

[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.