this title:

12 (1) COVERED LAND.—The term “covered land”  
13 means land that is—

14 (A) public land administered by the Sec-  
15 retary; and

16 (B) not excluded from the development of  
17 geothermal, solar, or wind energy under—

18 (i) a land use plan established under  
19 the Federal Land Policy and Management  
20 Act of 1976 (43 U.S.C. 1701 et seq.); or

21 (ii) other Federal law.

22 (2) EXCLUSION AREA.—The term “exclusion  
23 area” means covered land that is identified by the  
24 Bureau of Land Management as not suitable for de-  
25 velopment of renewable energy projects.

1           (3) FEDERAL LAND.—The term “Federal land”  
2 means—

3           (A) National Forest System land (as de-  
4 fined in section 11(a) of the Forest and Range-  
5 land Renewable Resources Planning Act of  
6 1974 (16 U.S.C. 1609(a))); or

7           (B) public land.

8           (4) FUND.—The term “Fund” means the Re-  
9 newable Energy Resource Conservation Fund estab-  
10 lished by section 205(c).

11           (5) PRIORITY AREA.—The term “priority area”  
12 means covered land identified by the land use plan-  
13 ning process of the Bureau of Land Management as  
14 being a preferred location for a renewable energy  
15 project.

16           (6) PUBLIC LAND.—The term “public land”  
17 has the meaning given the term “public lands” in  
18 section 103 of the Federal Land Policy and Manage-  
19 ment Act of 1976 (43 U.S.C. 1702).

20           (7) RENEWABLE ENERGY PROJECT.—The term  
21 “renewable energy project” means a project carried  
22 out on covered land that uses wind, solar, or geo-  
23 thermal energy to generate energy.

24           (8) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

1           (9) VARIANCE AREA.—The term “variance  
2 area” means covered land that is—

3                   (A) not an exclusion area; and

4                   (B) not a priority area.

5 **SEC. 202. LAND USE PLANNING; SUPPLEMENTS TO PRO-**  
6 **GRAMMATIC ENVIRONMENTAL IMPACT**  
7 **STATEMENTS.**

8 (a) PRIORITY AREAS.—

9           (1) IN GENERAL.—The Secretary, in consulta-  
10 tion with the Secretary of Energy, shall establish  
11 priority areas on covered land for geothermal, solar,  
12 and wind energy projects.

13           (2) DEADLINE.—

14                   (A) GEOTHERMAL ENERGY.—For geo-  
15 thermal energy, the Secretary shall establish  
16 priority areas as soon as practicable, but not  
17 later than 5 years, after the date of enactment  
18 of this Act.

19                   (B) SOLAR ENERGY.—For solar energy,  
20 the solar energy zones established by the 2012  
21 western solar plan of the Bureau of Land Man-  
22 agement shall be considered to be priority areas  
23 for solar energy projects.

24                   (C) WIND ENERGY.—For wind energy, the  
25 Secretary shall establish priority areas as soon

1 as practicable, but not later than 3 years, after  
2 the date of enactment of this Act.

3 (b) VARIANCE AREAS.—To the maximum extent  
4 practicable, variance areas shall be considered for renew-  
5 able energy project development, consistent with the prin-  
6 ciples of multiple use as defined in the Federal Land Pol-  
7 icy and Management Act of 1976 (43 U.S.C. 1701 et  
8 seq.).

9 (c) REVIEW AND MODIFICATION.—Not less fre-  
10 quently than once every 10 years, the Secretary shall—

11 (1) review the adequacy of land allocations for  
12 geothermal, solar, and wind energy priority and vari-  
13 ance areas for the purpose of encouraging new re-  
14 newable energy development opportunities; and

15 (2) based on the review carried out under para-  
16 graph (1), add, modify, or eliminate priority, vari-  
17 ance, and exclusion areas.

18 (d) COMPLIANCE WITH THE NATIONAL ENVIRON-  
19 MENTAL POLICY ACT.—For purposes of this section, com-  
20 pliance with the National Environmental Policy Act of  
21 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

22 (1) for geothermal energy, by supplementing  
23 the October 2008 final programmatic environmental  
24 impact statement for geothermal leasing in the west-  
25 ern United States;

1           (2) for solar energy, by supplementing the July  
2           2012 final programmatic environmental impact  
3           statement for solar energy projects; and

4           (3) for wind energy, by supplementing the July  
5           2005 final programmatic environmental impact  
6           statement for wind energy projects.

7           (e) NO EFFECT ON PROCESSING APPLICATIONS.—A  
8           requirement to prepare a supplement to a programmatic  
9           environmental impact statement under this section shall  
10          not result in any delay in processing an application for  
11          a renewable energy project.

12          (f) COORDINATION.—In developing a supplement re-  
13          quired by this section, the Secretary shall coordinate, on  
14          an ongoing basis, with appropriate State, tribal, and local  
15          governments, transmission infrastructure owners and op-  
16          erators, developers, and other appropriate entities to en-  
17          sure that priority areas identified by the Secretary are—

18                 (1) economically viable (including having access  
19                 to transmission);

20                 (2) likely to minimize conflict with habitat for  
21                 animals and plants, recreation, and other uses of  
22                 covered land; and

23                 (3) consistent with section 202 of the Federal  
24                 Land Policy and Management Act of 1976 (43

1 U.S.C. 1712), including subsection (c)(9) of that  
2 section.

3 (g) REMOVAL FROM CLASSIFICATION.—In carrying  
4 out subsections (a), (b), and (c), if the Secretary deter-  
5 mines an area previously suited for development should  
6 be removed from priority or variance classification, not  
7 later than 90 days after the date of the determination,  
8 the Secretary shall submit to Congress a report on the  
9 determination.

10 **SEC. 203. ENVIRONMENTAL REVIEW ON COVERED LAND.**

11 (a) IN GENERAL.—If the Secretary determines that  
12 a proposed renewable energy project has been sufficiently  
13 analyzed by a programmatic environmental impact state-  
14 ment conducted under section 202, the Secretary shall not  
15 require any additional review under the National Environ-  
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

17 (b) ADDITIONAL ENVIRONMENTAL REVIEW.—If the  
18 Secretary determines that additional environmental review  
19 under the National Environmental Policy Act of 1969 (42  
20 U.S.C. 4321 et seq.) is necessary for a proposed renewable  
21 energy project, the Secretary shall rely on the analysis in  
22 the programmatic environmental impact statement con-  
23 ducted under section 202, to the maximum extent prac-  
24 ticable when analyzing the potential impacts of the  
25 project.

1 **SEC. 204. PROGRAM TO IMPROVE RENEWABLE ENERGY**  
2 **PROJECT PERMIT COORDINATION.**

3 (a) **ESTABLISHMENT.**—The Secretary shall establish  
4 a program to improve Federal permit coordination with  
5 respect to renewable energy projects on covered land.

6 (b) **MEMORANDUM OF UNDERSTANDING.**—

7 (1) **IN GENERAL.**—Not later than 180 days  
8 after the date of enactment of this Act, the Sec-  
9 retary shall enter into a memorandum of under-  
10 standing for purposes of this section, including to  
11 specifically expedite the environmental analysis of  
12 applications for projects proposed in a variance area,  
13 with—

14 (A) the Secretary of Agriculture; and

15 (B) the Assistant Secretary of the Army  
16 for Civil Works.

17 (2) **STATE PARTICIPATION.**—The Secretary  
18 may request the Governor of any interested State to  
19 be a signatory to the memorandum of understanding  
20 under paragraph (1).

21 (c) **DESIGNATION OF QUALIFIED STAFF.**—

22 (1) **IN GENERAL.**—Not later than 90 days after  
23 the date on which the memorandum of under-  
24 standing under subsection (b) is executed, all Fed-  
25 eral signatories, as appropriate, shall identify for  
26 each of the Bureau of Land Management Renewable

1 Energy Coordination Offices an employee who has  
2 expertise in the regulatory issues relating to the of-  
3 fice in which the employee is employed, including, as  
4 applicable, particular expertise in—

5 (A) consultation regarding, and prepara-  
6 tion of, biological opinions under section 7 of  
7 the Endangered Species Act of 1973 (16 U.S.C.  
8 1536);

9 (B) permits under section 404 of Federal  
10 Water Pollution Control Act (33 U.S.C. 1344);

11 (C) regulatory matters under the Clean Air  
12 Act (42 U.S.C. 7401 et seq.);

13 (D) planning under section 14 of the Na-  
14 tional Forest Management Act of 1976 (16  
15 U.S.C. 472a);

16 (E) the Federal Land Policy and Manage-  
17 ment Act of 1976 (43 U.S.C. 1701 et seq.);

18 (F) the Migratory Bird Treaty Act (16  
19 U.S.C. 703 et seq.); and

20 (G) the preparation of analyses under the  
21 National Environmental Policy Act of 1969 (42  
22 U.S.C. 4321 et seq.).

23 (2) DUTIES.—Each employee assigned under  
24 paragraph (1) shall—

1 (A) be responsible for addressing all issues  
2 relating to the jurisdiction of the home office or  
3 agency of the employee; and

4 (B) participate as part of the team of per-  
5 sonnel working on proposed energy projects,  
6 planning, monitoring, inspection, enforcement,  
7 and environmental analyses.

8 (d) **ADDITIONAL PERSONNEL.**—The Secretary may  
9 assign additional personnel for the renewable energy co-  
10 ordination offices as are necessary to ensure the effective  
11 implementation of any programs administered by those of-  
12 fices, including inspection and enforcement relating to re-  
13 newable energy project development on covered land, in  
14 accordance with the multiple use mandate of the Federal  
15 Land Policy and Management Act of 1976 (43 U.S.C.  
16 1701 et seq.).

17 (e) **RENEWABLE ENERGY COORDINATION OF-**  
18 **FICES.**—In implementing the program established under  
19 this section, the Secretary may establish additional renew-  
20 able energy coordination offices or temporarily assign the  
21 qualified staff described in subsection (c) to a State, dis-  
22 trict, or field office of the Bureau of Land Management  
23 to expedite the permitting of renewable energy projects as  
24 the Secretary determines to be necessary.

25 (f) **REPORT TO CONGRESS.**—

1           (1) IN GENERAL.—Not later than February 1  
2 of the first fiscal year beginning after the date of en-  
3 actment of this Act, and each February 1 thereafter,  
4 the Secretary shall submit to the Committee on En-  
5 ergy and Natural Resources of the Senate and the  
6 Committee on Natural Resources of the House of  
7 Representatives a report describing the progress  
8 made pursuant to the program under this title dur-  
9 ing the preceding year.

10           (2) INCLUSIONS.—Each report under this sub-  
11 section shall include—

12                   (A) projections for renewable energy pro-  
13 duction and capacity installations; and

14                   (B) a description of any problems relating  
15 to leasing, permitting, siting, or production.

16 **SEC. 205. DISPOSITION OF REVENUES FROM COVERED**  
17 **LAND.**

18           (a) DISPOSITION OF REVENUES.—

19           (1) IN GENERAL.—Subject to paragraph (2),  
20 for fiscal year 2027 and each fiscal year thereafter,  
21 without further appropriation and without fiscal  
22 year limitation, of the amounts collected as bonus  
23 bids, rentals, fees, or other payments under a right-  
24 of-way, permit, lease, or other authorization (other  
25 than under section 504(g) of the Federal Land Pol-

1         icy and Management Act of 1976 (43 U.S.C.  
2         1764(g))) for the development of wind or solar en-  
3         ergy on covered land—

4                    (A) 25 percent shall be paid by the Sec-  
5         retary of the Treasury to the State within the  
6         boundaries of which the revenue is derived;

7                    (B) 25 percent shall be paid by the Sec-  
8         retary of the Treasury to the 1 or more coun-  
9         ties within the boundaries of which the revenue  
10        is derived, to be allocated among the counties  
11        based on the percentage of the covered land  
12        from which the revenue is derived in each coun-  
13        ty;

14                    (C) 15 percent shall be deposited in the  
15        Treasury and be made available to the Sec-  
16        retary to carry out the program established  
17        under section 204(a), including the transfer of  
18        the funds by the Director of the Bureau of  
19        Land Management to other Federal agencies  
20        and State agencies to facilitate the processing  
21        of renewable energy permits on covered land,  
22        with priority given to using the amounts, to the  
23        maximum extent practicable, to expedite the  
24        issuance of permits required for the develop-

1           ment of renewable energy projects in the States  
2           from which the revenues are derived;

3           (D) 25 percent shall be deposited in the  
4           Fund; and

5           (E) 10 percent shall be deposited in the  
6           general fund of the Treasury.

7           (2) LIMITATION.—The total amount made  
8           available under subparagraphs (A), (B), (C), and  
9           (D) of paragraph (1) shall not exceed for any fiscal  
10          year \$40,000,000.

11          (b) PAYMENTS TO STATES AND COUNTIES.—

12           (1) IN GENERAL.—Amounts paid to States and  
13           counties under subsection (a)(1) shall be used con-  
14           sistent with section 35 of the Mineral Leasing Act  
15           (30 U.S.C. 191).

16           (2) PAYMENTS IN LIEU OF TAXES.—A payment  
17           to a county under paragraph (1) shall be in addition  
18           to a payment in lieu of taxes received by a county  
19           under chapter 69 of title 31, United States Code.

20          (c) RENEWABLE ENERGY RESOURCE CONSERVATION  
21          FUND.—

22           (1) IN GENERAL.—There is established in the  
23           Treasury a fund, to be known as the “Renewable  
24           Energy Resource Conservation Fund” (referred to in  
25           this subsection as the “Fund”), to be administered

1 by the Secretary, in consultation with the Secretary  
2 of Agriculture, for distribution in regions in which a  
3 renewable energy project is located on covered land.

4 (2) USE.—

5 (A) IN GENERAL.—Amounts in the Fund  
6 shall be available to the Secretary and the Sec-  
7 retary of Agriculture, who may make amounts  
8 available from the Fund to other Federal, trib-  
9 al, or State agencies for distribution in regions  
10 in which renewable energy projects are located  
11 on covered land, for the purposes described in  
12 subparagraph (B).

13 (B) PURPOSES.—The purposes referred to  
14 in subparagraph (A) are—

15 (i) restoring and protecting—

16 (I) fish and wildlife habitat for  
17 affected species;

18 (II) fish and wildlife corridors for  
19 affected species; and

20 (III) water resources in areas af-  
21 fected by wind, geothermal, or solar  
22 energy development; and

23 (ii) preserving and improving rec-  
24 reational access to Federal land and water  
25 in an affected region through an easement,

1 right-of-way, or other instrument acquired  
2 from willing landowners for the purpose of  
3 enhancing public access to existing Federal  
4 land and water that is inaccessible or sig-  
5 nificantly restricted.

6 (3) COOPERATIVE AGREEMENT.—The Secretary  
7 may enter into cooperative agreements with State  
8 and tribal agencies, nonprofit organizations, and  
9 other appropriate entities to carry out the activities  
10 described in paragraph (2).

11 (4) INVESTMENT OF FUND.—

12 (A) IN GENERAL.—Any amounts deposited  
13 in the Fund shall earn interest in an amount  
14 determined by the Secretary of the Treasury on  
15 the basis of the current average market yield on  
16 outstanding marketable obligations of the  
17 United States of comparable maturities.

18 (B) USE.—Any interest earned under sub-  
19 paragraph (A) may be expended in accordance  
20 with this subsection.

21 (5) INTENT OF CONGRESS.—It is the intent of  
22 Congress that the amounts made available from the  
23 Fund shall supplement and not supplant annual ap-  
24 propriations for activities described in paragraph  
25 (2).

1 **SEC. 206. SAVINGS CLAUSE.**

2 Notwithstanding any other provision of this title, the  
3 Secretary shall continue to manage the covered land in  
4 accordance with the principles of multiple use and sus-  
5 tained yield (as those terms are defined in section 103 of  
6 the Federal Land Policy and Management Act of 1976  
7 (43 U.S.C. 1702)), including giving due consideration to  
8 mineral and nonrenewable energy-related projects and  
9 other nonrenewable energy uses, for the purposes of land  
10 use planning, permit processing, and conducting environ-  
11 mental reviews with respect to the covered land.

12 **TITLE III—CONSERVATION**

13 **SEC. 301. NATIONAL PARK SERVICE MAINTENANCE AND**  
14 **REVITALIZATION CONSERVATION FUND.**

15 (a) IN GENERAL.—Chapter 1049 of title 54, United  
16 States Code, is amended by adding at the end the fol-  
17 lowing:

18 **“§ 104908. National Park Service Maintenance and**  
19 **Revitalization Conservation Fund**

20 “(a) IN GENERAL.—There is established in the  
21 Treasury a fund, to be known as the ‘National Park Serv-  
22 ice Critical Maintenance and Revitalization Conservation  
23 Fund’ (referred to in this section as the ‘Fund’), con-  
24 sisting off such amounts as are deposited under subsection  
25 (c)(2)(B)(ii) of section 9 of the Outer Continental Shelf  
26 Lands Act (43 U.S.C. 1338).

1 “(b) USE AND AVAILABILITY.—

2 “(1) IN GENERAL.—Amounts deposited in the  
3 Fund shall—

4 “(A) be used only for the purposes de-  
5 scribed in subsection (c); and

6 “(B) be available for expenditure only after  
7 the amounts are appropriated for those pur-  
8 poses.

9 “(2) AVAILABILITY.—Any amounts in the Fund  
10 not appropriated shall remain available in the Fund  
11 until appropriated.

12 “(3) NO LIMITATION.—Appropriations from the  
13 Fund pursuant to this section may be made without  
14 fiscal year limitation.

15 “(c) NATIONAL PARK SYSTEM CRITICAL DEFERRED  
16 MAINTENANCE.—The Secretary shall use amounts appro-  
17 priated from the Fund for high-priority deferred mainte-  
18 nance needs of the Service that support critical infrastruc-  
19 ture and visitor services.

20 “(d) LAND ACQUISITION PROHIBITION.—Amounts in  
21 the Fund shall not be used for land acquisition.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 for chapter 1049 of title 54, United States Code, is  
24 amended by inserting after the item relating to section  
25 104907 the following:

“§104908. National Park Service Maintenance and Revitalization Conservation Fund.”.