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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. _____

To require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, to provide fair and equitable revenue sharing for all coastal States, to formulate future offshore energy development plans in areas with the most potential, to generate revenue for American infrastructure, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STIVERS introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, to provide fair and equitable revenue sharing for all coastal States, to formulate future offshore energy development plans in areas with the most potential, to generate revenue for American infrastructure, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American-Made En-
3 ergy and Infrastructure Jobs Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—EXPANDING OFFSHORE ENERGY DEVELOPMENT

- Sec. 101. Outer Continental Shelf leasing program.
- Sec. 102. Domestic oil and natural gas production goal.

TITLE II—CONDUCTING PROMPT OFFSHORE LEASE SALES

- Sec. 201. Requirement to conduct proposed oil and gas Lease Sale 216 in the Central Gulf of Mexico.
- Sec. 202. Requirement to conduct proposed oil and gas Lease Sale 220 on the Outer Continental Shelf offshore Virginia.
- Sec. 203. Requirement to conduct proposed oil and gas Lease Sale 222 in the Central Gulf of Mexico.
- Sec. 204. Additional leases.
- Sec. 205. Definitions.

TITLE III—LEASING IN NEW OFFSHORE AREAS

- Sec. 301. Leasing in the Eastern Gulf of Mexico.
- Sec. 302. Leasing offshore of territories of the United States.

TITLE IV—OUTER CONTINENTAL SHELF REVENUE SHARING

- Sec. 401. Disposition of Outer Continental Shelf revenues.

6 **TITLE I—EXPANDING OFFSHORE**
7 **ENERGY DEVELOPMENT**

8 **SEC. 101. OUTER CONTINENTAL SHELF LEASING PROGRAM.**

9 Section 18(a) of the Outer Continental Shelf Lands
10 Act (43 U.S.C. 1344(a)) is amended by adding at the end
11 the following:

12 “(5)(A) In each oil and gas leasing program
13 under this section, the Secretary shall make avail-
14 able for leasing and conduct lease sales including—

1 “(i) at least 50 percent of the available un-
2 leased acreage within each outer Continental
3 Shelf planning area considered to have the larg-
4 est undiscovered, technically recoverable oil and
5 gas resources (on a total btu basis) based upon
6 the most recent national geologic assessment of
7 the outer Continental Shelf, with an emphasis
8 on offering the most geologically prospective
9 parts of the planning area; and

10 “(ii) any State subdivision of an outer
11 Continental Shelf planning area that the Gov-
12 ernor of the State that represents that subdivi-
13 sion requests be made available for leasing.

14 “(B) In this paragraph the term ‘available un-
15 leased acreage’ means that portion of the outer Con-
16 tinental Shelf that is not under lease at the time of
17 a proposed lease sale, and that has not otherwise
18 been made unavailable for leasing by law.

19 “(6)(A) In the 2012–2017 5-year oil and gas
20 leasing program, the Secretary shall make available
21 for leasing any outer Continental Shelf planning
22 areas that—

23 “(i) are estimated to contain more than
24 2,500,000,000 barrels of oil; or

1 “(ii) are estimated to contain more than
2 7,500,000,000,000 cubic feet of natural gas.

3 “(B) To determine the planning areas described
4 in subparagraph (A), the Secretary shall use the
5 document entitled ‘Minerals Management Service
6 Assessment of Undiscovered Technically Recoverable
7 Oil and Gas Resources of the Nation’s Outer Conti-
8 nental Shelf, 2006’.”.

9 **SEC. 102. DOMESTIC OIL AND NATURAL GAS PRODUCTION**

10 **GOAL.**

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

13 “(b) DOMESTIC OIL AND NATURAL GAS PRODUC-
14 TION GOAL.—

15 “(1) IN GENERAL.—In developing a 5-year oil
16 and gas leasing program, and subject to paragraph
17 (2), the Secretary shall determine a domestic stra-
18 tegic production goal for the development of oil and
19 natural gas as a result of that program. Such goal
20 shall be—

21 “(A) the best estimate of the possible in-
22 crease in domestic production of oil and natural
23 gas from the outer Continental Shelf;

24 “(B) focused on meeting domestic demand
25 for oil and natural gas and reducing the de-

1 pendence of the United States on foreign en-
2 ergy; and

3 “(C) focused on the production increases
4 achieved by the leasing program at the end of
5 the 15-year period beginning on the effective
6 date of the program.

7 “(2) 2012–2017 PROGRAM GOAL.—For pur-
8 poses of the 2012–2017 5-year oil and gas leasing
9 program, the production goal referred to in para-
10 graph (1) shall be an increase by 2027 of—

11 “(A) no less than 3,000,000 barrels in the
12 amount of oil produced per day; and

13 “(B) no less than 10,000,000,000 cubic
14 feet in the amount of natural gas produced per
15 day.

16 “(3) REPORTING.—The Secretary shall report
17 annually, beginning at the end of the 5-year period
18 for which the program applies, to the Committee on
19 Natural Resources of the House of Representatives
20 and the Committee on Energy and Natural Re-
21 sources of the Senate on the progress of the pro-
22 gram in meeting the production goal. The Secretary
23 shall identify in the report projections for production
24 and any problems with leasing, permitting, or pro-
25 duction that will prevent meeting the goal.”.

1 **TITLE II—CONDUCTING PROMPT**
2 **OFFSHORE LEASE SALES**

3 **SEC. 201. REQUIREMENT TO CONDUCT PROPOSED OIL AND**
4 **GAS LEASE SALE 216 IN THE CENTRAL GULF**
5 **OF MEXICO.**

6 (a) IN GENERAL.—The Secretary of the Interior shall
7 conduct offshore oil and gas Lease Sale 216 under section
8 8 of the Outer Continental Shelf Lands Act (33 U.S.C.
9 1337) as soon as practicable, but not later than 4 months
10 after the date of enactment of this Act.

11 (b) ENVIRONMENTAL REVIEW.—For the purposes of
12 that lease sale, the Environmental Impact Statement for
13 the 2007–2012 5–Year OUTER CONTINENTAL
14 SHELF Plan and the Multi-Sale Environmental Impact
15 Statement are deemed to satisfy the requirements of the
16 National Environmental Policy Act of 1969 (42 U.S.C.
17 4321 et seq.).

18 **SEC. 202. REQUIREMENT TO CONDUCT PROPOSED OIL AND**
19 **GAS LEASE SALE 220 ON THE OUTER CONTI-**
20 **NENTAL SHELF OFFSHORE VIRGINIA.**

21 (a) IN GENERAL.—Notwithstanding the inclusion of
22 Lease Sale 220 in the fiscal years 2012 through fiscal year
23 2017 5–Year Outer Continental Shelf Oil and Gas Leasing
24 Program, the Secretary shall conduct offshore oil and gas
25 Lease Sale 220 under section 8 of the Outer Continental

1 Shelf Lands Act (33 U.S.C. 1337) as soon as practicable,
2 but not later than one year after the date of enactment
3 of this Act.

4 (b) PROHIBITION ON CONFLICTS WITH MILITARY
5 OPERATIONS.—No person may engage in any exploration,
6 development, or production of oil or natural gas off the
7 coast of Virginia that would conflict with any military op-
8 eration, as determined in accordance with the Memo-
9 randum of Agreement between the Department of Defense
10 and the Department of the Interior on Mutual Concerns
11 on the Outer Continental Shelf signed July 20, 1983, and
12 any revision or replacement for that agreement that is
13 agreed to by the Secretary of Defense and the Secretary
14 of the Interior after that date but before the date of
15 issuance of the lease under which such exploration, devel-
16 opment, or production is conducted.

17 **SEC. 203. REQUIREMENT TO CONDUCT PROPOSED OIL AND**
18 **GAS LEASE SALE 222 IN THE CENTRAL GULF**
19 **OF MEXICO.**

20 (a) IN GENERAL.—The Secretary shall conduct off-
21 shore oil and gas Lease Sale 222 under section 8 of the
22 Outer Continental Shelf Lands Act (33 U.S.C. 1337) as
23 soon as practicable, but not later than September 1, 2012.

24 (b) ENVIRONMENTAL REVIEW.—For the purposes of
25 that lease sale, the Environmental Impact Statement for

1 the 2007–2012 5–Year OUTER CONTINENTAL
2 SHELF Plan and the Multi-Sale Environmental Impact
3 Statement are deemed to satisfy the requirements of the
4 National Environmental Policy Act of 1969 (42 U.S.C.
5 4321 et seq.).

6 **SEC. 204. ADDITIONAL LEASES.**

7 Section 18 of the Outer Continental Shelf Lands Act
8 (43 U.S.C. 1344) is amended by adding at the end the
9 following:

10 “(i) **ADDITIONAL LEASE SALES.**—In addition to
11 lease sales in accordance with a leasing program in effect
12 under this section, the Secretary may hold lease sales for
13 areas identified by the Secretary to have the greatest po-
14 tential for new oil and gas development as a result of local
15 support, new seismic findings, or nomination by interested
16 persons.”.

17 **SEC. 205. DEFINITIONS.**

18 In this title:

19 (1) The term “Environmental Impact State-
20 ment for the 2007–2012 5 Year OUTER CONTI-
21 NENTAL SHELF Plan” means the Final Environ-
22 mental Impact Statement for Outer Continental
23 Shelf Oil and Gas Leasing Program: 2007–2012
24 (April 2007) prepared by the Secretary.

1 (2) The term “Multi-Sale Environmental Im-
2 pact Statement” means the Environmental Impact
3 Statement for Proposed Western Gulf of Mexico
4 OUTER CONTINENTAL SHELF Oil and Gas
5 Lease Sales 204, 207, 210, 215, and 218, and Pro-
6 posed Central Gulf of Mexico OUTER CONTI-
7 NENTAL SHELF Oil and Gas Lease Sales 205,
8 206, 208, 213, 216, and 222 (September 2008) pre-
9 pared by the Secretary.

10 (3) The term “Secretary” means the Secretary
11 of the Interior.

12 **TITLE III—LEASING IN NEW** 13 **OFFSHORE AREAS**

14 **SEC. 301. LEASING IN THE EASTERN GULF OF MEXICO.**

15 Section 104 of division C of the Tax Relief and
16 Health Care Act of 2006 (Public Law 109–432; 120 Stat.
17 3003) is repealed.

18 **SEC. 302. LEASING OFFSHORE OF TERRITORIES OF THE** 19 **UNITED STATES.**

20 Section 2(a) of the Outer Continental Shelf Lands
21 Act (43 U.S.C. 1331) is amended, by inserting after “con-
22 trol” the following: “or lying within the United States’ ex-
23 clusive economic zone and the Continental Shelf adjacent
24 to the Commonwealth of Puerto Rico, the Commonwealth
25 of the Northern Mariana Islands, the Virgin Islands,

1 American Samoa, Guam, or the other territories of the
2 United States”.

3 **TITLE IV—OUTER CONTINENTAL**
4 **SHELF REVENUE SHARING**

5 **SEC. 401. DISPOSITION OF OUTER CONTINENTAL SHELF**
6 **REVENUES.**

7 Section 9 of the Outer Continental Shelf Lands Act
8 (43 U.S.C. 1338) is amended—

9 (1) in the existing text—

10 (A) in the first sentence, by striking “All
11 rentals,” and inserting the following:

12 “(d) DISPOSITION OF REVENUE UNDER OLD
13 LEASES.—”; and

14 (B) in subsection (d) (as designated by the
15 amendment made by subparagraph (A) of this
16 paragraph), by striking “for the period from
17 June 5, 1950, to date, and thereafter” and in-
18 serting “in the period beginning June 5, 1950,
19 and ending on the date of enactment of the
20 American-Made Energy and Infrastructure
21 Jobs Act”;

22 (2) by adding after subsection (d) (as so des-
23 ignated) the following:

24 “(e) NEW LEASING REVENUES DEFINED.—In this
25 section the term ‘new leasing revenues’ means amounts

1 received by the United States as bonuses, rents, and royal-
2 ties under leases for oil and gas, wind, tidal, or other en-
3 ergy exploration, development, and production that are
4 awarded under this Act after the date of enactment of the
5 American-Made Energy and Infrastructure Jobs Act.”.

6 (3) by inserting before subsection (e) (as so
7 designated) the following:

8 “(a) PAYMENT OF NEW LEASING REVENUES TO
9 COASTAL STATES, GENERALLY.—

10 “(1) IN GENERAL.—Of the amount of new leas-
11 ing revenues received by the United States each fis-
12 cal year that is described in paragraph (2), 37.5 per-
13 cent shall be allocated and paid in accordance with
14 subsection (b) to coastal States that are affected
15 States with respect to the leases under which those
16 revenues are received by the United States.

17 “(2) PHASE-IN.—The amount of new leasing
18 revenues referred to in paragraph (1) is the sum de-
19 termined by adding—

20 “(A) 35 percent of new leasing revenues
21 received by the United States in the fiscal year
22 under—

23 “(i) leases awarded under the first
24 leasing program under section 18(a) that
25 takes effect after the date of enactment of

1 the American-Made Energy and Infra-
2 structure Jobs Act; and

3 “(ii) other leases issued as a result of
4 the enactment of that Act;

5 “(B) 70 percent of new leasing revenues
6 received by the United States in the fiscal year
7 under leases awarded under the second such
8 leasing program; and

9 “(C) 100 percent of new leasing revenues
10 received by the United States under leases
11 awarded under the third such leasing program
12 or any such leasing program taking effect
13 thereafter.

14 “(b) ALLOCATION OF PAYMENTS TO COASTAL
15 STATES.—

16 “(1) IN GENERAL.—The amount of new leasing
17 revenues received by the United States with respect
18 to a leased tract that are required to be paid to
19 coastal States in accordance with this subsection
20 each fiscal year shall be allocated among and paid
21 to such States that are within 200 miles of the
22 leased tract, in amounts that are inversely propor-
23 tional to the respective distances between the point
24 on the coastline of each such State that is closest to

1 the geographic center of the lease tract, as deter-
2 mined by the Secretary.

3 “(2) MINIMUM AND MAXIMUM ALLOCATION.—

4 The amount allocated to a coastal State under para-
5 graph (1) each fiscal year with respect to a leased
6 tract shall be—

7 “(A) in the case of a coastal State that is
8 the nearest State to the geographic center of
9 the leased tract, not less than 25 percent of the
10 total amounts allocated with respect to the
11 leased tract; and

12 “(B) in the case of any other coastal State,
13 not less than 10 percent, and not more than 15
14 percent, of the total amounts allocated with re-
15 spect to the leased tract.

16 “(3) ADMINISTRATION.—Amounts allocated to
17 a coastal State under this subsection—

18 “(A) shall be available to the State without
19 further appropriation;

20 “(B) shall remain available until expended;
21 and

22 “(C) shall be in addition to any other
23 amounts available to the State under this Act.

24 “(4) USE OF FUNDS.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), a coastal State may use
3 funds allocated and paid to it under this sub-
4 section for any purpose as determined by State
5 law.

6 “(B) RESTRICTION ON USE FOR MATCH-
7 ING.—Funds allocated and paid to a coastal
8 State under this subsection may not be used as
9 matching funds for any other Federal program.