

[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.

1 **SEC. 2. DISPOSITION OF REVENUES FROM OIL AND GAS**
2 **LEASING ON THE OUTER CONTINENTAL**
3 **SHELF TO PRODUCING STATES.**

4 Section 9 of the Outer Continental Shelf Lands Act
5 (43 U.S.C. 1338) is amended—

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

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

10 (2) by adding at the end the following:

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

13 “(1) DEFINITIONS.—In this subsection:

14 “(A) COVERED PLANNING AREA.—

15 “(i) IN GENERAL.—Subject to clause
16 (ii), the term ‘covered planning area’
17 means each of the following planning
18 areas, as such planning areas are generally
19 depicted in the later of the 2017–2022
20 Outer Continental Shelf Oil and Gas Leas-
21 ing Proposed Final Program, dated 16 No-
22 vember, 2016, or a subsequent oil and gas
23 leasing program developed under section
24 18 of the Outer Continental Shelf Lands
25 Act (43 U.S.C. 1344):

26 “(I) Mid-Atlantic.

1 “(II) South Atlantic.

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

4 “(ii) EXCLUSIONS.—The term ‘cov-
5 ered planning area’ does not include any
6 area in the Atlantic—

7 “(I) north of the southernmost
8 lateral seaward administrative bound-
9 ary of the State of Maryland; or

10 “(II) south of the northernmost
11 lateral seaward administrative bound-
12 ary of the State of Florida.

13 “(B) PRODUCING STATE.—The term ‘pro-
14 ducing State’ means each of the following
15 States:

16 “(i) Virginia.

17 “(ii) North Carolina.

18 “(iii) South Carolina.

19 “(iv) Georgia.

20 “(v) Alaska.

21 “(C) QUALIFIED REVENUES.—

22 “(i) IN GENERAL.—The term ‘quali-
23 fied revenues’ means revenues derived from
24 rentals, royalties, bonus bids, and other
25 sums due and payable to the United States

1 from oil and gas leases entered into on or
2 after the date of the enactment of this Act
3 for an area in a covered planning area.

4 “(ii) EXCLUSIONS.—The term ‘quali-
5 fied revenues’ does not include—

6 “(I) revenues from the forfeiture
7 of a bond or other surety securing ob-
8 ligations other than royalties, civil
9 penalties, or royalties taken by the
10 Secretary in-kind and not sold; or

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

13 “(2) DEPOSIT OF QUALIFIED REVENUES.—Sub-
14 ject to the other provisions of this subsection, for
15 each fiscal year, the Secretary of the Treasury shall
16 deposit or allocate, as applicable—

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

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

22 “(i) 75 percent to States in accord-
23 ance with paragraph (3);

1 “(ii) 12.5 percent to the Secretary of
2 Transportation for energy infrastructure
3 development in coastal ports; and

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

7 “(3) ALLOCATION TO PRODUCING STATES.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graphs (B) and (C), the Secretary of the Treas-
10 ury shall allocate the qualified revenues de-
11 scribed in paragraph (2)(B)(i) to each pro-
12 ducing State in an amount based on a formula
13 established by the Secretary of the Interior, by
14 regulation, that is inversely proportional to the
15 respective distances between—

16 “(i) the point on the coastline of the
17 producing State that is closest to the geo-
18 graphical center of the applicable leased
19 tract; and

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

22 “(B) MINIMUM ALLOCATION.—The
23 amount allocated under subparagraph (A) to a
24 producing State listed in clauses (i) through
25 (iv) of paragraph (1)(B) for each fiscal year

1 shall be not less than 10 percent of the amount
2 available under paragraph (2)(B)(i).

3 “(C) PAYMENTS TO COASTAL POLITICAL
4 SUBDIVISIONS.—

5 “(i) IN GENERAL.—The Secretary of
6 the Interior shall pay 20 percent of the al-
7 locable share of each producing State de-
8 termined under this paragraph to the
9 coastal political subdivisions of the pro-
10 ducing State.

11 “(ii) ALLOCATION.—The amount paid
12 by the Secretary to coastal political sub-
13 divisions shall be allocated to each coastal
14 political subdivision in accordance with
15 subparagraphs (B) and (E) of section
16 31(b)(4).

17 “(4) ADMINISTRATION.—Amounts made avail-
18 able under paragraph (2)(B) shall—

19 “(A) be made available, without further
20 appropriation, in accordance with this sub-
21 section;

22 “(B) remain available until expended;

23 “(C) be in addition to any amounts appro-
24 priated under—

1 “(i) chapter 2003 of title 54, United
2 States Code;

3 “(ii) any other provision of this Act;
4 and

5 “(iii) any other provision of law; and

6 “(D) be made available during the fiscal
7 year immediately following the fiscal year in
8 which such amounts were received.”.

9 **SEC. 3. LIMITATIONS ON THE AMOUNT OF DISTRIBUTED**
10 **QUALIFIED OUTER CONTINENTAL SHELF**
11 **REVENUES UNDER THE GULF OF MEXICO EN-**
12 **ERGY SECURITY ACT OF 2006.**

13 Section 105(f)(1) of the Gulf of Mexico Energy Secu-
14 rity Act of 2006 (43 U.S.C. 1331 note) is amended to
15 read as follows:

16 “(1) IN GENERAL.—The total amount of quali-
17 fied outer Continental Shelf revenues described in
18 section 102(9)(A)(ii) that are made available under
19 subsection (a)(2) shall remain available until ex-
20 pended and shall not exceed—

21 “(A) for each of fiscal years 2017 through
22 2026, \$500,000,000;

23 “(B) for each of fiscal years 2027 through
24 2036, \$850,000,000; and

1 “(C) for each of fiscal years 2037 through
2 2055, \$950,000,000.”.

3 **SEC. 4. LIMITATION OF AUTHORITY OF THE PRESIDENT TO**
4 **WITHDRAW AREAS OF THE OUTER CONTI-**
5 **NENTAL SHELF FROM OIL AND GAS LEASING.**

6 (a) LIMITATION ON WITHDRAWAL FROM DISPOSI-
7 TION OF LANDS ON THE OUTER CONTINENTAL SHELF.—
8 Section 12 of the Outer Continental Shelf Lands Act (43
9 U.S.C. 1341) is amended—

10 (1) by amending subsection (a) to read as fol-
11 lows:

12 “(a) LIMITATION ON WITHDRAWAL.—

13 “(1) IN GENERAL.—Except as otherwise pro-
14 vided in this section, no lands of the outer Conti-
15 nental Shelf may be withdrawn from disposition ex-
16 cept by an Act of Congress.

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

23 “(3) EXISTING WITHDRAWALS.—Any with-
24 drawal from disposition of lands on the outer Conti-
25 nental Shelf before the date of the enactment of this

1 subsection other than a withdrawal of an area in a
2 national marine sanctuary designated in accordance
3 with the National Marine Sanctuaries Act or in a
4 national monument declared under section 320301
5 of title 54, United States Code, or the Act of June
6 8, 1906 (ch. 3060; 34 Stat. 225), shall have no force
7 or effect.”; and

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

13 (b) TERMINATION OF AUTHORITY TO ESTABLISH
14 MARINE NATIONAL MONUMENTS.—Section 320301 of
15 title 54, United States Code, is amended by adding at the
16 end the following:

17 “(e) LIMITATION ON MARINE NATIONAL MONU-
18 MENTS.—

19 “(1) IN GENERAL.—Notwithstanding sub-
20 sections (a) and (b), the President may not declare
21 or reserve any ocean waters (as such term is defined
22 in section 3 of the Marine Protection, Research, and
23 Sanctuaries Act of 1972 (33 U.S.C. 1402)) or lands
24 beneath ocean waters as a national monument.

1 **SEC. 7. STUDY ON BOEM AND BSEE.**

2 (a) STUDY.—The Secretary of the Interior shall con-
3 duct a study—

4 (1) to evaluate any inefficiencies or duplication
5 between the Bureau of Ocean Energy Management
6 and the Bureau of Safety and Environmental En-
7 forcement;

8 (2) to evaluate how any inefficiencies identified
9 under paragraph (1) may be addressed, including by
10 restructuring the Department of the Interior to
11 place the duties of the Bureau of Ocean Energy
12 Management and the Bureau of Safety and Environ-
13 mental Enforcement under a single bureau; and

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

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

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

23 The rule entitled “Oil and Gas and Sulfur Operations
24 on the Outer Continental Shelf – Requirements for Ex-
25 ploratory 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.