

AMENDMENT TO H.R. 1230

OFFERED BY MR. MARKEY OF MASSACHUSETTS

Page 4, after line 6, insert the following (and redesignate accordingly):

1 **SEC. ____ . ELIGIBILITY FOR NEW LEASES AND THE TRANS-**
2 **FER OF LEASES.**

3 (a) **ISSUANCE OF NEW LEASES.—**

4 (1) **IN GENERAL.—**The Secretary of the Inte-
5 rior shall not accept bids on any new leases offered
6 pursuant to this Act from a person described in
7 paragraph (2) unless the person has renegotiated
8 each covered lease with respect to which the person
9 is a lessee, to modify the payment responsibilities of
10 the person to require the payment of royalties if the
11 price of oil and natural gas is greater than or equal
12 to the price thresholds described in clauses (v)
13 through (vii) of section 8(a)(3)(C) of the Outer Con-
14 tinental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

15 (2) **PERSONS DESCRIBED.—**A person referred
16 to in paragraph (1) is a person that—

17 (A) is a lessee that—

1 (i) holds a covered lease on the date
2 on which the Secretary considers the
3 issuance of the new lease; or

4 (ii) was issued a covered lease before
5 the date of enactment of this Act, but
6 transferred the covered lease to another
7 person or entity (including a subsidiary or
8 affiliate of the lessee) after the date of en-
9 actment of this Act; or

10 (B) any other person that has any direct
11 or indirect interest in, or that derives any ben-
12 efit from, a covered lease.

13 (3) MULTIPLE LESSEES.—

14 (A) IN GENERAL.—For purposes of para-
15 graph (1), if there are multiple lessees that own
16 a share of a covered lease, the Secretary may
17 implement separate agreements with any lessee
18 with a share of the covered lease that modifies
19 the payment responsibilities with respect to the
20 share of the lessee to include price thresholds
21 that are equal to or less than the price thresh-
22 olds described in clauses (v) through (vii) of
23 section 8(a)(3)(C) of the Outer Continental
24 Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

1 (B) TREATMENT OF SHARE AS COVERED
2 LEASE.—Beginning on the effective date of an
3 agreement under subparagraph (A), any share
4 subject to the agreement shall not constitute a
5 covered lease with respect to any lessees that
6 entered into the agreement.

7 (b) TRANSFERS.—A lessee or any other person who
8 has any direct or indirect interest in, or who derives a
9 benefit from, a covered lease shall not be eligible to obtain
10 by sale or other transfer (including through a swap, spin-
11 off, servicing, or other agreement) any new lease or the
12 economic benefit of any new lease, unless the lessee or
13 other person has—

14 (1) renegotiated each covered lease with respect
15 to which the lessee or person is a lessee, to modify
16 the payment responsibilities of the lessee or person
17 to include price thresholds that are equal to or less
18 than the price thresholds described in clauses (v)
19 through (vii) of section 8(a)(3)(C) of the Outer Con-
20 tinental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C));
21 or

22 (2) entered into an agreement with the Sec-
23 retary to modify the terms of all covered leases of
24 the lessee or other person to include limitations on
25 royalty relief based on market prices that are equal

1 to or less than the price thresholds described in
2 clauses (v) through (vii) of section 8(a)(3)(C) of the
3 Outer Continental Shelf Lands Act (43 U.S.C.
4 1337(a)(3)(C)).

5 (c) USE OF AMOUNTS FOR DEFICIT REDUCTION.—

6 Notwithstanding any other provision of law, any amounts
7 received by the United States as rentals or royalties under
8 covered leases as a consequence of this section shall be
9 deposited in the Treasury and used for Federal budget
10 deficit reduction or, if there is no Federal budget deficit,
11 for reducing the Federal debt in such manner as the Sec-
12 retary of the Treasury considers appropriate.

13 (d) DEFINITIONS.—In this section—

14 (1) COVERED LEASE.—The term “covered
15 lease” means a lease for oil or gas production in the
16 Gulf of Mexico that is—

17 (A) in existence on the date of enactment
18 of this Act;

19 (B) issued by the Department of the Inte-
20 rior under section 304 of the Outer Continental
21 Shelf Deep Water Royalty Relief Act (43
22 U.S.C. 1337 note; Public Law 104-58); and

23 (C) not subject to limitations on royalty re-
24 lief based on market price that are equal to or
25 less than the price thresholds described in

1 clauses (v) through (vii) of section 8(a)(3)(C) of
2 the Outer Continental Shelf Lands Act (43
3 U.S.C. 1337(a)(3)(C)).

4 (2) LESSEE.—The term “lessee” includes any
5 person or other entity that controls, is controlled by,
6 or is in or under common control with, a lessee.

7 (3) NEW LEASE.—The term “new lease” means
8 a lease issued in a lease sale under this Act.

9 (4) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.



