

Calendar No. 474

112TH CONGRESS
2^D SESSION

H. R. 6082

IN THE SENATE OF THE UNITED STATES

JULY 26, 2012

Received; read the first time

JULY 30, 2012

Read the second time and placed on the calendar

AN ACT

To officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Congressional Replace-
3 ment of President Obama’s Energy-Restricting and Job-
4 Limiting Offshore Drilling Plan”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) OCS PLANNING AREA.—Any reference to an
8 “OCS Planning Area” means such Outer Conti-
9 nental Shelf Planning Area as specified by the De-
10 partment of the Interior as of January 1, 2012.

11 (2) PROPOSED FINAL OUTER CONTINENTAL
12 SHELF OIL & GAS LEASING PROGRAM (2012-2017).—
13 The term “Proposed Final Outer Continental Shelf
14 Oil & Gas Leasing Program (2012–2017)” means
15 such program as transmitted to the Speaker of the
16 House and President of the Senate on June 28,
17 2012.

18 **SEC. 3. REQUIREMENT TO IMPLEMENT PROPOSED OIL AND**
19 **GAS LEASING PROGRAM (2012–2017).**

20 (a) IN GENERAL.—Except as otherwise provided in
21 this Act, the Secretary of the Interior shall implement the
22 Proposed Final Outer Continental Shelf Oil & Gas Leas-
23 ing Program (2012–2017) in accordance with the schedule
24 for conducting oil and gas lease sales set forth in such
25 proposed program, the Outer Continental Shelf Lands Act
26 (43 U.S.C. 1331 et seq.), and otherwise applicable law.

(b) MODIFIED AND ADDITIONAL LEASE SALES.—

Notwithstanding the schedule of lease sales in the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017), the Secretary shall conduct under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) oil and gas lease sales in OCS Planning Areas as specified in the following table, in the year specified in the table for each lease sale:

Lease Sale No.	OCS Planning Area	Year
229	Western Gulf of Mexico	2012
220	Mid-Atlantic	2013
225	Eastern Gulf of Mexico	2013
227	Central Gulf of Mexico	2013
249	Southern California (existing infrastructure sale)	2013
233	Western Gulf of Mexico	2013
244	Cook Inlet	2013
212	Chukchi Sea	2013
228	Southern California	2014
230	Mid-Atlantic	2014
231	Central Gulf of Mexico	2014
238	Western Gulf of Mexico	2014
242	Beaufort Sea	2014
221	Chukchi Sea	2014
245	Mid-Atlantic	2015
232	North Atlantic	2015
234	Eastern Gulf of Mexico	2015
235	Central Gulf of Mexico	2015
246	Western Gulf of Mexico	2015
237	Chukchi Sea	2016
239	North Aleutian Basin	2016
248	Western Gulf of Mexico	2016
241	Central Gulf of Mexico	2016
226	Eastern Gulf of Mexico	2016
217	Beaufort Sea	2016
243	Southern California	2017
250	Mid-Atlantic	2017
247	Central Gulf of Mexico	2017
255	South Atlantic-South Carolina	2015

(c) LEASE SALES DESCRIBED.—For purposes of subsection (b)—

(1) lease sale numbers 229, 227, 233, 244, 225, 231, 238, 235, 242, 246, 226, 241, 237, 248, and

1 247 are such sales proposed in, and shall be con-
2 ducted in accordance with, the Proposed Final Outer
3 Continental Shelf Oil & Gas Leasing Program
4 (2012–2017), except each such lease sale shall be
5 conducted in the year specified for such sale in the
6 table in subsection (b);

7 (2) lease sale numbers 220, 212, 228, 230, 221,
8 245, 232, 234, 239, 217, and 243 are such sales
9 proposed in, and shall be conducted in accordance
10 with, the Draft Proposed Outer Continental Shelf
11 (OCS) Oil and Gas Leasing Program for 2010–2015
12 as published in Federal Register on January 21,
13 2009 (74 Fed. Reg. 12), except each such lease sale
14 shall be conducted in the year specified for such sale
15 in the table in subsection (b); and

16 (3) lease sale numbers 249 and 250 shall be
17 conducted—

18 (A) for lease tracts in the Southern Cali-
19 fornia OCS Planning Area and Mid-Atlantic
20 OCS Planning Area, respectively, as determined
21 by and at the discretion of the Secretary, sub-
22 ject to subparagraph (C);

23 (B) in the year specified for each such
24 lease sale in the table in subsection (b); and

1 (C) in accordance with the other provisions
2 of this Act.

3 **SEC. 4. SOUTHERN CALIFORNIA EXISTING INFRASTRUC-**
4 **TURE LEASE SALE.**

5 (a) IN GENERAL.—In lease sale 249 under section
6 3, the Secretary shall offer for sale leases of tracts in the
7 Santa Maria and Santa Barbara/Ventura Basins of the
8 Southern California OCS Planning Area as soon as prac-
9 ticable, but not later than December 31, 2013.

10 (b) USE OF EXISTING STRUCTURES OR ONSHORE-
11 BASED DRILLING.—The Secretary of the Interior shall in-
12 clude in leases offered for sale under lease sale 249 such
13 terms and conditions as are necessary to require that de-
14 velopment and production may occur only from offshore
15 infrastructure in existence on the date of the enactment
16 of this Act or from onshore-based drilling.

17 **SEC. 5. NATIONAL DEFENSE.**

18 (a) NATIONAL DEFENSE AREAS.—This Act shall in
19 no way affect the existing authority of the Secretary of
20 Defense, with the approval of the President, to designate
21 national defense areas on the outer Continental Shelf pur-
22 suant to section 12(d) of the Outer Continental Shelf
23 Lands Act (43 U.S.C. 1341(d)).

24 (b) PROHIBITION ON CONFLICTS WITH MILITARY
25 OPERATIONS.—No person may engage in any exploration,

1 development, or production of oil or natural gas on the
2 Outer Continental Shelf under a lease issued under this
3 Act that would conflict with any military operation, as de-
4 termined in accordance with the Memorandum of Agree-
5 ment between the Department of Defense and the Depart-
6 ment of the Interior on Mutual Concerns on the Outer
7 Continental Shelf signed July 20, 1983, and any revision
8 or replacement for that agreement that is agreed to by
9 the Secretary of Defense and the Secretary of the Interior
10 after that date but before the date of issuance of the lease
11 under which such exploration, development, or production
12 is conducted.

13 **SEC. 6. ENVIRONMENTAL IMPACT STATEMENT REQUIRE-**
14 **MENT.**

15 (a) IN GENERAL.—For the purposes of this Act and
16 in order to conduct lease sales in accordance with the lease
17 sale schedule established by this Act, the Secretary of the
18 Interior shall prepare a multisale environmental impact
19 statement under section 102 of the National Environ-
20 mental Policy Act of 1969 (42 U.S.C. 4332) for all lease
21 sales required under this Act that are not included in the
22 Proposed Final Outer Continental Shelf Oil & Gas Leas-
23 ing Program (2012–2017).

1 (b) ACTIONS TO BE CONSIDERED.—Notwithstanding
2 section 102 of the National Environmental Policy Act of
3 1969 (42 U.S.C. 4332), in such statement—

4 (1) the Secretary is not required to identify
5 nonleasing alternative courses of action or to analyze
6 the environmental effects of such alternative courses
7 of action; and

8 (2) the Secretary shall only—

9 (A) identify a preferred action for leasing
10 and not more than one alternative leasing pro-
11 posal; and

12 (B) analyze the environmental effects and
13 potential mitigation measures for such pre-
14 ferred action and such alternative leasing pro-
15 posal.

16 **SEC. 7. EASTERN GULF OF MEXICO NOT INCLUDED.**

17 Nothing in this Act affects restrictions on oil and gas
18 leasing under the Gulf of Mexico Energy Security Act of
19 2006 (title I of division C of Public Law 109–432; 43
20 U.S.C. 1331 note).

21 **SEC. 8. LEASE SALES OFF THE COASTS OF SOUTH CARO-**
22 **LINA AND CALIFORNIA.**

23 In determining the areas off the coast of South Caro-
24 lina and the coast of California to be made available for

1 leasing under this Act, the Secretary of the Interior
2 shall—

3 (1) consult with the Governor and legislature of
4 each such State; and

5 (2) focus on areas considered to have the most
6 geologically promising energy resources.

Passed the House of Representatives July 25, 2012.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 474

112TH CONGRESS
2^D Session

H. R. 6082

AN ACT

To officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012–2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes.

JULY 30, 2012

Read the second time and placed on the calendar