

117TH CONGRESS
1ST SESSION

H. R. 1689

To amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2021

Miss GONZÁLEZ-COLÓN (for herself, Mr. SABLAN, Mrs. RADEWAGEN, Ms. PLASKETT, Mr. SOTO, and Miss RICE of New York) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, 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 “Offshore Wind for Ter-
5 ritories Act”.

1 **SEC. 2. APPLICATION OF OUTER CONTINENTAL SHELF**
2 **LANDS ACT WITH RESPECT TO TERRITORIES**
3 **OF THE UNITED STATES.**

4 (a) IN GENERAL.—Section 2 of the Outer Conti-
5 nental Shelf Lands Act (43 U.S.C. 1331) is amended—

6 (1) in paragraph (a)—

7 (A) by inserting after “control” the fol-
8 lowing: “or lying within the exclusive economic
9 zone of the United States and the outer Conti-
10 nental Shelf adjacent to any territory or posses-
11 sion of the United States”; and

12 (B) by adding at the end before the semi-
13 colon the following: “, except that such term
14 shall not include any area conveyed by Congress
15 to a territorial government for administration”;

16 (2) in paragraph (p), by striking “and” after
17 the semicolon at the end;

18 (3) in paragraph (q), by striking the period at
19 the end and inserting “; and”; and

20 (4) by adding at the end the following:

21 “(r) The term ‘State’ means the several States, the
22 Commonwealth of Puerto Rico, Guam, American Samoa,
23 the United States Virgin Islands, and the Commonwealth
24 of the Northern Mariana Islands.”.

1 (b) EXCLUSIONS.—Section 18 of the Outer Conti-
2 nental Shelf Lands Act (43 U.S.C. 1344) is amended by
3 adding at the end the following:

4 “(i) This section shall not apply to the scheduling of
5 lease sales in the outer Continental Shelf adjacent to the
6 territories and possessions of the United States.”.

7 **SEC. 3. DISPOSITION OF REVENUES WITH RESPECT TO**
8 **TERRITORIES OF THE UNITED STATES.**

9 Section 9 of the Outer Continental Shelf Lands Act
10 (43 U.S.C. 1338) is amended—

11 (1) by striking “All rentals” and inserting the
12 following:

13 “(a) IN GENERAL.—Except as otherwise provided in
14 law, all rentals”; and

15 (2) by adding at the end the following:

16 “(b) DISPOSITION OF REVENUES TO TERRITORIES
17 OF THE UNITED STATES.—Of the bonuses, rentals, roy-
18 ties, and other sums paid to the Secretary under this Act
19 from a lease for an area of land on the outer Continental
20 Shelf adjacent to a territory and lying within the exclusive
21 economic zone of the United States pertaining to such ter-
22 ritory, and not otherwise obligated or appropriated—

23 “(1) 50 percent shall be deposited in the Treas-
24 ury and credited to miscellaneous receipts;

1 “(2) 12.5 percent shall be deposited in the
2 Coral Reef Conservation Fund established under
3 section 211 of the Coral Reef Conservation Act of
4 2000; and

5 “(3) 37.5 percent shall be disbursed to terri-
6 tories of the United States in an amount for each
7 territory (based on a formula established by the Sec-
8 retary by regulation) that is inversely proportional to
9 the respective distance between the point on the
10 coastline of the territory that is closest to the geo-
11 graphic center of the applicable leased tract and the
12 geographic center of the leased tract.”.

13 **SEC. 4. WIND LEASE SALES FOR AREAS OF OUTER CONTI-**
14 **NENTAL SHELF.**

15 (a) **CONDITIONAL WIND LEASE SALES IN TERRI-**
16 **TORIES OF THE UNITED STATES.**—The Outer Continental
17 Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by
18 adding at the end the following:

19 **“SEC. 33. WIND LEASE SALES FOR AREAS OF OUTER CONTI-**
20 **NENTAL SHELF.**

21 “(a) **AUTHORIZATION.**—The Secretary may conduct
22 wind lease sales on the outer Continental Shelf.

23 “(b) **WIND LEASE SALE PROCEDURE.**—Any wind
24 lease sale conducted under this section shall be considered
25 a lease under section 8(p).

1 “(c) WIND LEASE SALES OFF COASTS OF TERRI-
2 TORIES OF THE UNITED STATES.—

3 “(1) STUDY ON FEASIBILITY OF CONDUCTING
4 WIND LEASE SALES.—

5 “(A) IN GENERAL.—The Secretary shall
6 conduct a study on the feasibility, including the
7 technological and long-term economic feasibility,
8 of conducting wind lease sales on an area of the
9 outer Continental Shelf within the territorial ju-
10 risdiction of American Samoa, Guam, the Com-
11 monwealth of the Northern Mariana Islands,
12 the Commonwealth of Puerto Rico, and the
13 United States Virgin Islands.

14 “(B) CONSULTATION.—In conducting the
15 study required in paragraph (A), the Secretary
16 shall consult—

17 “(i) the National Laboratories, as
18 that term is defined in section 2(3) of the
19 Energy Policy Act of 2005 (42 U.S.C.
20 15801(3));

21 “(ii) the Governor of each of Amer-
22 ican Samoa, Guam, the Commonwealth of
23 the Northern Mariana Islands, the Com-
24 monwealth of Puerto Rico, and the United
25 States Virgin Islands; and

1 “(iii) the National Oceanic and At-
2 mospheric Administration, including the
3 Office of National Marine Sanctuaries and
4 the National Marine Fisheries Service.

5 “(C) PUBLICATION.—The study required
6 in subparagraph (A) shall be published in the
7 Federal Register for public comment for not
8 fewer than 60 days.

9 “(D) SUBMISSION OF RESULTS.—Not later
10 than 18 months after the date of the enactment
11 of this section, the Secretary shall submit the
12 results of the study conducted under subpara-
13 graph (A) to:

14 “(i) the Committee on Energy and
15 Natural Resources of the Senate;

16 “(ii) the Committee on Natural Re-
17 sources of the House of Representatives;
18 and

19 “(iii) each of the delegates or resident
20 commissioner to the House of Representa-
21 tives from American Samoa, Guam, the
22 Commonwealth of the Northern Mariana
23 Islands, the Commonwealth of Puerto
24 Rico, and the United States Virgin Islands,
25 respectively.

1 “(E) PUBLIC AVAILABILITY.—The study
2 required under subparagraph (A) and results
3 submitted under subparagraph (C) shall be
4 made readily available on a public website.

5 “(2) CALL FOR INFORMATION AND NOMINA-
6 TIONS.—The Secretary shall issue a call for informa-
7 tion and nominations for proposed wind lease sales
8 for areas determined to be feasible under the study
9 conducted under paragraph (1).

10 “(3) CONDITIONAL WIND LEASE SALES.—

11 “(A) IN GENERAL.—For each territory,
12 the Secretary shall conduct not less than 1 wind
13 lease sale on an area of the outer Continental
14 Shelf within the territorial jurisdiction of such
15 territory that meets each of the following cri-
16 teria:

17 “(i) The study required under para-
18 graph (1)(A) concluded that a wind lease
19 sale on the area is feasible.

20 “(ii) The Secretary has determined
21 that the call for information has generated
22 sufficient interest for the area.

23 “(iii) The Secretary has consulted
24 with the Secretary of Defense regarding
25 such a sale.

1 “(iv) The Secretary has consulted
2 with the Governor of the territory regard-
3 ing the suitability of the area for wind en-
4 ergy development.

5 “(B) EXCEPTION.—If no area of the outer
6 Continental Shelf within the territorial jurisdic-
7 tion of a territory meets each of the criteria in
8 clauses (i) through (iii) of subparagraph (A),
9 the requirement under subparagraph (A) shall
10 not apply to such territory.”.

11 **SEC. 5. ESTABLISHMENT OF CORAL REEF CONSERVATION**
12 **FUND.**

13 (a) IN GENERAL.—The Coral Reef Conservation Act
14 of 2000 (16 U.S.C. 6401 et seq.) is amended by adding
15 at the end the following:

16 **“SEC. 211. CORAL REEF CONSERVATION FUND.**

17 “(a) ESTABLISHMENT.—There is established in the
18 Treasury the Coral Reef Conservation Fund, hereafter re-
19 ferred to as the Fund.

20 “(b) DEPOSITS.—For each fiscal year, there shall be
21 deposited in the Fund the portion of such revenues due
22 and payable to the United States under subsection (b)(2)
23 of section 9 of the Outer Continental Shelf Lands Act (43
24 U.S.C. 1338).

1 “(c) USES.—Amounts deposited in the Fund under
2 this section and appropriated to the Secretary of Com-
3 merce under subsection (f) shall be used by the Secretary
4 of Commerce to carry out the Coral Reef Conservation Act
5 of 2000 (16 U.S.C. 6401 et seq.), with priority given to
6 carrying out sections 204 and 206 of such Act (16 U.S.C.
7 6403 and 6405).

8 “(d) AVAILABILITY.—Amounts deposited in the Fund
9 shall remain in the Fund until appropriated by Congress.

10 “(e) REPORTING.—The President shall include with
11 the proposed budget for the United States Government
12 submitted to Congress for a fiscal year a comprehensive
13 statement of deposits into the Fund during the previous
14 fiscal year and estimated requirements during the fol-
15 lowing fiscal year for appropriations from the Fund.

16 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated from the Fund to the
18 Secretary of Commerce, an amount equal to the amount
19 deposited in the Fund in the previous fiscal year.

20 “(g) NO LIMITATION.—Appropriations from the
21 Fund pursuant to this section may be made without fiscal
22 year limitation.”.

23 (b) RENAMING OF EXISTING FUND.—Section 205 of
24 the Coral Reef Conservation Act of 2000 (16 U.S.C. 6404)
25 is amended—

- 1 (1) in the heading, by striking “**CORAL REEF**
2 **CONSERVATION FUND**” and inserting “**CORAL**
3 **REEF PUBLIC-PRIVATE PARTNERSHIP**”;
- 4 (2) in subsection (a)—
- 5 (A) in the subsection heading, by striking
6 “FUND” and inserting “PUBLIC-PRIVATE
7 PARTNERSHIP”; and
- 8 (B) by striking “, hereafter referred to as
9 the Fund,”; and
- 10 (3) in subsection (b), by striking “Fund” and
11 inserting “separate interest bearing account”.

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