

110TH CONGRESS  
2D SESSION

# H. R. 6211

To allow Americans the opportunity to see their vast oil shale and tar sands resources on Federal lands developed by providing the President with the ability to determine the quickest and most responsible way to access oil shale resources.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2008

Mr. CANNON (for himself, Mr. CULBERSON, Mr. DREIER, Mr. HERGER, Mr. PETERSON of Pennsylvania, and Mr. BROWN of South Carolina) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To allow Americans the opportunity to see their vast oil shale and tar sands resources on Federal lands developed by providing the President with the ability to determine the quickest and most responsible way to access oil shale resources.

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.**

4 This Act may be cited as the “Oil Shale Opportunity  
5 Act of 2008”.

1 **SEC. 2. REMOVAL OF RESTRICTIONS ON OIL SHALE DEVELOP-**  
2 **MENT.**

3 (a) INTERIM LIMITATION OF APPLICATION OF PRO-  
4 VISIONS OF LAW.—Notwithstanding any other provision  
5 of law, the President shall limit the application of such  
6 provisions of law as he in his sole discretion deems nec-  
7 essary in order to expedite the exploration and production  
8 of oil and gas from oil shale and tar sands, including, but  
9 not limited to, in the issuance of any Federal permit to  
10 explore and produce oil and gas from oil shale and tar  
11 sands. The President shall not be required to follow the  
12 provisions of subchapter II of chapter 5 of title 5, United  
13 States Code, in taking action under this subsection.

14 (b) FEDERAL COURT REVIEW.—

15 (1) IN GENERAL.—The district courts of the  
16 United States shall have exclusive jurisdiction to  
17 hear all causes or claims arising from any action un-  
18 dertaken, or any decision made, by the President  
19 pursuant to subsection (a) of this section. A cause  
20 of action or claim may only be brought alleging a  
21 violation of the Constitution of the United States.  
22 The court shall not have jurisdiction to hear any  
23 claim not specified in this subsection.

24 (2) TIME FOR FILING OF COMPLAINT.—Any  
25 cause or claim brought pursuant to this subsection  
26 shall be filed not later than 60 days after the date

1 of the action or decision made by the President. A  
2 claim shall be barred unless it is filed within the  
3 time specified.

4 (3) ABILITY TO SEEK APPELATE REVIEW.—An  
5 interlocutory or final judgment, decree, or order of  
6 the district court may be reviewed only upon petition  
7 for a writ of certiorari to the Supreme Court of the  
8 United States.

9 **SEC. 3. ALLOCATION OF FEDERAL ROYALTIES.**

10 Notwithstanding any other provision of law, one half  
11 of royalties due to the Federal government from the pro-  
12 duction under the authority of this Act shall be dedicated  
13 to fund private grants for research and development to:  
14 limit or capture carbon emissions from the combustion of  
15 fossil fuels; alternative fuels; and energy efficiency.

16 **SEC. 4. REPORT TO CONGRESS.**

17 No later than 30 days after taking action under sec-  
18 tion 2(a) of this Act, the President shall report to the com-  
19 mittees of Congress having jurisdiction respectively over  
20 natural resources and administrative law regarding the  
21 nature and expected effects of such action.

○