

113TH CONGRESS
1ST SESSION

H. R. 1190

To provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all oil produced pursuant to such leases, and all refined petroleum products produced from such oil, shall be offered for sale only in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2013

Mr. MARKEY (for himself and Mr. HOLT) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all oil produced pursuant to such leases, and all refined petroleum products produced from such oil, shall be offered for sale only 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Keep America’s Oil
5 Here Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The United States is taking a number of
4 steps to reduce domestic consumption of oil.

5 (2) In 2007, the Congress passed the Energy
6 Independence and Security Act of 2007 (Public Law
7 110–140), which increased fuel economy standards
8 to at least 35 miles per gallon by 2020 and estab-
9 lished renewable fuel standards to ensure that
10 enough renewable fuel is produced by 2022 to re-
11 duce the need for 1.6 million barrels of oil per day.
12 These programs to reduce our domestic oil consump-
13 tion have yet to be fully implemented.

14 (3) The administration of President Obama is
15 accelerating the implementation of the fuel economy
16 standards and greenhouse gas emission standards.

17 (4) In 2010, the President issued a rule that
18 required increased fuel economy and decreased glob-
19 al warming emissions for light-duty vehicles pro-
20 duced in model years 2012–2016. This rule is in the
21 process of being implemented, and will reduce the
22 need for an additional 1.9 million barrels of oil per
23 day by 2030 and reduce the need for 2.3 million
24 barrels of oil per day by 2040.

25 (5) In 2012, the President issued a final rule
26 to implement increased fuel economy and reduced

1 global warming emissions for light duty vehicles pro-
2 duced in model years 2017 through 2025. This rule,
3 once fully implemented, will reduce the need for an
4 additional 1.5 million barrels of oil per day by 2030
5 and reduce the need for 2.4 million barrels of oil per
6 day by 2040.

7 (6) These actions will help reduce domestic con-
8 sumption of crude oil, which is an exhaustible nat-
9 ural resource. These measures represent only a por-
10 tion of Federal Government efforts to assist eco-
11 nomic growth and reduce economic pressures relat-
12 ing to high oil prices.

13 (7) As the result of actions undertaken by the
14 Congress and the executive branch, domestic oil pro-
15 duction has ramped up considerably. Crude oil pro-
16 duction in the United States is at its highest level
17 in 15 years, while production of oil and natural gas
18 liquids combined is at its highest level in 20 years.
19 Domestic oil production is expected to continue ris-
20 ing through 2020. Restrictions on exports of oil pro-
21 duced on public lands are a necessary and appro-
22 priate complement to energy efficiency measures and
23 will help to ensure a reliable and affordable supply
24 of such oil and refined products from such oil.

1 **SEC. 3. NO FOREIGN SALES OF OIL PRODUCED ON FED-**
2 **ERAL LANDS.**

3 The Secretary of the Interior may accept bids on any
4 new oil and gas leases of Federal lands (including sub-
5 merged lands) under the Mineral Leasing Act (30 U.S.C.
6 181 et seq.) or the Outer Continental Shelf Lands Act
7 (43 U.S.C. 1331 et seq.) only from bidders certifying that
8 all crude oil produced under such leases, and all refined
9 petroleum products produced from such crude oil, shall be
10 offered for sale only in the United States.

11 **SEC. 4. WAIVER.**

12 The President may provide for waiver of the applica-
13 tion of section 3 with respect to a lease in a case in
14 which—

15 (1) the President determines that such a waiver
16 is in the national interest because it—

17 (A) will not lead to an increase in domestic
18 consumption of crude oil obtained from coun-
19 tries hostile to United States interests or that
20 have political and economic instability that com-
21 promises energy supply security;

22 (B) will not lead to higher costs to oil re-
23 finers that purchase the crude oil than such re-
24 finers would have to pay for crude oil in the ab-
25 sence of such a waiver; and

1 (C) will not lead to higher gasoline costs
2 paid by consumers than consumers would have
3 to pay in the absence of such a waiver;

4 (2) an exchange of crude oil or refined petro-
5 leum products provides for no net loss of crude oil
6 or refined petroleum products, respectively, con-
7 sumed domestically;

8 (3) a waiver is necessary under the Constitu-
9 tion, a law, or an international agreement; or

10 (4) a standing trade agreement with a North
11 American trading partner allows for such exports,
12 and all crude oil and refined petroleum products ex-
13 ported under such a waiver will be consumed in
14 North America.

15 **SEC. 5. SUNSET.**

16 (a) IN GENERAL.—This Act, including any certifi-
17 cation made pursuant to this Act, shall have no force or
18 effect after the expiration of the 10-year period beginning
19 on the date of enactment of this Act.

20 (b) REPORT.—Two years before the end of the period
21 referred to in subsection (a), the Secretary of the Interior
22 and the Comptroller General of the United States shall
23 each submit a report to the Congress on the impact of
24 this Act on oil production on Federal lands, consumption
25 of oil and refined petroleum products in the United States,

1 and prices and markets for oil and refined petroleum prod-
2 ucts in the United States.

3 **SEC. 6. REFINED PETROLEUM PRODUCT DEFINED.**

4 In this Act the term “refined petroleum product”
5 means any of the following:

- 6 (1) Finished reformulated or conventional
7 motor gasoline.
- 8 (2) Finished aviation gasoline.
- 9 (3) Kerosene-type jet fuel.
- 10 (4) Kerosene.
- 11 (5) Distillate fuel oil.
- 12 (6) Residual fuel oil.
- 13 (7) Lubricants.
- 14 (8) Waxes.
- 15 (9) Petroleum coke.
- 16 (10) Asphalt and road oil.

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