

[30 USCS § 191](#)

Current through Public Law 116-91, approved December 19, 2019. Some sections may be more current; please check the History segment.

United States Code Service > **TITLE 30. MINERAL LANDS AND MINING (Chs. 1 — 32)** >
CHAPTER 3A. LEASES AND PROSPECTING PERMITS (§§ 181 — 287) > **GENERAL PROVISIONS**
(§§ 181 — 196)

§ 191. Disposition of moneys received

(a) All money received from sales, bonuses, royalties, including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982, and rentals of the public lands under the provisions of this Act and the Geothermal Steam Act of 1970 [[30 USCS §§ 1001](#) et seq.], shall be paid into the Treasury of the United States; and, subject to the provisions of subsection (b), 50 per centum thereof shall be paid by the Secretary of the Treasury to the State other than Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys paid to any of such States on or after January 1, 1976, to be used by such State and its subdivisions, as the legislature of the State may direct giving priority to those subdivisions of the State socially or economically impacted by development of minerals leased under this Act, for (i) planning, (ii) construction and maintenance of public facilities, and (iii) provision of public service; and excepting those from Alaska, 40 per centum thereof shall be paid into, reserved, appropriated, as part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902, and of those from Alaska as soon as practicable after March 31 and September 30 of each year, 90 per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof: *Provided*, That all moneys which may accrue to the United States under the provisions of this Act and the Geothermal Steam Act of 1970 [[30 USCS §§ 1001](#) et seq.] from lands within the naval petroleum reserves shall be deposited in the Treasury as “miscellaneous receipts”, as provided by [section 8733\(b\) of title 10, United States Code](#). All moneys received under the provisions of this Act and the Geothermal Steam Act of 1970 [[30 USCS §§ 1001](#) et seq.] not otherwise disposed of by this section shall be credited to miscellaneous receipts. Payments to States under this section with respect to any moneys received by the United States, shall be made not later than the last business day of the month in which such moneys are warranted by the United States Treasury to the Secretary as having been received, except for any portion of such moneys which is under challenge and placed in a suspense account pending resolution of a dispute. Such warrants shall be issued by the United States Treasury not later than 10 days after receipt of such moneys by the Treasury. Moneys placed in a suspense account which are determined to be payable to a State shall be made not later than the last business day of the month in which such dispute is resolved. Any such amount placed in a suspense account pending resolution shall bear interest until the dispute is resolved.

(b) **Deduction for administrative costs.** In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the program authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.

(c)

(1) Notwithstanding the first sentence of subsection (a), any rentals received from leases in any State (other than the State of Alaska) on or after the date of enactment of this subsection [enacted Aug. 8, 2005] shall be deposited in the Treasury, to be allocated in accordance with paragraph (2).

(2) Of the amounts deposited in the Treasury under paragraph (1)—

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(A)50 percent shall be paid by the Secretary of the Treasury to the State within the boundaries of which the leased land is located or the deposits were derived; and

(B)50 percent shall be deposited in a special fund in the Treasury, to be known as the “BLM Permit Processing Improvement Fund” (referred to in this subsection as the “Fund”).

(3) Use of Fund.

(A)In general. The Fund shall be available to the Secretary of the Interior for expenditure, without further appropriation and without fiscal year limitation, for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

(B)Accounts. The Secretary shall divide the Fund into—

(i)a Rental Account (referred to in this subsection as the “Rental Account”) comprised of rental receipts collected under this section; and

(ii)a Fee Account (referred to in this subsection as the “Fee Account”) comprised of fees collected under subsection (d).

(4) Rental Account.

(A)In general. The Secretary shall use the Rental Account for—

(i)the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land under the jurisdiction of the Project offices identified under section 365(d) of the Energy Policy Act of 2005 ([42 U.S.C. 15924\(d\)](#)); and

(ii)training programs for development of expertise related to coordinating and processing oil and gas use authorizations.

(B)Allocation. In determining the allocation of the Rental Account among Project offices for a fiscal year, the Secretary shall consider—

(i)the number of applications for permit to drill received in a Project office during the previous fiscal year;

(ii)the backlog of applications described in clause (i) in a Project office;

(iii)publicly available industry forecasts for development of oil and gas resources under the jurisdiction of a Project office; and

(iv)any opportunities for partnership with local industry organizations and educational institutions in developing training programs to facilitate the coordination and processing of oil and gas use authorizations.

(5) Fee Account.

(A)In general. The Secretary shall use the Fee Account for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

(B)Allocation. The Secretary shall transfer not less than 75 percent of the revenues collected by an office for the processing of applications for permits to the State office of the State in which the fees were collected.

(d) BLM oil and gas permit processing fee.

(1)In general. Notwithstanding any other provision of law, for each of fiscal years 2016 through 2026, the Secretary, acting through the Director of the Bureau of Land Management, shall collect a fee for each new application for a permit to drill that is submitted to the Secretary.

(2)Amount. The amount of the fee shall be \$9,500 for each new application, as indexed for United States dollar inflation from October 1, 2015 (as measured by the Consumer Price Index).

(3)Use. Of the fees collected under this subsection for a fiscal year, the Secretary shall transfer—

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(A) for each of fiscal years 2016 through 2019—

(i) 15 percent to the field offices that collected the fees and used to process protests, leases, and permits under this Act, subject to appropriation; and

(ii) 85 percent to the BLM Permit Processing Improvement Fund established under subsection (c)(2)(B) (referred to in this subsection as the “Fund”); and

(B) for each of fiscal years 2020 through 2026, all of the fees to the Fund.

(4) Additional costs. During each of fiscal years of 2016 through 2026, the Secretary shall not implement a rulemaking that would enable an increase in fees to recover additional costs related to processing applications for permits to drill.

History

HISTORY:

Act Feb. 25, 1920, ch 85, § 35, *41 Stat. 450*; May 27, 1947, ch 83, [61 Stat. 119](#); Aug. 3, 1950, ch 527, *64 Stat. 402*; July 10, 1957, [P. L. 85-88](#), § 2, *71 Stat. 282*; July 7, 1958, *P. L. 85-508*, §§ 6(k), 28(b), [72 Stat. 343](#), 351; April 21, 1976, [P. L. 94-273](#), § 6(2), [90 Stat. 377](#); Aug 4, 1976, [P. L. 94-377](#), § 9, [90 Stat. 1089](#); Sept. 28, 1976, [P. L. 94-422](#), Title III, § 301, [90 Stat. 1323](#); Oct. 21, 1976, [P. L. 94-579](#), § 317(a), [90 Stat. 2770](#); Jan. 12, 1983, [P.L. 97-451](#), Title I, §§ 104(a), 111(g), [96 Stat. 2452](#), 2456; Dec. 22, 1987, [P. L. 100-203](#), Title V, Subtitle B, § 5109, [101 Stat. 1330-261](#); Sept. 22, 1988, *P. L. 100-443*, § 5(b), *102 Stat. 1768*; Aug. 10, 1993, *P. L. 103-66*, Title X, Subtitle C, § 10201, *107 Stat. 407*; Oct. 30, 2000, *P. L. 106-393*, Title V, § 503, [114 Stat. 1624](#); Aug. 8, 2005, *P. L. 109-58*, Title III, Subtitle F, § 365(g), *119 Stat. 725*; Dec. 26, 2013, *P. L. 113-67*, Div A, Title III, § 302, *127 Stat. 1181*; Dec. 19, 2014, *P. L. 113-291*, Div B, Title XXX, Subtitle B, § 3021(b), (c)(1), *128 Stat. 3760, 3761*; Aug. 13, 2018, [P.L. 115-232](#), Div A, Title VIII, Subtitle A, Part II, § 809(i)(1), [132 Stat. 1843](#).

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