

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.

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 “Maximize Offshore Re-
5 source Exploration Act of 2009” or the “MORE Act of
6 2009”.

1 **SEC. 2. TERMINATION OF PROHIBITIONS ON EXPENDI-**
2 **TURES FOR, AND WITHDRAWALS FROM, OFF-**
3 **SHORE OIL AND GAS LEASING.**

4 (a) PROHIBITIONS ON EXPENDITURES.—All provi-
5 sions of Federal law that prohibit the expenditure of ap-
6 propriated funds to conduct oil and natural gas leasing
7 and preleasing activities for any area of the Outer Conti-
8 nental Shelf shall have no force or effect with respect to
9 such activities.

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15 revoked and are no longer in effect with respect to the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

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

20 The Outer Continental Shelf Lands Act (43 U.S.C.
21 1331 et seq.) is amended by inserting after section 9 the
22 following:

23 **“SEC. 10. STATE APPROVAL REQUIREMENT WITH RESPECT**
24 **TO OIL AND NATURAL GAS LEASING.**

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

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

5 “(b) STATE APPROVAL PERMANENT.—Repeal of
 6 such a law by a State shall have no effect for purposes
 7 of subsection (a).”.

8 **SEC. 4. SHARING OF REVENUES.**

9 (a) IN GENERAL.—Section 8(g) of the Outer Conti-
 10 nental Shelf Lands Act (43 U.S.C. 1337(g)) is amended—

11 (1) in paragraph (2) by striking “Notwith-
 12 standing” and inserting “Except as provided in
 13 paragraph (6), and notwithstanding”;

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

16 (3) by inserting after paragraph (5) the fol-
 17 lowing:

18 “(6) ROYALTIES UNDER QUALIFIED OIL AND
 19 GAS LEASES.—

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

1 “(i) 12.5 percent shall be deposited in
2 the general fund of the Treasury;

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

7 “(iii) 75 percent shall be paid to the
8 States that are producing States with re-
9 spect to those submerged lands.

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

17 “(i) 5 percent shall be deposited in
18 the general fund of the Treasury;

19 “(ii) 5 percent shall be deposited in
20 the Renewable Energy Reserve established
21 by section 5 of the MORE Act of 2009;
22 and

23 “(iii) 90 percent shall be paid to the
24 States that are producing States with re-
25 spect to those submerged lands.

1 “(C) LEASED TRACT THAT LIES PAR-
2 Tially WITHIN THE SEAWARD BOUNDARIES OF
3 A STATE.—In the case of a leased tract that lies
4 partially within the seaward boundaries of a
5 State, the amounts of royalties from such tract
6 that are subject to subparagraph (A) or (B), as
7 applicable, with respect to such State shall be
8 a percentage of the total amounts of royalties
9 from such tract that is equivalent to the total
10 percentage of surface acreage of the tract that
11 lies within such seaward boundaries.

12 “(D) DEFINITIONS.—In this paragraph:

13 “(i) ADJACENT STATE.—The term
14 ‘adjacent State’ means, with respect to any
15 program, plan, lease sale, leased tract or
16 other activity, proposed, conducted, or ap-
17 proved pursuant to the provisions of this
18 Act, any State the laws of which are de-
19 clared, pursuant to section 4(a)(2), to be
20 the law of the United States for the por-
21 tion of the Outer Continental Shelf on
22 which such program, plan, lease sale,
23 leased tract, or activity appertains or is, or
24 is proposed to be, conducted.

1 “(ii) ADJACENT ZONE.—The term
2 ‘adjacent zone’ means, with respect to any
3 program, plan, lease sale, leased tract, or
4 other activity, proposed, conducted, or ap-
5 proved pursuant to the provisions of this
6 Act, the portion of the Outer Continental
7 Shelf for which the laws of a particular ad-
8 jacent State are declared, pursuant to sec-
9 tion 4(a)(2), to be the law of the United
10 States.

11 “(iii) PRODUCING STATE.—The term
12 ‘producing State’ means an Adjacent State
13 having an adjacent zone containing leased
14 tracts from which are derived royalties
15 under a lease under this Act.

16 “(iv) STATE.—The term ‘State’ in-
17 cludes Puerto Rico and the other terri-
18 tories of the United States.

19 “(v) QUALIFIED OIL AND GAS
20 LEASE.—The term ‘qualified oil and gas
21 lease’ means a lease under this Act grant-
22 ed after the date of the enactment of the
23 Maximize Offshore Resource Exploration
24 Act of 2009 that authorizes development

1 and production of oil and natural gas and
2 associated condensate.

3 “(E) APPLICATION.—This paragraph shall
4 apply to royalties received by the United States
5 after September 30, 2009.”.

6 (b) ESTABLISHMENT OF STATE SEAWARD BOUND-
7 ARIES.—Section 4(a)(2)(A) of the Outer Continental Shelf
8 Lands Act (43 U.S.C. 1333(a)(2)(A)) is amended in the
9 first sentence by striking “, and the President” and all
10 that follows through the end of the sentence and inserting
11 the following: “. Such extended lines are deemed to be as
12 indicated on the maps for each Outer Continental Shelf
13 region entitled ‘Alaska OCS Region State Adjacent Zone
14 and OCS Planning Areas’, ‘Pacific OCS Region State Ad-
15 jacent Zones and OCS Planning Areas’, ‘Gulf of Mexico
16 OCS Region State Adjacent Zones and OCS Planning
17 Areas’, and ‘Atlantic OCS Region State Adjacent Zones
18 and OCS Planning Areas’, all of which are dated Sep-
19 tember 2005 and on file in the Office of the Director, Min-
20 erals Management Service. The preceding sentence shall
21 not apply with respect to the treatment under section 105
22 of the Gulf of Mexico Energy Security Act of 2006 (title
23 I of division C of Public Law 109–432) of qualified Outer
24 Continental Shelf revenues deposited and disbursed under
25 subsection (a)(2) of that section.”.

1 **SEC. 5. RENEWABLE ENERGY RESERVE.**

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

5 (b) CONTENTS.—The Renewable Energy Reserve
6 shall consist of amounts deposited into it under subpara-
7 graphs (A) and (B) of paragraph (6) of section 8(g) of
8 the Outer Continental Shelf Lands Act (43 U.S.C.
9 1337(g)), as amended by this Act.

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

13 (1) to accelerate the use of cleaner domestic en-
14 ergy resources and alternative fuels;

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

17 (3) to increase research, development, and de-
18 ployment of clean renewable energy and efficiency
19 technologies and job training programs for those
20 purposes.

21 (d) PROCEDURE FOR ADJUSTMENTS.—

22 (1) BUDGET COMMITTEE CHAIRMAN.—After the
23 reporting of a bill or joint resolution, or the offering
24 of an amendment thereto or the submission of a con-
25 ference report thereon, providing funding for the
26 purposes set forth in subsection (c) in excess of the

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

8 (2) MATTERS TO BE ADJUSTED.—The adjust-
9 ments referred to in paragraph (1) are to be made
10 to—

11 (A) the discretionary spending limits, if
12 any, set forth in the appropriate concurrent res-
13 olution on the budget;

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

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

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

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

