[DISCUSSION DRAFT]

115TH CONGRESS  1ST SESSION

H. R.  _______

To amend the Outer Continental Shelf Lands Act to distribute revenues from oil and gas leasing on the outer Continental Shelf to certain coastal States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M.  introduced the following bill; which was referred to the Committee on

A BILL

To amend the Outer Continental Shelf Lands Act to distribute revenues from oil and gas leasing on the outer Continental Shelf to certain coastal States, and for other purposes.

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 “Accessing Strategic

5  Resources Offshore Act” or the “ASTRO” Act.
SEC. 2. DISPOSITION OF REVENUES FROM OIL AND GAS LEASING ON THE OUTER CONTINENTAL SHELF TO PRODUCING STATES.

Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) by striking “All rentals” and inserting the following:

“(a) IN GENERAL.—Except as otherwise provided in this section, all rentals”; and

(2) by adding at the end the following:

“(b) DISTRIBUTION OF REVENUE TO PRODUCING STATES.—

“(1) DEFINITIONS.—In this subsection:

“(A) COVERED PLANNING AREA.—

“(i) IN GENERAL.—Subject to clause (ii), the term ‘covered planning area’ means each of the following planning areas, as such planning areas are generally depicted in the later of the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program, dated 16 November, 2016, or a subsequent oil and gas leasing program developed under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344):

“(I) Mid-Atlantic.
'(II) South Atlantic.

(III) Any planning area located off the coast of Alaska.

(ii) EXCLUSIONS.—The term ‘covered planning area’ does not include any area in the Atlantic—

(I) north of the southernmost lateral seaward administrative boundary of the State of Maryland; or

(II) south of the northernmost lateral seaward administrative boundary of the State of Florida.

(B) PRODUCING STATE.—The term ‘producing State’ means each of the following States:

(i) Virginia.

(ii) North Carolina.

(iii) South Carolina.

(iv) Georgia.

(v) Alaska.

(C) QUALIFIED REVENUES.—

(i) IN GENERAL.—The term ‘qualified revenues’ means revenues derived from rentals, royalties, bonus bids, and other sums due and payable to the United States
from oil and gas leases entered into on or after the date of the enactment of this Act for an area in a covered planning area.

“(ii) Exclusions.—The term ‘qualified revenues’ does not include—

“(I) revenues from the forfeiture of a bond or other surety securing obligations other than royalties, civil penalties, or royalties taken by the Secretary in-kind and not sold; or

“(II) revenues generated from leases subject to section 8(g).

“(2) Deposit of Qualified Revenues.—Subject to the other provisions of this subsection, for each fiscal year, the Secretary of the Treasury shall deposit or allocate, as applicable—

“(A) 50 percent of any qualified revenues into the general fund of the Treasury; and

“(B) 50 percent of any qualified revenues into a special account in the Treasury from which the Secretary shall disburse—

“(i) 75 percent to States in accordance with paragraph (3);
“(ii) 12.5 percent to the Secretary of Transportation for energy infrastructure development in coastal ports; and

“(iii) 12.5 percent to the Secretary of the Interior for deferred maintenance for units of the National Park System.

“(3) ALLOCATION TO PRODUCING STATES.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary of the Treasury shall allocate the qualified revenues described in paragraph (2)(B)(i) to each producing State in an amount based on a formula established by the Secretary of the Interior, by regulation, that is inversely proportional to the respective distances between—

“(i) the point on the coastline of the producing State that is closest to the geographical center of the applicable leased tract; and

“(ii) the geographical center of that leased tract.

“(B) MINIMUM ALLOCATION.—The amount allocated under subparagraph (A) to a producing State listed in clauses (i) through (iv) of paragraph (1)(B) for each fiscal year
shall be not less than 10 percent of the amount available under paragraph (2)(B)(i).

“(C) Payments to coastal political subdivisions.—

“(i) In general.—The Secretary of the Interior shall pay 20 percent of the allocable share of each producing State determined under this paragraph to the coastal political subdivisions of the producing State.

“(ii) Allocation.—The amount paid by the Secretary to coastal political subdivisions shall be allocated to each coastal political subdivision in accordance with subparagraphs (B) and (E) of section 31(b)(4).

“(4) Administration.—Amounts made available under paragraph (2)(B) shall—

“(A) be made available, without further appropriation, in accordance with this subsection;

“(B) remain available until expended;

“(C) be in addition to any amounts appropriated under—
“(i) chapter 2003 of title 54, United States Code;
“(ii) any other provision of this Act;
and
“(iii) any other provision of law; and
“(D) be made available during the fiscal year immediately following the fiscal year in which such amounts were received.”.


Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note) is amended to read as follows:

“(1) IN GENERAL.—The total amount of qualified outer Continental Shelf revenues described in section 102(9)(A)(ii) that are made available under subsection (a)(2) shall remain available until expended and shall not exceed—

“(A) for each of fiscal years 2017 through 2026, $500,000,000;
“(B) for each of fiscal years 2027 through 2036, $850,000,000; and
“(C) for each of fiscal years 2037 through 2055, $950,000,000.”.

SEC. 4. LIMITATION OF AUTHORITY OF THE PRESIDENT TO WITHDRAW AREAS OF THE OUTER CONTINENTAL SHELF FROM OIL AND GAS LEASING.

(a) LIMITATION ON WITHDRAWAL FROM DISPOSITION OF LANDS ON THE OUTER CONTINENTAL SHELF.—Section 12 of the Outer Continental Shelf Lands Act (43 U.S.C. 1341) is amended—

(1) by amending subsection (a) to read as follows:

“(a) LIMITATION ON WITHDRAWAL.—

“(1) IN GENERAL.—Except as otherwise provided in this section, no lands of the outer Continental Shelf may be withdrawn from disposition except by an Act of Congress.

“(2) NATIONAL MARINE SANCTUARIES.—The President may withdraw from disposition any of the unleased lands of the outer Continental Shelf located in a national marine sanctuary designated in accordance with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) or otherwise by statute.

“(3) EXISTING WITHDRAWALS.—Any withdrawal from disposition of lands on the outer Continental Shelf before the date of the enactment of this
subsection other than a withdrawal of an area in a
national marine sanctuary designated in accordance
with the National Marine Sanctuaries Act or in a
national monument declared under section 320301
of title 54, United States Code, or the Act of June
8, 1906 (ch. 3060; 34 Stat. 225), shall have no force
or effect.”; and

(2) in subsection (c), by adding at the end the
following: “Any suspension of operations under this
subsection shall be for a period of not more than 90
days, and may be renewed one or more times for an
additional period of not more than 90 days.”.

(b) Termination of Authority To Establish
Marine National Monuments.—Section 320301 of
title 54, United States Code, is amended by adding at the
end the following:

“(e) Limitation on Marine National Monu-
ments.—

“(1) In general.—Notwithstanding sub-
secciones (a) and (b), the President may not declare
or reserve any ocean waters (as such term is defined
in section 3 of the Marine Protection, Research, and
Sanctuaries Act of 1972 (33 U.S.C. 1402)) or lands
beneath ocean waters as a national monument.
“(2) Marine national monuments designated before the date of the enactment of this subsection.—This subsection shall not affect any national monument designated by the President before the date of the enactment of this Act.”.

SEC. 5. MODIFICATION TO THE OUTER CONTINENTAL SHELF LEASING PROGRAM.

Section 18(e) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(e)) is amended to read as follows:

“(e) Addition of Lease Sales.—

“(1) In general.—The Secretary may conduct lease sales in any outer Continental Shelf planning area in addition to lease sales in a leasing program approved under this section.

“(2) Timing.—Any lease sale conducted under paragraph (1) shall be conducted as soon as practicable after the Secretary announces such lease sale, but in no case later than one year after the announcement of such lease sale.”.

SEC. 6. INSPECTION FEE COLLECTION.

The Secretary of the Interior may collect in any fiscal year the inspection fee collected by the Bureau of Safety and Environmental Enforcement before the date of the enactment of this Act.
SEC. 7. STUDY ON BOEM AND BSEE.

(a) STUDY.—The Secretary of the Interior shall conduct a study—

(1) to evaluate any inefficiencies or duplication between the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement;

(2) to evaluate how any inefficiencies identified under paragraph (1) may be addressed, including by restructuring the Department of the Interior to place the duties of the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement under a single bureau; and

(3) to identify methods to streamline the oil and gas leasing and permitting process.

(b) RESULTS OF STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the study required under subsection (a).

SEC. 8. ARCTIC RULE SHALL HAVE NO FORCE OR EFFECT.

The rule entitled “Oil and Gas and Sulfur Operations on the Outer Continental Shelf — Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf”
1 and published in the Federal Register on July 15, 2016
2 (81 Fed. Reg. 46478), shall have no force or effect.