

113TH CONGRESS
1ST SESSION

H. R. 1613

IN THE SENATE OF THE UNITED STATES

JULY 8, 2013

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, 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 “Outer Continental
3 Shelf Transboundary Hydrocarbon Agreements Author-
4 ization Act”.

5 **TITLE I—AMENDMENT TO THE**
6 **OUTER CONTINENTAL SHELF**
7 **LANDS ACT**

8 **SEC. 101. AMENDMENT TO THE OUTER CONTINENTAL**
9 **SHELF LANDS ACT.**

10 The Outer Continental Shelf Lands Act (43 U.S.C.
11 1331 et seq.) is amended by adding at the end the fol-
12 lowing:

13 **“SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.**

14 “(a) **AUTHORIZATION.**—After the date of enactment
15 of the Outer Continental Shelf Transboundary Hydro-
16 carbon Agreements Authorization Act, the Secretary may
17 implement the terms of any transboundary hydrocarbon
18 agreement for the management of transboundary hydro-
19 carbon reservoirs entered into by the President and ap-
20 proved by Congress. In implementing such an agreement,
21 the Secretary shall protect the interests of the United
22 States to promote domestic job creation and ensure the
23 expeditious and orderly development and conservation of
24 domestic mineral resources in accordance with all applica-
25 ble United States laws governing the exploration, develop-

1 ment, and production of hydrocarbon resources on the
2 outer Continental Shelf.

3 “(b) SUBMISSION TO CONGRESS.—

4 “(1) IN GENERAL.—No later than 180 days
5 after all parties to a transboundary hydrocarbon
6 agreement have agreed to its terms, a transboundary
7 hydrocarbon agreement that does not constitute a
8 treaty in the judgment of the President shall be sub-
9 mitted by the Secretary to—

10 “(A) the Speaker of the House of Rep-
11 resentatives;

12 “(B) the Majority Leader of the Senate;

13 “(C) the Chair of the Committee on Nat-
14 ural Resources of the House of Representatives;
15 and

16 “(D) the Chair of the Committee on En-
17 ergy and Natural Resources of the Senate.

18 “(2) CONTENTS OF SUBMISSION.—The submis-
19 sion shall include—

20 “(A) any amendments to this Act or other
21 Federal law necessary to implement the agree-
22 ment;

23 “(B) an analysis of the economic impacts
24 such an agreement and any amendments neces-
25 sitated by the agreement will have on domestic

1 exploration, development, and production of hydrocarbon resources on the outer Continental Shelf; and

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4 “(C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

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7 “(c) IMPLEMENTATION OF SPECIFIC TRANSBOUND-
8 ARY AGREEMENT WITH MEXICO.—The Secretary may
9 take actions as necessary to implement the terms of the
10 Agreement between the United States of America and the
11 United Mexican States Concerning Transboundary Hydro-
12 carbon Reservoirs in the Gulf of Mexico, signed at Los
13 Cabos, February 20, 2012, including—

14 “(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

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18 “(2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;

1 “(3) taking actions consistent with an expert
2 determination under the agreement; and

3 “(4) ensuring only appropriate inspection staff
4 at the Bureau of Safety and Environmental Enforce-
5 ment or other Federal agency personnel designated
6 by the Bureau, the operator, or the lessee have au-
7 thority to stop work on any installation or other de-
8 vice or vessel permanently or temporarily attached to
9 the seabed of the United States, which may be erect-
10 ed thereon for the purpose of resource exploration,
11 development or production activities as approved by
12 the Secretary.

13 “(d) EXEMPTION FROM RESOURCES EXTRACTION
14 REPORTING REQUIREMENT.—Actions taken by a public
15 company in accordance with any transboundary hydro-
16 carbon agreement shall not constitute the commercial de-
17 velopment of oil, natural gas, or minerals for purposes of
18 section 13(q) of the Securities Exchange Act of 1934 (157
19 U.S.C. 78m(q)).

20 “(e) SAVINGS PROVISIONS.—Nothing in this section
21 shall be construed—

22 “(1) to authorize the Secretary to participate in
23 any negotiations, conferences, or consultations with
24 Cuba regarding exploration, development, or produc-
25 tion of hydrocarbon resources in the Gulf of Mexico

1 along the United States maritime border with Cuba
2 or the area known by the Department of the Interior
3 as the ‘Eastern Gap’; or

4 “(2) as affecting the sovereign rights and the
5 jurisdiction that the United States has under inter-
6 national law over the outer Continental Shelf which
7 appertains to it.”.

8 **TITLE II—APPROVAL OF TRANS-**
9 **BOUNDARY HYDROCARBON**
10 **AGREEMENT**

11 **SEC. 201. APPROVAL OF AGREEMENT WITH MEXICO.**

12 The Agreement between the United States of Amer-
13 ica and the United Mexican States Concerning Trans-
14 boundary Hydrocarbon Reservoirs in the Gulf of Mexico,
15 signed at Los Cabos, February 20, 2012, is hereby ap-
16 proved.

Passed the House of Representatives June 27, 2013.

Attest: KAREN L. HAAS,
Clerk.