

TITLE II—RENEWABLE ENERGY

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1 TITLE II—RENEWABLE ENERGY

2 Subtitle A—General Provisions

3 SEC. 201. ASSESSMENT OF RENEWABLE ENERGY RE-
4 SOURCES.

5 (a) RESOURCE ASSESSMENTS.—Not later than 180
6 days after the date of enactment of this Act and each year
7 thereafter, the Secretary shall—

1 (1) review the available assessments of renew-
2 able energy resources within the United States, in-
3 cluding solar, wind, biomass, ocean (tidal, wave, cur-
4 rent, and thermal), geothermal, and hydroelectric
5 energy resources; and

6 (2) undertake new assessments as necessary,
7 taking into account changes in market conditions,
8 available technologies, and other relevant factors.

9 (b) REPORTS.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act and each year
12 thereafter, the Secretary shall publish a report based
13 on the most recent assessment under subsection (a).

14 (2) CONTENTS.—The report shall contain—

15 (A) a detailed inventory describing the
16 available quantity and characteristics of the re-
17 newable energy resources; and

18 (B) such other information as the Sec-
19 retary determines would be useful in developing
20 the renewable energy resources, including—

21 (i) descriptions of surrounding ter-
22 rain, population and load centers, nearby
23 energy infrastructure, and the location of
24 energy and water resources;

1 (ii) available estimates of the costs
2 needed to develop each resource;

3 (iii) an identification of any barriers
4 to providing adequate transmission for re-
5 mote sources of renewable energy resources
6 to current and emerging markets;

7 (iv) recommendations for removing or
8 addressing those barriers; and

9 (v) recommendations for providing ac-
10 cess to the electrical grid that do not un-
11 fairly disadvantage renewable or other en-
12 ergy producers.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary to carry
15 out this section \$10,000,000 for each of fiscal years 2006
16 through 2010.

17 **SEC. 202. RENEWABLE ENERGY PRODUCTION INCENTIVE.**

18 (a) INCENTIVE PAYMENTS.—Section 1212(a) of the
19 Energy Policy Act of 1992 (42 U.S.C. 13317(a)) is
20 amended—

21 (1) by striking the last sentence;

22 (2) by designating the first, second, and third
23 sentences as paragraphs (1), (2), and (3), respec-
24 tively;

1 (3) in paragraph (3) (as so designated), by
2 striking “and which satisfies” and all that follows
3 through “deems necessary”; and

4 (4) by adding at the end the following:

5 “(4)(A) Subject to subparagraph (B), if there are in-
6 sufficient appropriations to make full payments for electric
7 production from all qualified renewable energy facilities
8 for a fiscal year, the Secretary shall assign—

9 “(i) 60 percent of appropriated funds for the
10 fiscal year to facilities that use solar, wind, geo-
11 thermal, or closed-loop (dedicated energy crops) bio-
12 mass technologies to generate electricity; and

13 “(ii) 40 percent of appropriated funds for the
14 fiscal year to other projects.

15 “(B) After submitting to Congress an explanation of
16 the reasons for the alteration, the Secretary may alter the
17 percentage requirements of subparagraph (A).”.

18 (b) QUALIFIED RENEWABLE ENERGY FACILITY.—
19 Section 1212(b) of the Energy Policy Act of 1992 (42
20 U.S.C. 13317(b)) is amended—

21 (1) by striking “a State or any political” and
22 all that follows through “nonprofit electrical cooper-
23 ative” and inserting “a not-for-profit electric cooper-
24 ative, a public utility described in section 115 of the
25 Internal Revenue Code of 1986, a State, Common-

1 wealth, territory, or possession of the United States,
2 or the District of Columbia, or a political subdivision
3 thereof, or an Indian tribal government or subdivi-
4 sion thereof,”; and

5 (2) by inserting “landfill gas,” after “wind, bio-
6 mass,”.

7 (c) ELIGIBILITY WINDOW.—Section 1212(c) of the
8 Energy Policy Act of 1992 (42 U.S.C. 13317(c)) is
9 amended by striking “during the 10-fiscal year period be-
10 ginning with the first full fiscal year occurring after the
11 enactment of this section” and inserting “before October
12 1, 2016”.

13 (d) PAYMENT PERIOD.—Section 1212(d) of the En-
14 ergy Policy Act of 1992 (42 U.S.C. 13317(d)) is amended
15 in the second sentence by inserting “, or in which the Sec-
16 retary determines that all necessary Federal and State au-
17 thorizations have been obtained to begin construction of
18 the facility” after “eligible for such payments”.

19 (e) AMOUNT OF PAYMENT.—Section 1212(e)(1) of
20 the Energy Policy Act of 1992 (42 U.S.C. 13317(e)(1))
21 is amended in the first sentence by inserting “landfill
22 gas,” after “wind, biomass,”.

23 (f) TERMINATION OF AUTHORITY.—Section 1212(f)
24 of the Energy Policy Act of 1992 (42 U.S.C. 13317(f))
25 is amended by striking “the expiration of” and all that

1 follows through “of this section” and inserting “Sep-
2 tember 30, 2026”.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
4 1212 of the Energy Policy Act of 1992 (42 U.S.C. 13317)
5 is amended by striking subsection (g) and inserting the
6 following:

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated such sums as are nec-
9 essary to carry out this section for each of fiscal years
10 2006 through 2026, to remain available until expended.”.

11 **SEC. 203. FEDERAL PURCHASE REQUIREMENT.**

12 (a) DEFINITIONS.—In this section:

13 (1) BIOMASS.—The term “biomass” means any
14 solid, nonhazardous, cellulosic material that is de-
15 rived from—

16 (A) a forest-related resource, including mill
17 residue, precommercial thinning, slash, brush,
18 or nonmerchantable material;

19 (B) a solid wood waste material—

20 (i) including a waste pallet, crate,
21 dunnage, manufacturing and construction
22 wood waste (other than pressure-treated,
23 chemically-treated, or painted wood waste),
24 and landscape or right-of-way tree trim-
25 ming; but

1 (ii) not including municipal solid
2 waste (garbage), gas derived from the bio-
3 degradation of solid waste, or paper that is
4 commonly recycled;

5 (C) agriculture waste, including an orchard
6 tree crop, vineyard, grain, legume, sugar, and
7 other crop byproduct or residue, and a livestock
8 waste nutrient; or

9 (D) a plant that is grown exclusively as a
10 fuel for the production of electricity.

11 (2) RENEWABLE ENERGY.—The term “renew-
12 able energy” means electric energy generated from
13 solar, wind, biomass, landfill gas, geothermal, munic-
14 ipal solid waste, or new hydroelectric generation ca-
15 pacity achieved from increased efficiency or addi-
16 tions of new capacity at an existing hydroelectric
17 project.

18 (b) REQUIREMENT.—The President, acting through
19 the Secretary, shall seek to ensure that, to the extent eco-
20 nomically feasible and technically practicable, of the total
21 quantity of electric energy the Federal Government con-
22 sumes during any fiscal year, the following amounts shall
23 be renewable energy:

24 (1) Not less than 3 percent in each of fiscal
25 years 2007 through 2009.

1 (2) Not less than 5 percent in each of fiscal
2 years 2010 through 2012.

3 (3) Not less than 7.5 percent in fiscal year
4 2013 and each fiscal year thereafter.

5 (c) CALCULATION.—For purposes of determining
6 compliance with the requirement of this section, the quan-
7 tity of renewable energy shall be doubled if—

8 (1) the renewable energy is produced and used
9 onsite at a Federal facility;

10 (2) the renewable energy is produced on Fed-
11 eral land and used at a Federal facility; or

12 (3) the renewable energy is produced on Indian
13 land (as defined in section 2601 of the Energy Pol-
14 icy Act of 1992) and used at a Federal facility.

15 (d) REPORT.—Not later than April 15, 2007, and
16 every 2 years thereafter, the Secretary shall provide to
17 Congress a report on the progress of the Federal Govern-
18 ment in meeting the goals established by this section.

19 **Subtitle B—Insular Energy**

20 **SEC. 211. DEFINITIONS.**

21 In this subtitle:

22 (1) DISTRIBUTED GENERATION.—The term
23 “distributed generation” means energy supplied in a
24 rural or off-grid area.

- 1 (2) INSULAR AREA.—The term “insular area”
2 means—
- 3 (A) Guam;
 - 4 (B) American Samoa;
 - 5 (C) the Commonwealth of the Northern
6 Mariana Islands;
 - 7 (D) the Federated States of Micronesia;
 - 8 (E) the Republic of the Marshall Islands;
 - 9 (F) the Republic of Palau; and
 - 10 (G) the United States Virgin Islands.

11 **SEC. 212. ASSESSMENT.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Secretary (in consulta-
14 tion with the Secretary of Interior) shall—

15 (1) conduct an assessment of the energy needs
16 of insular areas; and

17 (2) submit a report describing the results of the
18 assessment to—

19 (A) the Committee on Energy and Natural
20 Resources of the Senate;

21 (B) the Committee on Energy and Com-
22 merce of the House of Representatives; and

23 (C) the Committee on Resources of the
24 House of Representatives.

1 (b) STRATEGIES AND PROJECTS.—In conducting the
2 assessment, for each of the insular areas, the Secretary
3 shall identify and evaluate the strategies or projects with
4 the greatest potential for reducing the dependence of the
5 insular area on imported fossil fuels as used for the gen-
6 eration of electricity, including strategies and projects
7 for—

8 (1) improved supply-side efficiency of central-
9 ized electrical generation, transmission, and distribu-
10 tion systems;

11 (2) improved demand-side management
12 through—

13 (A) the application of established stand-
14 ards for energy efficiency for appliances;

15 (B) the conduct of energy audits for busi-
16 ness and industrial customers; and

17 (C) the use of energy savings performance
18 contracts;

19 (3) increased use of renewable energy,
20 including—

21 (A) solar thermal energy for electric gen-
22 eration;

23 (B) solar thermal energy for water heating
24 in large buildings, such as hotels, hospitals,
25 government buildings, and residences;

1 (C) photovoltaic energy;

2 (D) wind energy;

3 (E) hydroelectric energy;

4 (F) wave energy;

5 (G) energy from ocean thermal resources,

6 including ocean thermal-cooling for community

7 air conditioning;

8 (H) water vapor condensation for the pro-

9 duction of potable water;

10 (I) fossil fuel and renewable hybrid elec-

11 trical generation systems; and

12 (J) other strategies or projects that the

13 Secretary may identify as having significant po-

14 tential; and

15 (4) fuel substitution and minimization with in-

16 digenous biofuels, such as coconut oil.

17 (c) DISTRIBUTED GENERATION.—In conducting the

18 assessment, for each insular area with a significant need

19 for distributed generation, the Secretary shall identify and

20 evaluate the most promising strategies and projects de-

21 scribed in paragraphs (3) and (4) of subsection (b) for

22 meeting that need.

23 (d) FACTORS.—In assessing the potential of any

24 strategy or project under this section, the Secretary shall

25 consider—

1 (1) the estimated cost of the power or energy
2 to be produced, including—

3 (A) any additional costs associated with
4 the distribution of the generation; and

5 (B) the long-term availability of the gen-
6 eration source;

7 (2) the capacity of the local electrical utility to
8 manage, operate, and maintain any project that may
9 be undertaken; and

10 (3) other factors the Secretary considers to be
11 appropriate.

12 **SEC. 213. PROJECT FEASIBILITY STUDIES.**

13 (a) IN GENERAL.—On a request described in sub-
14 section (b), the Secretary shall conduct a feasibility study
15 of a project to implement a strategy or project identified
16 under section 212 as having the potential to—

17 (1) significantly reduce the dependence of an
18 insular area on imported oil; or

19 (2) provide needed distributed generation to an
20 insular area.

21 (b) REQUEST.—The Secretary shall conduct a feasi-
22 bility study under subsection (a) on—

23 (1) the request of an electric utility located in
24 an insular area that commits to fund at least 10
25 percent of the cost of the study; and

1 (2) if the electric utility is located in the Fed-
2 erated States of Micronesia, the Republic of the
3 Marshall Islands, or the Republic of Palau, written
4 support for that request by the President or the Am-
5 bassador of the affected freely associated state.

6 (c) CONSULTATION.—The Secretary shall consult
7 with regional utility organizations in—

8 (1) conducting feasibility studies under sub-
9 section (a); and

10 (2) determining the feasibility of potential
11 projects.

12 (d) FEASIBILITY.—For the purpose of a feasibility
13 study under subsection (a), a project shall be determined
14 to be feasible if the project would significantly reduce the
15 dependence of an insular area on imported fossil fuels, or
16 provide needed distributed generation to an insular area,
17 at a reasonable cost.

18 **SEC. 214. IMPLEMENTATION.**

19 (a) IN GENERAL.—On a determination by the Sec-
20 retary (in consultation with the Secretary of the Interior)
21 that a project is feasible under section 213 and a commit-
22 ment by an electric utility to operate and maintain the
23 project, the Secretary may provide such technical and fi-
24 nancial assistance as the Secretary determines is appro-
25 priate for the implementation of the project.

1 (b) REGIONAL UTILITY ORGANIZATIONS.—In pro-
2 viding assistance under subsection (a), the Secretary shall
3 consider providing the assistance through regional utility
4 organizations.

5 **SEC. 215. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to the
7 Secretary—

8 (1) \$500,000 for the completion of the assess-
9 ment under section 212;

10 (2) \$500,000 for each fiscal year for project
11 feasibility studies under section 213; and

12 (3) \$5,000,000 for each fiscal year for project
13 implementation under section 214.

14 **Subtitle C—Biomass Energy**

15 **SEC. 221. DEFINITIONS.**

16 In this subtitle:

17 (1) BIOMASS.—The term “biomass” means
18 nonmerchantable material or precommercial
19 thinnings of trees and woody plants produced from
20 treatments—

21 (A) to reduce hazardous fuels;

22 (B) to reduce or contain disease or insect
23 infestations; or

24 (C) to restore forest health.

1 (2) ELIGIBLE COMMUNITY.—The term “eligible
2 community” means an Indian Reservation, or a
3 county, town, township, municipality, or other simi-
4 lar unit of local government with a population of not
5 more than 50,000 individuals that the Secretary de-
6 termines is located in an area near Federal or In-
7 dian land, that is—

8 (A) at significant risk of catastrophic wild-
9 fire, disease, or insect infestation; or

10 (B) diseased or infested by insects.

11 (3) ELIGIBLE OPERATION.—The term “eligible
12 operation” means a facility that—

13 (A) is located within the boundaries of an
14 eligible community; and

15 (B) uses biomass from Federal or Indian
16 land as a raw material to produce electric en-
17 ergy, sensible heat, or transportation fuels.

18 (4) GREEN TON.—The term “green ton” means
19 2,000 pounds of biomass that has not been mechani-
20 cally or artificially dried.

21 (5) INDIAN TRIBE.—The term “Indian tribe”
22 has the meaning given the term in section 4(e) of
23 the Indian Self-Determination and Education Assist-
24 ance Act (25 U.S.C. 450b(e)).

25 (6) PERSON.—The term “person” includes—

- 1 (A) an individual;
- 2 (B) an eligible community;
- 3 (C) an Indian tribe;
- 4 (D) a small business or a corporation that
- 5 is incorporated in the United States; and
- 6 (E) a nonprofit organization.

7 (7) SECRETARY.—The term “Secretary”

8 means—

9 (A) the Secretary of Agriculture, with re-

10 spect to land within the National Forest Sys-

11 tem; or

12 (B) the Secretary of the Interior, with re-

13 spect to Federal land under the jurisdiction of

14 the Secretary of the Interior and Indian land.

15 **SEC. 222. BIOMASS COMMERCIAL UTILIZATION GRANT PRO-**

16 **GRAM.**

17 (a) IN GENERAL.—The Secretary may make grants

18 to any person that owns or operates an eligible operation

19 to offset the costs incurred to purchase biomass for use

20 by the eligible operation.

21 (b) PRIORITY.—In making grants under subsection

22 (a), the Secretary shall give priority to eligible operations

23 that use biomass from the highest risk areas, as deter-

24 mined by the Secretary.

1 (c) GRANT AMOUNT.—A grant provided under this
2 section may not exceed \$20 per green ton of biomass deliv-
3 ered.

4 (d) MONITORING OF GRANT RECIPIENT ACTIVI-
5 TIES.—

6 (1) IN GENERAL.—As a condition of a grant
7 under this section, the grant recipient shall keep
8 such records as the Secretary may require to fully
9 and correctly disclose the use of the grant funds and
10 all transactions involved in the purchase of biomass.

11 (2) ACCESS.—On notice by the Secretary, the
12 grant recipient shall provide the Secretary reason-
13 able access to examine the inventory and records of
14 the eligible operation.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There are authorized to be
17 appropriated to carry out this section for each of fis-
18 cal years 2006 through 2010—

19 (A) \$12,500,000 to the Secretary of Agri-
20 culture; and

21 (B) \$12,500,000 to the Secretary of the
22 Interior.

23 (2) AVAILABILITY.—Amounts made available
24 under paragraph (1) shall remain available until ex-
25 pended.

1 **SEC. 223. IMPROVED BIOMASS UTILIZATION PROGRAM.**

2 (a) IN GENERAL.—The Secretary may provide grants
3 to persons in eligible communities to offset the costs of
4 developing or researching proposals to improve the use of
5 biomass or add value to biomass utilization.

6 (b) SELECTION.—Grant recipients shall be selected
7 based on the potential of a proposal to—

8 (1) develop affordable thermal or electric energy
9 resources for the benefit of an eligible community;

10 (2) provide opportunities for the creation or ex-
11 pansion of small business concerns within an eligible
12 community;

13 (3) create new job opportunities within an eligi-
14 ble community;

15 (4) improve efficiency or develop cleaner tech-
16 nologies for biomass utilization; and

17 (5) reduce the hazardous fuel from the highest
18 risk areas.

19 (c) LIMITATION.—No grant provided under this sec-
20 tion shall exceed \$500,000.

21 (d) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) IN GENERAL.—There are authorized to be
23 appropriated to carry out this section for each of fis-
24 cal years 2006 through 2010—

25 (A) \$12,500,000 to the Secretary of Agri-
26 culture; and

1 (B) \$12,5000,000 to the Secretary of the
2 Interior.

3 (2) AVAILABILITY.—Amounts made available
4 under paragraph (1) shall remain available until ex-
5 pended.

6 **SEC. 224. REPORT.**

7 Not later than 3 years after the date of enactment
8 of this Act, the Secretary of Agriculture and the Secretary
9 of the Interior shall jointly submit to Congress a report
10 that describes the interim results of the programs carried
11 out under sections 222 and 223.

12 **Subtitle D—Geothermal Energy**

13 **SEC. 231. COMPETITIVE LEASE SALE REQUIREMENTS.**

14 Section 4 of the Geothermal Steam Act of 1970 (30
15 U.S.C. 1003) is amended to read as follows:

16 **“SEC. 4. LEASING PROCEDURES.**

17 “(a) NOMINATIONS.—Except as otherwise specifically
18 provided by this Act, the Secretary shall accept nomina-
19 tions of land to be leased at any time from qualified com-
20 panies and individuals under this Act.

21 **“(b) COMPETITIVE LEASE SALE REQUIRED.—**

22 “(1) IN GENERAL.—All land to be leased that
23 is not subject to leasing under subsection (c) shall
24 be leased as provided in this subsection to the high-

1 est responsible qualified bidder, as determined by
2 the Secretary.

3 “(2) COMPETITIVE LEASE SALES.—The Sec-
4 retary shall hold a competitive lease sale at least
5 once every 2 years for land in a State that has nomi-
6 nations pending under subsection (a) if the land is
7 otherwise available for leasing.

8 “(c) NONCOMPETITIVE LEASING.—The Secretary
9 shall make available for a period of 2 years for non-
10 competitive leasing any tract for which a competitive lease
11 sale is held, but for which the Secretary does not receive
12 any bids in a competitive lease sale.

13 “(d) PENDING LEASE APPLICATIONS.—

14 “(1) IN GENERAL.—It shall be a priority for
15 the Secretary, and for the Secretary of Agriculture
16 with respect to National Forest Systems land, to en-
17 sure timely completion of administrative actions nec-
18 essary to process applications for geothermal leasing
19 pending on May 19, 2005.

20 “(2) ADMINISTRATION.—An application de-
21 scribed in paragraph (1) and any lease issued pursu-
22 ant to the application—

23 “(A) except as provided in subparagraph
24 (B), shall be subject to this section as in effect

1 on the day before the date of enactment of this
2 paragraph; or

3 “(B) at the election of the applicant, shall
4 be subject to this section as in effect on the ef-
5 fective date of this paragraph.”.

6 **SEC. 232. DIRECT USE.**

7 (a) FEES FOR DIRECT USE.—Section 5 of the Geo-
8 thermal Steam Act of 1970 (30 U.S.C. 1004) is
9 amended—

10 (1) in subsection (c), by redesignating para-
11 graphs (1) and (2) as subparagraphs (A) and (B),
12 respectively;

13 (2) by redesignating subsections (a) through (d)
14 as paragraphs (1) through (4), respectively;

15 (3) by inserting “(a) IN GENERAL.—” after
16 “SEC. 5.”; and

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

18 “(b) DIRECT USE.—

19 “(1) IN GENERAL.—Notwithstanding subsection
20 (a)(1), the Secretary shall establish a schedule of
21 fees, in lieu of royalties for geothermal resources,
22 that a lessee—

23 “(A) uses for a purpose other than the
24 commercial generation of electricity; and

25 “(B) does not sell.

1 “(2) SCHEDULE OF FEES.—The schedule of
2 fees—

3 “(A) may be based on the quantity or ther-
4 mal content, or both, of geothermal resources
5 used or any other basis that the Secretary finds
6 appropriate under the circumstances; and

7 “(B) shall ensure a fair return to the
8 United States for use of the resource.

9 “(3) STATE OR LOCAL GOVERNMENTS.—If a
10 State or local government is the lessee and uses geo-
11 thermal resources without sale and for purposes
12 other than commercial generation of electricity, the
13 Secretary shall charge only a nominal fee for use of
14 the resource.”.

15 (b) LEASING FOR DIRECT USE.—Section 4 of the
16 Geothermal Steam Act of 1970 (30 U.S.C. 1003) (as
17 amended by section 231) is amended adding at the end
18 the following:

19 “(e) LEASING FOR DIRECT USE OF GEOTHERMAL
20 RESOURCES.—Notwithstanding subsection (b), the Sec-
21 retary may identify areas in which the land to be leased
22 under this Act exclusively for direct use of geothermal re-
23 sources without sale for purposes other than commercial
24 generation of electricity may be leased to any qualified ap-

1 plicant that first applies for such a lease under regulations
2 issued by the Secretary, if the Secretary—

3 “(1) publishes a notice of the land proposed for
4 leasing not later than 120 days before the date of
5 the issuance of the lease;

6 “(2) does not receive during the 120-day period
7 beginning on the date of the publication any nomi-
8 nation to include the land concerned in the next
9 competitive lease sale; and

10 “(3) determines there is no competitive interest
11 in the land to be leased.

12 “(f) AREA SUBJECT TO LEASE FOR DIRECT USE.—

13 “(1) IN GENERAL.—Subject to paragraph (2), a
14 geothermal lease for the direct use of geothermal re-
15 sources shall cover not more than the quantity of
16 acreage determined by the Secretary to be reason-
17 ably necessary for the proposed use.

18 “(2) LIMITATIONS.—The quantity of acreage
19 covered by the lease shall not exceed the limitations
20 established under section 7.”.

21 **SEC. 233. ROYALTIES.**

22 (a) CALCULATION OF ROYALTIES.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Secretary of
25 the Interior shall issue a final regulation that pro-

1 vides a simplified methodology for calculating the
2 royalty under subsection (a)(1) of section 5 of the
3 Geothermal Steam Act of 1970 (30 U.S.C. 1004)
4 (as amended by section 232(a)).

5 (2) CONSIDERATIONS.—In issuing the final reg-
6 ulation under paragraph (1), the Secretary shall—

7 (A) consider the use of a method based on
8 gross proceeds from the sale of electricity; and

9 (B) ensure that the final regulation issued
10 under paragraph (1) results in the same level of
11 royalty revenues over a 10-year period as the
12 regulation in effect on the day before the date
13 of enactment of this Act.

14 (b) ROYALTY UNDER EXISTING LEASES.—

15 (1) IN GENERAL.—Any lessee under a lease
16 issued under the Geothermal Steam Act of 1970 (30
17 U.S.C. 1001 et seq.) before the date of enactment
18 of this Act may, within the time period specified in
19 paragraph (2), submit to the Secretary of the Inte-
20 rior a request to modify the terms of the lease relat-
21 ing to payment of royalties to comply with—

22 (A) in the case of a lease that meets the
23 requirements of subsection (b) of section 5 of
24 the Geothermal Steam Act of 1970 (30 U.S.C.
25 1004) (as amended by section 232(a)), the

1 schedule of fees established under that section;
2 and

3 (B) in the case of any other lease, the
4 methodology established under subsection (a).

5 (2) TIMING.—A request for a modification
6 under paragraph (1) shall be submitted to the Sec-
7 retary by the date that is not later than—

8 (A) in the case of a lease for direct use, 18
9 months after the effective date of the schedule
10 of fees established by the Secretary under sec-
11 tion 5 of the Geothermal Steam Act of 1970
12 (30 U.S.C. 1004); or

13 (B) in the case of any other lease, 18
14 months after the effective date of the final reg-
15 ulation issued under subsection (a).

16 (3) APPLICATION OF MODIFICATION.—If the
17 lessee requests modification of a lease under para-
18 graph (1)—

19 (A) the Secretary shall modify the lease to
20 comply with—

21 (i) in the case of a lease for direct
22 use, the schedules of fees established by the
23 Secretary under section 5 of the Geo-
24 thermal Steam Act of 1970 (30 U.S.C.
25 1004); or

1 (ii) in the case of any other lease, the
2 methodology established under subsection
3 (a); and

4 (B) the modification shall apply to any use
5 of geothermal steam and any associated geo-
6 thermal resources to which subsection (a) ap-
7 plies that occurs after the date of the modifica-
8 tion.

9 (4) CONSULTATION.—The Secretary shall con-
10 sult with the State and local governments affected
11 by any proposed changes in lease royalty terms
12 under this subsection.

13 **SEC. 234. GEOTHERMAL LEASING AND PERMITTING ON**
14 **FEDERAL LAND.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of enactment of this section, the Secretary of the In-
17 terior and the Secretary of Agriculture shall enter into,
18 and submit to Congress, a memorandum of understanding
19 in accordance with this section regarding leasing and per-
20 mitting for geothermal development of public land and Na-
21 tional Forest System land under the respective jurisdic-
22 tions of the Secretaries.

23 (b) LEASE AND PERMIT APPLICATIONS.—The memo-
24 randum of understanding shall—

1 (1) identify areas with geothermal potential on
2 land included in the National Forest System and, if
3 necessary, require review of management plans to
4 consider leasing under the Geothermal Steam Act of
5 1970 (30 U.S.C. 1001 et seq.) as a land use; and

6 (2) establish an administrative procedure for
7 processing geothermal lease applications, including
8 lines of authority, steps in application processing,
9 and time limits for application processing.

10 (c) DATA RETRIEVAL SYSTEM.—The memorandum
11 of understanding shall establish a joint data retrieval sys-
12 tem that—

13 (1) is capable of tracking lease and permit ap-
14 plications; and

15 (2) provides to the applicant information as to
16 the status of an application within the Departments
17 of the Interior and Agriculture, including an esti-
18 mate of the time required for administrative action.

19 **SEC. 235. ASSESSMENT OF GEOTHERMAL ENERGY POTEN-**
20 **TIAL.**

21 Not later than 3 years after the date of enactment
22 of this Act and thereafter as the availability of data and
23 developments in technology warrants, the Secretary of the
24 Interior, acting through the Director of the United States

1 Geological Survey and in cooperation with the States,
2 shall—

3 (1) update the Assessment of Geothermal Re-
4 sources made during 1978; and

5 (2) submit to Congress the updated assessment.

6 **SEC. 236. COOPERATIVE OR UNIT PLANS.**

7 Section 18 of the Geothermal Steam Act of 1970 (30
8 U.S.C. 1017) is amended to read as follows:

9 **“SEC. 18. UNIT AND COMMUNITIZATION AGREEMENTS.**

10 “(a) ADOPTION OF UNITS BY LESSEES.—

11 “(1) IN GENERAL.—For the purpose of more
12 properly conserving the natural resources of any
13 geothermal reservoir, field, or like area, or any part
14 thereof (whether or not any part of the geothermal
15 reservoir, field, or like area, is subject to any cooper-
16 ative plan of development or operation (referred to
17 in this section as a ‘unit agreement’)), lessees there-
18 of and their representatives may unite with each
19 other, or jointly or separately with others, in collec-
20 tively adopting and operating under a unit agree-
21 ment for the reservoir, field, or like area, or any
22 part thereof, including direct use resources, if deter-
23 mined and certified by the Secretary to be necessary
24 or advisable in the public interest.

1 “(2) MAJORITY INTEREST OF SINGLE
2 LEASES.—A majority interest of owners of any sin-
3 gle lease shall have the authority to commit the lease
4 to a unit agreement.

5 “(3) INITIATIVE OF SECRETARY.—The Sec-
6 retary may also initiate the formation of a unit
7 agreement, or require an existing Federal lease to
8 commit to a unit agreement, if in the public interest.

9 “(4) MODIFICATION OF LEASE REQUIREMENTS
10 BY SECRETARY.—

11 “(A) IN GENERAL.—The Secretary may, in
12 the discretion of the Secretary and with the
13 consent of the holders of leases involved, estab-
14 lish, alter, change, or revoke rates of operations
15 (including drilling, operations, production, and
16 other requirements) of the leases and make con-
17 ditions with respect to the leases, with the con-
18 sent of the lessees, in connection with the cre-
19 ation and operation of any such unit agreement
20 as the Secretary may consider necessary or ad-
21 visable to secure the protection of the public in-
22 terest.

23 “(B) UNLIKE TERMS OR RATES.—Leases
24 with unlike lease terms or royalty rates shall

1 not be required to be modified to be in the
2 same unit.

3 “(b) REQUIREMENT OF PLANS UNDER NEW
4 LEASES.—The Secretary may—

5 “(1) provide that geothermal leases issued
6 under this Act shall contain a provision requiring
7 the lessee to operate under a unit agreement; and

8 “(2) prescribe the unit agreement under which
9 the lessee shall operate, which shall adequately pro-
10 tect the rights of all parties in interest, including the
11 United States.

12 “(c) MODIFICATION OF RATE OF PROSPECTING, DE-
13 VELOPMENT, AND PRODUCTION.—The Secretary may re-
14 quire that any unit agreement authorized by this section
15 that applies to land owned by the United States contain
16 a provision under which authority is vested in the Sec-
17 retary, or any person, committee, or State or Federal offi-
18 cer or agency as may be designated in the unit agreement
19 to alter or modify, from time to time, the rate of
20 prospecting and development and the quantity and rate
21 of production under the unit agreement.

22 “(d) EXCLUSION FROM DETERMINATION OF HOLD-
23 ING OR CONTROL.—Any land that is subject to a unit
24 agreement approved or prescribed by the Secretary under

1 this section shall not be considered in determining hold-
2 ings or control under section 7.

3 “(e) POOLING OF CERTAIN LAND.—If separate
4 tracts of land cannot be independently developed and oper-
5 ated to use geothermal steam and associated geothermal
6 resources pursuant to any section of this Act—

7 “(1) the land, or a portion of the land, may be
8 pooled with other land, whether or not owned by the
9 United States, for purposes of development and op-
10 eration under a communitization agreement pro-
11 viding for an apportionment of production or royal-
12 ties among the separate tracts of land comprising
13 the production unit, if the pooling is determined by
14 the Secretary to be in the public interest; and

15 “(2) operation or production pursuant to the
16 communitization agreement shall be treated as oper-
17 ation or production with respect to each tract of
18 land that is subject to the communitization agree-
19 ment.

20 “(f) UNIT AGREEMENT REVIEW.—

21 “(1) IN GENERAL.—Not later than 5 years
22 after the date of approval of any unit agreement and
23 at least every 5 years thereafter, the Secretary
24 shall—

25 “(A) review each unit agreement; and

1 “(B) after notice and opportunity for com-
2 ment, eliminate from inclusion in the unit
3 agreement any land that the Secretary deter-
4 mines is not reasonably necessary for unit oper-
5 ations under the unit agreement.

6 “(2) BASIS FOR ELIMINATION.—The elimi-
7 nation shall—

8 “(A) be based on scientific evidence; and

9 “(B) occur only if the elimination is deter-
10 mined by the Secretary to be for the purpose of
11 conserving and properly managing the geo-
12 thermal resource.

13 “(3) EXTENSION.—Any land eliminated under
14 this subsection shall be eligible for an extension
15 under section 6(g) if the land meets the require-
16 ments for the extension.

17 “(g) DRILLING OR DEVELOPMENT CONTRACTS.—

18 “(1) IN GENERAL.—The Secretary may, on
19 such conditions as the Secretary may prescribe, ap-
20 prove drilling or development contracts made by 1 or
21 more lessees of geothermal leases, with 1 or more
22 persons, associations, or corporations if, in the dis-
23 cretion of the Secretary, the conservation of natural
24 resources or the public convenience or necessity may

1 require or the interests of the United States may be
2 best served by the approval.

3 “(2) HOLDINGS OR CONTROL.—Each lease op-
4 erated under an approved drilling or development
5 contract, and interest under the contract, shall be
6 excepted in determining holdings or control under
7 section 7.

8 “(h) COORDINATION WITH STATE GOVERNMENTS.—
9 The Secretary shall coordinate unitization and pooling ac-
10 tivities with appropriate State agencies.”.

11 **SEC. 237. ROYALTY ON BYPRODUCTS.**

12 Section 5 of the Geothermal Steam Act of 1970 (30
13 U.S.C. 1004) (as amended by section 232(a)) is amended
14 in subsection (a) by striking paragraph (2) and inserting
15 the following:

16 “(2) a royalty on any byproduct that is a min-
17 eral specified in the first section of the Mineral
18 Leasing Act (30 U.S.C. 181), and that is derived
19 from production under the lease, at the rate of the
20 royalty that applies under that Act to production of
21 the mineral under a lease under that Act;”.

1 **SEC. 238. LEASE DURATION AND WORK COMMITMENT RE-**
2 **QUIREMENTS.**

3 Section 6(i) of the Geothermal Steam Act of 1970
4 (30 U.S.C. 1005(i)) is amended by striking paragraph (2)
5 and inserting the following:

6 “(2) The Secretary shall, by regulation, establish pay-
7 ments under this subsection at levels that ensure the dili-
8 gent development of the lease.”.

9 **SEC. 239. ANNUAL RENTAL.**

10 (a) **ANNUAL RENTAL RATE.**—Section 5 of the Geo-
11 thermal Steam Act of 1970 (30 U.S.C. 1004) (as amended
12 by section 232(a)) is amended in subsection (a) by striking
13 paragraph (3) and inserting the following:

14 “(3) payment in advance of an annual rental of
15 not less than—

16 “(A) for each of the first through tenth
17 years of the lease—

18 “(i) in the case of a lease awarded in
19 a noncompetitive lease sale, \$1 per acre or
20 fraction thereof; or

21 “(ii) in the case of a lease awarded in
22 a competitive lease sale, \$2 per acre or
23 fraction thereof for the first year and \$3
24 per acre or fraction thereof for each of the
25 second through 10th years; and

1 “(B) for each year after the 10th year of
2 the lease, \$5 per acre or fraction thereof;”.

3 (b) TERMINATION OF LEASE FOR FAILURE TO PAY
4 RENTAL.—Section 5 of the Geothermal Steam Act of
5 1970 (30 U.S.C. 1004) (as amended by section 233(a))
6 is amended by adding at the end the following:

7 “(d) TERMINATION OF LEASE FOR FAILURE TO PAY
8 RENTAL.—

9 “(1) IN GENERAL.—The Secretary shall termi-
10 nate any lease with respect to which rental is not
11 paid in accordance with this Act and the terms of
12 the lease under which the rental is required, on the
13 expiration of the 45-day period beginning on the
14 date of the failure to pay the rental.

15 “(2) NOTIFICATION.—The Secretary shall
16 promptly notify a lessee that has not paid rental re-
17 quired under the lease that the lease will be termi-
18 nated at the end of the period referred to in para-
19 graph (1).

20 “(3) REINSTATEMENT.—A lease that would
21 otherwise terminate under paragraph (1) shall not
22 terminate under that paragraph if the lessee pays to
23 the Secretary, before the end of the period referred
24 to in paragraph (1), the amount of rental due plus
25 a late fee equal to 10 percent of the amount.”.

1 **SEC. 240. ADVANCED ROYALTIES REQUIRED FOR CES-**
2 **SATION OF PRODUCTION.**

3 Section 5 of the Geothermal Steam Act of 1970
4 (30 U.S.C. 1004) (as amended by section 239(b)) is
5 amended by adding at the end the following:

6 “(e) **ADVANCED ROYALTIES REQUIRED FOR CES-**
7 **SATION OF PRODUCTION.—**

8 “(1) **IN GENERAL.—**Subject to paragraphs (2)
9 and (3), if, at any time after commercial production
10 under a lease is achieved, production ceases for any
11 reason, the lease shall remain in full force and effect
12 for a period of not more than an aggregate number
13 of 10 years beginning on the date production ceases,
14 if, during the period in which production is ceased,
15 the lessee pays royalties in advance at the monthly
16 average rate at which the royalty was paid during
17 the period of production.

18 “(2) **REDUCTION.—**The amount of any produc-
19 tion royalty paid for any year shall be reduced (but
20 not below 0) by the amount of any advanced royal-
21 ties paid under the lease to the extent that the ad-
22 vance royalties have not been used to reduce produc-
23 tion royalties for a prior year.

24 “(3) **EXCEPTIONS.—**Paragraph (1) shall not
25 apply if the cessation in production is required or
26 otherwise caused by—

- 1 “(A) the Secretary;
- 2 “(B) the Secretary of the Air Force;
- 3 “(C) the Secretary of the Army;
- 4 “(D) the Secretary of the Navy;
- 5 “(E) a State or a political subdivision of a
- 6 State; or
- 7 “(F) a force majeure.”.

8 **SEC. 241. LEASING AND PERMITTING ON FEDERAL LAND**

9 **WITHDRAWN FOR MILITARY PURPOSES.**

10 (a) **IN GENERAL.**—Not later than 2 years after the

11 date of enactment of this Act, the Secretary of the Interior

12 and the Secretary of Defense, in consultation with the Sec-

13 retary of the Air Force, the Secretary of the Army, the

14 Secretary of the Navy, interested States, political subdivi-

15 sions of States, and representatives of the geothermal in-

16 dustry, and other interested persons, shall submit to the

17 appropriate committees of Congress a joint report on leas-

18 ing and permitting activities for geothermal energy on

19 Federal land withdrawn for military purposes.

20 (b) **REQUIREMENTS.**—The report required under

21 subsection (a) shall include—

22 (1) a description of the military geothermal pro-

23 gram, including a description of—

24 (A) any differences between the military

25 geothermal program and the nonmilitary geo-

1 thermal program, including required security
2 procedures and operational considerations; and

3 (B) the reasons the differences described
4 in subparagraph (A) are significant;

5 (2) with respect to the military geothermal pro-
6 gram, a description of—

7 (A) revenues or energy provided to the De-
8 partment of Defense and facilities of the De-
9 partment Defense; and

10 (B) royalty structures, as applicable;

11 (3) any revenue sharing with States and polit-
12 ical subdivisions of States and other benefits from—

13 (A) the implementation of the Geothermal
14 Steam Act of 1970 (30 U.S.C 1001 et seq.) and
15 other applicable Federal law by the Secretary of
16 the Interior; and

17 (B) the administration of geothermal leas-
18 ing under section 2689 of title 10, United
19 States Code, by the Secretary of Defense;

20 (4) if appropriate—

21 (A) a description of the current methods
22 and procedures used to ensure interagency co-
23 ordination, as needed, in developing renewable
24 energy sources on Federal land withdrawn for
25 military purposes; and

1 (B) an identification of any new proce-
2 dures that would improve interagency coordina-
3 tion to ensure efficient processing and adminis-
4 tration of leases or contracts for geothermal en-
5 ergy on Federal land withdrawn for military
6 purposes, consistent with the defense purposes
7 of the withdrawals; and

8 (5) recommendations for any legislative or ad-
9 ministrative actions that would increase geothermal
10 production, including—

11 (A) a common royalty structure;

12 (B) leasing procedures; and

13 (C) other changes that—

14 (i) increase production;

15 (ii) offset military operation costs; or

16 (iii) enhance the ability of Federal
17 agencies to develop geothermal resources.

18 (c) EFFECT.—Nothing in this section affects the
19 legal status of geothermal leasing and development con-
20 ducted by the Department of the Interior and the Depart-
21 ment of Defense.

22 **SEC. 242. TECHNICAL AMENDMENTS.**

23 (a) The Geothermal Steam Act of 1970 (30 U.S.C.
24 1001 et seq.) is amended by striking “geothermal steam

1 and associated geothermal resources” each place it ap-
2 pears and inserting “geothermal resources”.

3 (b) The first section of the Geothermal Steam Act
4 of 1970 (30 U.S.C. 1001 note) is amended by striking
5 “That this” and inserting the following:

6 **“SECTION 1. SHORT TITLE.**

7 “This”.

8 (c) Section 2 of the Geothermal Steam Act of 1970
9 (30 U.S.C. 1001) is amended—

10 (1) by striking “SEC. 2. As” and inserting the
11 following:

12 **“SEC. 2. DEFINITIONS.**

13 “As”; and

14 (2) by striking subsection (e) and inserting the
15 following:

16 “(e) ‘direct use’ means use of geothermal re-
17 sources for commercial, residential, agricultural,
18 public facilities, or other energy needs other than the
19 commercial production of electricity; and”.

20 (d) Section 3 of the Geothermal Steam Act of 1970
21 (30 U.S.C. 1002) is amended by striking “SEC. 3. Sub-
22 ject” and inserting the following:

23 **“SEC. 3 . LANDS SUBJECT TO GEOTHERMAL LEASING.**

24 “Subject”.

1 (e) Section 5 of the Geothermal Steam Act of 1970
2 (30 U.S.C. 1004) is amended by striking “SEC. 5. Geo-
3 thermal” and inserting the following:

4 **“SEC. 5. RENTS AND ROYALTIES.**

5 “Geothermal”.

6 (f) Section 7 of the Geothermal Steam Act of 1970
7 (30 U.S.C. 1006) is amended by striking “SEC. 7. A geo-
8 thermal” and inserting the following:

9 **“SEC. 7. ACREAGE OF GEOTHERMAL LEASE.**

10 “A geothermal”.

11 (g) Section 8 of the Geothermal Steam Act of 1970
12 (30 U.S.C. 1007) is amended by striking “SEC. 8. (a)
13 The” and inserting the following:

14 **“SEC. 8. READJUSTMENT OF LEASE TERMS AND CONDI-
15 TIONS.**

16 “(a) The”.

17 (h) Section 9 of the Geothermal Steam Act of 1970
18 (30 U.S.C. 1008) is amended by striking “SEC. 9. If” and
19 inserting the following:

20 **“SEC. 9. BYPRODUCTS.**

21 “If”.

22 (i) Section 10 of the Geothermal Steam Act of 1970
23 (30 U.S.C. 1009) is amended by striking “SEC. 10. The”
24 and inserting the following:

1 **“SEC. 10. RELINQUISHMENT OF GEOTHERMAL RIGHTS.**

2 “The”.

3 (j) Section 11 of the Geothermal Steam Act of 1970
4 (30 U.S.C. 1010) is amended by striking “SEC. 11. The”
5 and inserting the following:

6 **“SEC. 11. SUSPENSION OF OPERATIONS AND PRODUCTION.**

7 “The”.

8 (k) Section 12 of the Geothermal Steam Act of 1970
9 (30 U.S.C. 1011) is amended by striking “SEC. 12.
10 Leases” and inserting the following:

11 **“SEC. 12. TERMINATION OF LEASES.**

12 “Leases”.

13 (l) Section 13 of the Geothermal Steam Act of 1970
14 (30 U.S.C. 1012) is amended by striking “SEC. 13. The”
15 and inserting the following:

16 **“SEC. 13. WAIVER, SUSPENSION, OR REDUCTION OF RENT-
17 AL OR ROYALTY.**

18 “The”.

19 (m) Section 14 of the Geothermal Steam Act of 1970
20 (30 U.S.C. 1013) is amended by striking “SEC. 14. Sub-
21 ject” and inserting the following:

22 **“SEC. 14. SURFACE LAND USE.**

23 “Subject”.

24 (n) Section 15 of the Geothermal Steam Act of 1970
25 (30 U.S.C. 1014) is amended by striking “SEC. 15. (a)
26 Geothermal” and inserting the following:

1 **“SEC. 15. LANDS SUBJECT TO GEOTHERMAL LEASING.**

2 “(a) Geothermal”.

3 (o) Section 16 of the Geothermal Steam Act of 1970
4 (30 U.S.C. 1015) is amended by striking “SEC. 16.
5 Leases” and inserting the following:

6 **“SEC. 16. REQUIREMENT FOR LESSEES.**

7 “Leases”.

8 (p) Section 17 of the Geothermal Steam Act of 1970
9 (30 U.S.C. 1016) is amended by striking “SEC. 17. Ad-
10 ministration” and inserting the following:

11 **“SEC. 17. ADMINISTRATION.**

12 “Administration”.

13 (q) Section 19 of the Geothermal Steam Act of 1970
14 (30 U.S.C. 1018) is amended by striking “SEC. 19. Upon”
15 and inserting the following:

16 **“SEC. 19. DATA FROM FEDERAL AGENCIES.**

17 “Upon”.

18 (r) Section 20 of the Geothermal Steam Act of 1970
19 (30 U.S.C. 1019) is amended by striking “SEC. 20. Sub-
20 ject” and inserting the following:

21 **“SEC. 20. DISPOSITION OF AMOUNTS RECEIVED FROM**
22 **SALES, BONUSES, ROYALTIES, AND RENTALS.**

23 “Subject”.

24 (s) Section 21 of the Geothermal Steam Act of 1970
25 (30 U.S.C. 1020) is amended by striking “SEC. 21.” and

1 all that follows through “(b) Geothermal” and inserting
2 the following:

3 **“SEC. 21. PUBLICATION IN FEDERAL REGISTER; RESERVA-**
4 **TION OF MINERAL RIGHTS.**

5 “Geothermal”.

6 (t) Section 22 of the Geothermal Steam Act of 1970
7 (30 U.S.C. 1021) is amended by striking “SEC. 22. Noth-
8 ing” and inserting the following:

9 **“SEC. 22. FEDERAL EXEMPTION FROM STATE WATER LAWS.**

10 “Nothing”.

11 (u) Section 23 of the Geothermal Steam Act of 1970
12 (30 U.S.C. 1022) is amended by striking “SEC. 23. (a)
13 All” and inserting the following:

14 **“SEC. 23. PREVENTION OF WASTE; EXCLUSIVITY.**

15 “(a) All”.

16 (v) Section 24 of the Geothermal Steam Act of 1970
17 (30 U.S.C. 1023) is amended by striking “SEC. 24. The”
18 and inserting the following:

19 **“SEC. 24. RULES AND REGULATIONS.**

20 “The”.

21 (w) Section 25 of the Geothermal Steam Act of 1970
22 (30 U.S.C. 1024) is amended by striking “SEC. 25. As”
23 and inserting the following:

1 **“SEC. 25. INCLUSION OF GEOTHERMAL LEASING UNDER**
2 **CERTAIN OTHER LAWS.**

3 “As”.

4 (x) Section 26 of the Geothermal Steam Act of 1970
5 is amended by striking “SEC. 26. The” and inserting the
6 following:

7 **“SEC. 26. AMENDMENT.**

8 “The”.

9 (y) Section 27 of the Geothermal Steam Act of 1970
10 (30 U.S.C. 1025) is amended by striking “SEC. 27. The”
11 and inserting the following:

12 **“SEC. 27. FEDERAL RESERVATION OF CERTAIN MINERAL**
13 **RIGHTS.**

14 “The”.

15 (z) Section 28 of the Geothermal Steam Act of 1970
16 (30 U.S.C. 1026) is amended by striking “SEC. 28. (a)(1)
17 The” and inserting the following:

18 **“SEC. 28. SIGNIFICANT THERMAL FEATURES.**

19 “(a)(1) The”.

20 (aa) Section 29 of the Geothermal Steam Act of 1970
21 (30 U.S.C. 1027) is amended by striking “SEC. 29. The”
22 and inserting the following:

23 **“SEC. 29. LAND SUBJECT TO PROHIBITION ON LEASING.**

24 “The”.