AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

I

111TH CONGRESS
1ST SESSION

H. R. 797

To greatly enhance the Nation's environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2009

Mr. CALVERT introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on the Budget and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To greatly enhance the Nation's environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Maximize Offshore Resource Exploration Act of 2009'' or the ''MORE Act of 2009''.

SEC. 2. TERMINATION OF PROHIBITIONS ON EXPENDITURES FOR, AND WITHDRAWALS FROM, OFFSHORE OIL AND GAS LEASING.

(a) PROHIBITIONS ON EXPENDITURES.—All provisions of Federal law that prohibit the expenditure of appropriated funds to conduct oil and natural gas leasing and preleasing activities for any area of the Outer Continental Shelf shall have no force or effect with respect to such activities.

(b) REVOCATION WITHDRAWALS.—All withdrawals of Federal submerged lands of the Outer Continental Shelf from leasing, including withdrawals by the President under the authority of section 12(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(a)), are hereby revoked and are no longer in effect with respect to the leasing of areas for exploration for, and development and production of, oil and natural gas.

SEC. 3. OUTER CONTINENTAL SHELF OIL AND NATURAL GAS LEASING PROGRAM.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by inserting after section 9 the following:

"SEC. 10. STATE APPROVAL REQUIREMENT WITH RESPECT TO OIL AND NATURAL GAS LEASING.

"(a) IN GENERAL.—The Secretary may not issue any lease authorizing exploration for, or development of, oil

and natural gas in any area of the Outer Continental Shelf that is located within 25 miles of the coastline of a State unless the State has enacted a law approving of the issuance of such leases by the Secretary.

"(b) STATE APPROVAL PERMANENT.—Repeal of such a law by a State shall have no effect for purposes of subsection (a).".

SEC. 4. SHARING OF REVENUES.

(a) IN GENERAL.—Section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) is amended—

(1) in paragraph (2) by striking "Notwithstanding" and inserting "Except as provided in paragraph (6), and notwithstanding";

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8); and

(3) by inserting after paragraph (5) the following:

"(6) ROYALTIES UNDER QUALIFIED OIL AND GAS LEASES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), of amounts received by the United States as royalties under any qualified oil and gas lease on submerged lands that are located within the seaward boundaries of a State established under section 4(a)(2)(A)—

"(i) 12.5 percent shall be deposited in the general fund of the Treasury;

"(ii) 12.5 percent shall be deposited in the Renewable Energy Reserve established by section 5 of the MORE Act of 2009; and

"(iii) 75 percent shall be paid to the States that are producing States with respect to those submerged lands.

"(B) LEASE TRACTS WITHIN 25 MILES OF THE COASTLINE.—Of amounts received by the United States as royalties under any qualified oil and gas lease on submerged lands that are located within 25 miles of the coastline of a State and within the seaward boundaries of a State established under section 4(a)(2)(A)—

"(i) 5 percent shall be deposited in the general fund of the Treasury;

"(ii) 5 percent shall be deposited in the Renewable Energy Reserve established by section 5 of the MORE Act of 2009; and

"(iii) 90 percent shall be paid to the States that are producing States with respect to those submerged lands.

"(C) LEASED TRACT THAT LIES PARTIALLY WITHIN THE SEAWARD BOUNDARIES OF A STATE.—In the case of a leased tract that lies partially within the seaward boundaries of a State, the amounts of royalties from such tract that are subject to subparagraph (A) or (B), as applicable, with respect to such State shall be a percentage of the total amounts of royalties from such tract that is equivalent to the total percentage of surface acreage of the tract that lies within such seaward boundaries.

"(D) DEFINITIONS.—In this paragraph:

"(i) ADJACENT STATE.—The term 'adjacent State' means, with respect to any program, plan, lease sale, leased tract or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, any State the laws of which are declared, pursuant to section 4(a)(2), to be the law of the United States for the portion of the Outer Continental Shelf on which such program, plan, lease sale, leased tract, or activity appertains or is, or is proposed to be, conducted.

"(ii) ADJACENT ZONE.—The term 'adjacent zone' means, with respect to any program, plan, lease sale, leased tract, or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, the portion of the Outer Continental Shelf for which the laws of a particular adjacent State are declared, pursuant to section 4(a)(2), to be the law of the United States.

"(iii) PRODUCING STATE.—The term 'producing State' means an Adjacent State having an adjacent zone containing leased tracts from which are derived royalties under a lease under this Act.

"(iv) STATE.—The term 'State' includes Puerto Rico and the other territories of the United States.

"(v) QUALIFIED OIL AND GAS LEASE.—The term 'qualified oil and gas lease' means a lease under this Act granted after the date of the enactment of the Maximize Offshore Resource Exploration Act of 2009 that authorizes development

and production of oil and natural gas and associated condensate.

"(E) APPLICATION.—This paragraph shall apply to royalties received by the United States after September 30, 2009.".

(b) ESTABLISHMENT OF STATE SEAWARD BOUNDARIES.—Section 4(a)(2)(A) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(2)(A)) is amended in the first sentence by striking ", and the President" and all that follows through the end of the sentence and inserting the following: ". Such extended lines are deemed to be as indicated on the maps for each Outer Continental Shelf region entitled 'Alaska OCS Region State Adjacent Zone and OCS Planning Areas', 'Pacific OCS Region State Adjacent Zones and OCS Planning Areas', 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas', and 'Atlantic OCS Region State Adjacent Zones and OCS Planning Areas', all of which are dated September 2005 and on file in the Office of the Director, Minerals Management Service. The preceding sentence shall not apply with respect to the treatment under section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432) of qualified Outer Continental Shelf revenues deposited and disbursed under subsection (a)(2) of that section.".

SEC. 5. RENEWABLE ENERGY RESERVE.

(a) IN GENERAL.—For budgetary purposes, there is established a separate account in the Treasury to be known as the ''Renewable Energy Reserve''.

(b) CONTENTS.—The Renewable Energy Reserve shall consist of amounts deposited into it under subparagraphs (A) and (B) of paragraph (6) of section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)), as amended by this Act.

(c) USE.—The Renewable Energy Reserve shall be available to offset the cost of legislation enacted after the date of the enactment of this Act—

(1) to accelerate the use of cleaner domestic energy resources and alternative fuels;

(2) to promote the utilization of energy-efficient products and practices; and

(3) to increase research, development, and deployment of clean renewable energy and efficiency technologies and job training programs for those purposes.

(d) PROCEDURE FOR ADJUSTMENTS.—

(1) BUDGET COMMITTEE CHAIRMAN.—After the reporting of a bill or joint resolution, or the offering of an amendment thereto or the submission of a conference report thereon, providing funding for the purposes set forth in subsection (c) in excess of the

amounts provided for those purposes for fiscal year 2009, the chairman of the Committee on the Budget of the applicable House of Congress shall make the adjustments set forth in paragraph (2) for the amount of new budget authority and outlays in that measure and the outlays flowing from that budget authority.

(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to—

(A) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

(B) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a) of Congressional Budget Act of 1974; and

(C) the budget aggregates contained in the appropriate concurrent resolution on the budget as required by section 301(a) of Congressional Budget Act of 1974.

(3) AMOUNTS OF ADJUSTMENTS.—The adjustments referred to in paragraphs (1) and (2) shall not exceed the total of the receipts over a 10-year

period, as estimated by the Congressional Budget Office upon the enactment of this Act.

○