

112TH CONGRESS
2D SESSION

H. R. 4135

To permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2012

Mr. FLAKE introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, 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 “Western Hemisphere
5 Energy Security Act of 2012”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to permit United States
3 companies to participate in the exploration for and the ex-
4 traction of hydrocarbon resources from any portion of a
5 foreign maritime exclusive economic zone that is contig-
6 uous to the exclusive economic zone of the United States.

7 **SEC. 3. AUTHORIZATION OF ACTIVITIES AND EXPORTS IN-**
8 **VOLVING HYDROCARBON RESOURCES BY**
9 **UNITED STATES COMPANIES.**

10 (a) **AUTHORIZATION.**—Notwithstanding any other
11 provision of law (including a regulation), United States
12 persons (including agents and affiliates of such persons)
13 may—

14 (1) engage in any transaction necessary for the
15 exploration for and extraction of hydrocarbon re-
16 sources from any portion of any foreign exclusive
17 economic zone that is contiguous to the exclusive
18 economic zone of the United States, or for oil spill
19 prevention and clean-up activities in such a portion
20 of any foreign exclusive economic zone;

21 (2) export without license authority all equip-
22 ment necessary for the exploration for or extraction
23 of hydrocarbon resources, or oil spill prevention and
24 clean-up activities, described in paragraph (1); and

25 (3) import into the United States hydrocarbon
26 resources described in paragraph (1) (including

1 products thereof) extracted under the authority of
 2 this section.

3 (b) DEFINITION.—In this section, the term “United
 4 States person” means—

5 (1) any United States citizen or alien lawfully
 6 admitted for permanent residence in the United
 7 States; and

8 (2) any person other than an individual, if an
 9 individual described in paragraph (1) owns or con-
 10 trols at least 51 percent of the securities or other
 11 equity interest in such person.

12 **SEC. 4. TRAVEL IN CONNECTION WITH AUTHORIZED HY-**
 13 **DROCARBON EXPLORATION AND EXTRAC-**
 14 **TION ACTIVITIES.**

15 Section 910 of the Trade Sanctions Reform and Ex-
 16 port Enhancement Act of 2000 (22 U.S.C. 7209) is
 17 amended by adding at the end the following the following
 18 new subsection:

19 “(c) GENERAL LICENSE AUTHORITY FOR TRAVEL-
 20 RELATED EXPENDITURES BY PERSONS ENGAGING IN
 21 HYDROCARBON EXPLORATION AND EXTRACTION ACTIVI-
 22 TIES.—

23 “(1) IN GENERAL.—The Secretary of the
 24 Treasury shall authorize under a general license the
 25 travel-related transactions listed in section

1 515.560(e) of title 31, Code of Federal Regulations,
2 for travel to, from, or within Cuba in connection
3 with—

4 “(A) exploration for, and the extraction of,
5 hydrocarbon resources in any part of a foreign
6 maritime exclusive economic zone that is contig-
7 uous to the United States exclusive economic
8 zone; or

9 “(B) oil spill prevention and clean-up ac-
10 tivities in such a part of a foreign maritime ex-
11 clusive economic zone.

12 “(2) PERSONS AUTHORIZED.—Persons author-
13 ized to travel to Cuba under this section include—

14 “(A) full-time employees, executives,
15 agents, and consultants of oil and gas pro-
16 ducers, distributors, and shippers; and

17 “(B) persons who engage in oil spill pre-
18 vention and clean-up activities.”.

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