

**AMENDMENT TO H.R. 4239**  
**OFFERED BY MR. LOWENTHAL OF CALIFORNIA**

Page 31, line 20, strike “47” and insert “48”.

Insert at the end of title II the following:

**1 SEC. \_\_\_\_ . HAVING OPEN ACCESS TO RELEVANT DATA.**

2       The Mineral Leasing Act (30 U.S.C. 181 et seq.) is  
3 amended by inserting after section 46 (as added by section  
4 205 of this Act) the following new section:

**5 “SEC. 47. REPORT REQUIRED.**

6       “(a) REPORT ON APDs.—

7           “(1) IN GENERAL.—Not later than January 1  
8 of each year, the Secretary of the Interior shall sub-  
9 mit to Congress a report on the following statistics:

10           “(A) The number of APDs approved by  
11 the BLM during the previous fiscal year for  
12 which the applicant has not begun drilling by  
13 the end of such year.

14           “(B) The number of APDs approved by  
15 the BLM during any fiscal year for which the  
16 applicant has not begun drilling by the end of  
17 the previous fiscal year.

1           “(C) With respect to APDs approved by  
2           the BLM during the previous fiscal year, the  
3           average number of days between receipt of an  
4           APD by the BLM and the approval of such  
5           APD, disaggregated by the average number of  
6           such days—

7                   “(i) the APD was being processed by  
8                   BLM; and

9                   “(ii) the BLM was waiting on addi-  
10                  tional information from the applicant.

11           “(D) With respect to APDs approved by  
12           the BLM during the previous fiscal year, the  
13           average cost of approving an APD.

14           “(2) DISAGGREGATION.—The Secretary of the  
15           Interior shall disaggregate each statistic required  
16           under paragraph (1) by the location of the site for  
17           which the APD was requested, including by—

18                   “(A) the State in which such site is lo-  
19                   cated;

20                   “(B) the BLM field office that administers  
21                   the land upon which such site is located;

22                   “(C) whether or not the site is located on  
23                   Federal land; and

24                   “(D) whether or not the site is located on  
25                   Indian land.

1       “(b) DISCOURAGING HOARDING AND SPECULA-  
2 TION.—

3               “(1) LIMITATION ON FEDERAL FUNDS USED  
4 FOR STREAMLINING PROCESSING OF APDS.—No  
5 Federal funds may be used to streamline BLM proc-  
6 essing of APDs during a fiscal year if, on the last  
7 day of the previous fiscal year, the number of APDs  
8 approved by the BLM during any fiscal year, but for  
9 which the applicant has not begun drilling, is greater  
10 than twice the number of APDs received by the  
11 BLM during any fiscal year for which the BLM has  
12 neither approved nor requested more information  
13 from the applicant.

14               “(2) LIMITATION ON NUMBER OF OUT-  
15 STANDING APDS PER APPLICANT.—If any applicant,  
16 including its affiliates, has received greater than 100  
17 approved APDs from the BLM for which such appli-  
18 cant, including its affiliates, has not begun drilling,  
19 then such applicant, including its affiliates, shall not  
20 be eligible to participate in the competitive and non-  
21 competitive bidding processes for oil and gas explo-  
22 ration and production under this Act during the 5-  
23 year period beginning on the first day of the next  
24 fiscal year.

25       “(c) DEFINITIONS.—In this section:

1           “(1) AFFILIATE.—With respect to an applicant,  
2           the term ‘affiliate’ means any person that controls,  
3           is controlled by, or is under common control with the  
4           applicant.

5           “(2) APD.—The term ‘APD’ means an applica-  
6           tion received by the BLM for a permit to drill an  
7           oil or gas well.

8           “(3) BLM.—The term ‘BLM’ means the Bu-  
9           reau of Land Management.”.

