

105TH CONGRESS
1ST SESSION

S. 1257

To prohibit the Secretary of the Interior from permitting oil and gas leasing, exploration, or development activity off the coast of North Carolina unless the Governor of the State notifies the Secretary that the State does not object to the activity.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 1997

Mr. FAIRCLOTH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To prohibit the Secretary of the Interior from permitting oil and gas leasing, exploration, or development activity off the coast of North Carolina unless the Governor of the State notifies the Secretary that the State does not object to the activity.

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 “North Carolina Outer
5 Banks Protection Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the Outer Banks of North Carolina is an
2 area of exceptional environmental fragility and beau-
3 ty;

4 (2) the annual economic benefits to North
5 Carolina of commercial and recreational fishing ac-
6 tivities that could be adversely affected by oil or gas
7 development off the State's coast exceed
8 \$1,000,000,000; and

9 (3) the major industry in coastal North Caro-
10 lina is tourism, which is subject to potentially sig-
11 nificant disruption by offshore oil or gas develop-
12 ment.

13 **SEC. 3. PROHIBITION OF OIL AND GAS LEASING, EXPLO-**
14 **RATION, AND DEVELOPMENT.**

15 (a) PROHIBITION.—The Secretary of the Interior
16 shall not—

17 (1) issue any leases;

18 (2) approve any plan of exploration;

19 (3) approve any permit to drill; or

20 (4) permit any drilling;

21 for oil or gas on any land of the Outer Continental Shelf
22 off the coast of North Carolina.

23 (b) BOUNDARIES.—For purposes of subsection (a),
24 the lateral seaward boundary between areas off the coast
25 of North Carolina and areas off the coast of—

1 (1) Virginia shall be as provided in the Joint
2 Resolution entitled “Joint resolution granting the
3 consent of Congress to an agreement between the
4 States of North Carolina and Virginia establishing
5 their lateral seaward boundary”, approved October
6 27, 1972 (86 Stat. 1298); and

7 (2) South Carolina shall be as provided in the
8 Act entitled “An Act granting the consent of Con-
9 gress to the agreement between the States of North
10 Carolina and South Carolina establishing their lat-
11 eral seaward boundary”, approved October 9, 1981
12 (95 Stat. 988).

13 (c) DURATION OF PROHIBITION.—

14 (1) IN GENERAL.—The prohibition of an activ-
15 ity under subsection (a) shall remain in effect until
16 45 days of continuous session of Congress after the
17 date on which the Secretary of the Interior submits
18 to Congress a certification that the Governor of the
19 State of North Carolina has notified the Secretary
20 that the State does not object to the activity.

21 (2) CONTINUOUS SESSION OF CONGRESS.—In
22 computing any 45-day period of continuous session
23 of Congress for the purpose of paragraph (1)(B)—

1 (A) continuity of session shall be consid-
2 ered to be broken only by an adjournment of
3 Congress sine die; and

4 (B) the days on which either House of
5 Congress is not in session because of an ad-
6 journment of more than 3 days to a day certain
7 shall be excluded.

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