

**§ 966. Retention of fees**

The Mine Safety and Health Administration may retain up to \$2,499,000 in this fiscal year and each fiscal year thereafter from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities.

(Pub. L. 113–76, div. H, title I, Jan. 17, 2014, 128 Stat. 357.)

## REFERENCES IN TEXT

This fiscal year, referred to in text, is fiscal year 2014.

## CODIFICATION

Section was enacted as part of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014, and also as part of the Consolidated Appropriations Act, 2014, and not as part of the Federal Mine Safety and Health Act of 1977 which comprises this chapter.

## SIMILAR PROVISIONS

Similar provisions were contained in the following appropriation acts:

Pub. L. 116–94, div. A, title I, Dec. 20, 2019, 133 Stat. 2547.

Pub. L. 115–245, div. B, title I, Sept. 28, 2018, 132 Stat. 3058.

Pub. L. 115–141, div. H, title I, Mar. 23, 2018, 132 Stat. 706.

Pub. L. 115–31, div. H, title I, May 5, 2017, 131 Stat. 512.

Pub. L. 114–113, div. H, title I, Dec. 18, 2015, 129 Stat. 2593.

Pub. L. 113–235, div. G, title I, Dec. 16, 2014, 128 Stat. 2460.

**CHAPTER 23—GEOTHERMAL RESOURCES**

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**§ 1001. Definitions**

As used in this chapter, the term—

(a) “Secretary” means the Secretary of the Interior;

(b) “geothermal lease” means a lease issued under authority of this chapter;

(c) “geothermal resources” means (i) all products of geothermal processes, embracing indigenous steam, hot water and hot brines; (ii) steam and other gases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations; (iii) heat or other associated energy found in geothermal formations; and (iv) any byproduct derived from them;

(d) “byproduct” means any mineral or minerals (exclusive of oil, hydrocarbon gas, and helium) which are found in solution or in association with geothermal steam and which have a value of less than 75 per centum of the value of the geothermal steam or are not, because of quantity, quality, or technical difficulties in extraction and production, of sufficient value to warrant extraction and production by themselves;

(e) “known geothermal resources area” means an area in which the geology, nearby discoveries, competitive interests, or other indicia would, in the opinion of the Secretary, engender a belief in men who are experienced in the subject matter that the prospects for extraction of geothermal steam or associated geothermal resources are good enough to warrant expenditures of money for that purpose.

(f) “Significant<sup>1</sup> thermal features within units of the National Park System” shall include, but not be limited to, the following:

(1) Thermal features within units of the National Park System listed in Section<sup>1</sup> 1026(a)(1) of this title and designated as significant in the Federal Register notice of August 3, 1987 (Vol. 52, No. 148 Fed. Reg. 28790).

(2) Crater Lake National Park.

(3) Thermal features within Big Bend National Park and Lake Mead National Recreation Area proposed as significant in the Federal Register notice of February 13, 1987 (Vol. 52, No. 30 Fed. Reg. 4700).

(4) Thermal features within units of the National Park System added to the significant thermal features list pursuant to section 1026(a)(2) of this title.

(g) “direct use” means utilization of geothermal resources for commercial, residential, agricultural, public facilities, or other energy needs other than the commercial production of electricity; and<sup>2</sup>

(Pub. L. 91–581, §2, Dec. 24, 1970, 84 Stat. 1566; Pub. L. 100–443, §2(a), Sept. 22, 1988, 102 Stat. 1766; Pub. L. 109–58, title II, §236(1), (2), (5), Aug. 8, 2005, 119 Stat. 671.)

## AMENDMENTS

2005—Pub. L. 109–58, §236(5), inserted section catchline.

Par. (c). Pub. L. 109–58, §236(1), substituted “geothermal resources” for “geothermal steam and associated geothermal resources”.

<sup>1</sup> So in original. Probably should not be capitalized.

<sup>2</sup> So in original. Probably should end with a period instead of “; and”.

Par. (g). Pub. L. 109-58, §236(2), added par. (g).  
1988—Par. (f). Pub. L. 100-443 added par. (f).

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-58, title II, §221, Aug. 8, 2005, 119 Stat. 660, provided that: “This subtitle [subtitle B (§§221-237) of title II of Pub. L. 109-58, enacting part B (§15871 et seq.) of subchapter II of chapter 149 of Title 42, The Public Health and Welfare, amending this section and sections 530 and 1002 to 1027 of this title, enacting provisions set out as notes under section 1004 of this title, and amending provisions set out as a note under this section] may be cited as the ‘John Rishel Geothermal Steam Act Amendments of 2005’.”

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-443, §1, Sept. 22, 1988, 102 Stat. 1766, provided that: “This Act [enacting sections 1026 and 1027 of this title, amending this section and sections 191, 226-3, 1005, 1017, and 1019 of this title, and enacting provisions set out as notes under sections 1005 and 1026 of this title] may be known as the ‘Geothermal Steam Act Amendments of 1988’.”

SHORT TITLE

Pub. L. 91-581, §1, Dec. 24, 1970, 84 Stat. 1566, as amended by Pub. L. 109-58, title II, §236(4), Aug. 8, 2005, 119 Stat. 671, provided that: “This Act [enacting this chapter and amending section 530 of this title] may be cited as the ‘Geothermal Steam Act of 1970’.”

**§ 1002. Lands subject to geothermal leasing**

Subject to the provisions of section 1014 of this title, the Secretary of the Interior may issue leases for the development and utilization of geothermal resources (1) in lands administered by him, including public, withdrawn, and acquired lands, (2) in any national forest or other lands administered by the Department of Agriculture through the Forest Service, including public, withdrawn, and acquired lands, and (3) in lands which have been conveyed by the United States subject to a reservation to the United States of the geothermal resources therein.

(Pub. L. 91-581, §3, Dec. 24, 1970, 84 Stat. 1566; Pub. L. 109-58, title II, §236(1), (6), Aug. 8, 2005, 119 Stat. 671, 672.)

AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline and substituted “geothermal resources” for “geothermal steam and associated geothermal resources” in two places in text.

**§ 1002a. Repealed. Pub. L. 97-214, §7(16), July 12, 1982, 96 Stat. 174**

Section, Pub. L. 95-356, title VIII, §803(a), (b), Sept. 8, 1978, 92 Stat. 585; Pub. L. 96-125, title VIII, §802(2), Nov. 26, 1979, 93 Stat. 948; Pub. L. 97-99, title IX, §908, Dec. 23, 1981, 95 Stat. 1385, related to development of geothermal energy sources on military lands, contracts for provision and operation of production facilities and energy purchases, and terms, conditions and prerequisites of such contracts. See sections 2917 and 2922a of Title 10, Armed Forces.

Pub. L. 95-356, title VIII, §803(c), Sept. 8, 1978, 92 Stat. 585, which provided that this section take effect Oct. 1, 1978, was repealed by Pub. L. 97-214, §7(16), July 12, 1982, 96 Stat. 174.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as

an Effective Date note under section 2801 of Title 10, Armed Forces.

**§ 1003. Leasing procedures**

**(a) Nominations**

The Secretary shall accept nominations of land to be leased at any time from qualified companies and individuals under this chapter.

**(b) Competitive lease sale required**

**(1) In general**

Except as otherwise specifically provided by this chapter, all land to be leased that is not subject to leasing under subsection (c) shall be leased as provided in this subsection to the highest responsible qualified bidder, as determined by the Secretary.

**(2) Competitive lease sales**

The Secretary shall hold a competitive lease sale at least once every 2 years for land in a State that has nominations pending under subsection (a) if the land is otherwise available for leasing.

**(3) Lands subject to mining claims**

Lands that are subject to a mining claim for which a plan of operations has been approved by the relevant Federal land management agency may be available for noncompetitive leasing under this section to the mining claim holder.

**(c) Noncompetitive leasing**

The Secretary shall make available for a period of 2 years for noncompetitive leasing any tract for which a competitive lease sale is held, but for which the Secretary does not receive any bids in a competitive lease sale.

**(d) Pending lease applications**

**(1) In general**

It shall be a priority for the Secretary, and for the Secretary of Agriculture with respect to National Forest Systems land, to ensure timely completion of administrative actions, including amendments to applicable forest plans and resource management plans, necessary to process applications for geothermal leasing pending on August 8, 2005.<sup>1</sup> All future forest plans and resource management plans for areas with high geothermal resource potential shall consider geothermal leasing and development.

**(2) Administration**

An application described in paragraph (1) and any lease issued pursuant to the application—

(A) except as provided in subparagraph (B), shall be subject to this section as in effect on the day before August 8, 2005; or

(B) at the election of the applicant, shall be subject to this section as in effect on August 8, 2005.

**(e) Leases sold as a block**

If information is available to the Secretary indicating a geothermal resource that could be produced as 1 unit can reasonably be expected to

<sup>1</sup> See Codification note below.