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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2013

Mr. DUNCAN of South Carolina (for himself, Mr. HASTINGS of Washington, and Mr. SALMON) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs and Financial Services, 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.

JUNE 6, 2013

Additional sponsors: Mr. RADEL, Mr. BROUN of Georgia, Mr. POE of Texas, Mr. McCaul, Mr. LAMBORN, Mr. AMODEI, Mr. GRAVES of Georgia, Mr. CRAMER, Mr. MEADOWS, Mr. WESTMORELAND, Mrs. WAGNER, Mr. WILSON of South Carolina, Mr. BENTIVOLIO, and Mr. MULLIN.

JUNE 6, 2013

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 6, 2013

The Committees on Foreign Affairs and Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 18, 2013]
A BILL

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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Outer Continental Shelf
Transboundary Hydrocarbon Agreements Authorization
Act”.

TITLE I—AMENDMENT TO THE
OUTER CONTINENTAL SHELF
LANDS ACT

SEC. 101. AMENDMENT TO THE OUTER CONTINENTAL
SHELF LANDS ACT.

The Outer Continental Shelf Lands Act (43 U.S.C.
1331 et seq.) is amended by adding at the end the following:

“SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

“(a) AUTHORIZATION.—After the date of enactment of
the Outer Continental Shelf Transboundary Hydrocarbon
Agreements Authorization Act, the Secretary may imple-
ment the terms of any transboundary hydrocarbon agree-
ment for the management of transboundary hydrocarbon
reservoirs entered into by the President and approved by
Congress. In implementing such an agreement, the Sec-
retary shall protect the interests of the United States to pro-
mote domestic job creation and ensure the expeditious and
orderly development and conservation of domestic mineral
resources in accordance with all applicable United States
laws governing the exploration, development, and production of hydrocarbon resources on the outer Continental Shelf.

“(b) Submission to Congress.—

“(1) In general.—No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

“(A) the Speaker of the House of Representatives;

“(B) the Majority Leader of the Senate;

“(C) the Chair of the Committee on Natural Resources of the House of Representatives; and

“(D) the Chair of the Committee on Energy and Natural Resources of the Senate.

“(2) Contents of submission.—The submission shall include—

“(A) any amendments to this Act or other Federal law necessary to implement the agreement;

“(B) an analysis of the economic impacts such an agreement and any amendments necessitated by the agreement will have on domestic
exploration, development, and production of hydrocarbon resources on the outer Continental Shelf; and

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

“(c) IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

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

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

“(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States, which may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

“(d) EXEMPTION FROM RESOURCES EXTRACTION REPORTING REQUIREMENT.—Actions taken by a public company in accordance with any transboundary hydrocarbon agreement shall not constitute the commercial development of oil, natural gas, or minerals for purposes of section 13(q) of the Securities Exchange Act of 1934 (157 U.S.C. 78m(q)).

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

“(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba
or the area known by the Department of the Interior
as the ‘Eastern Gap’; or

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

**TITLE II—APPROVAL OF TRANS-
BOUNDARY HYDROCARBON
AGREEMENT**

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

The Agreement between the United States of America
and the United Mexican States Concerning Transboundary
Hydrocarbon Reservoirs in the Gulf of Mexico, signed at
Los Cabos, February 20, 2012, is hereby approved.
A BILL

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.

JUNE 6, 2013
Reported from the Committee on Natural Resources with an amendment.

The Committees on Foreign Affairs and Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Report No. 113-101, Part I