

116TH CONGRESS  
1ST SESSION

# H. R. 1941

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2019

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To amend the Outer Continental Shelf Lands Act to prohibit  
the Secretary of the Interior including in any leasing  
program certain planning areas, 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 “Coastal and Marine  
3 Economies Protection Act”.

4 **SEC. 2. PUBLICATION OF INSPECTION RESULTS.**

5 Section 22(c) of the Outer Continental Shelf Lands  
6 Act (43 U.S.C. 1348(c)) is amended—

7 (1) by striking “The” and inserting the fol-  
8 lowing:

9 “(a) IN GENERAL.—The”; and

10 (2) by adding at the end the following:

11 “(b) PUBLICATION.—The Secretary shall make the  
12 following available to the public:

13 “(1) Any reports produced under this sub-  
14 section.

15 “(2) The following information about each pay-  
16 ment made into the Ocean Energy Safety Fund  
17 under subsection (g):

18 “(A) The facility that was inspected.

19 “(B) The name of the operator of such fa-  
20 cility.

21 “(C) The amount of the payment.”.

22 **SEC. 3. PROHIBITION ON LEASING IN CERTAIN PLANNING**  
23 **AREAS.**

24 Section 18 of the Outer Continental Shelf Lands Act  
25 is amended by redesignating subsections (g) and (h) as

1 subsections (h) and (i) respectively, and by inserting after  
2 subsection (f) the following:

3 “(g) The Secretary shall not include in any leasing  
4 program under this section any area within the Atlantic  
5 Region planning areas or the Pacific Region planning  
6 areas, as such planning areas are described in the docu-  
7 ment entitled ‘Draft Proposed Program Outer Continental  
8 Shelf Oil and Gas Leasing Program 2019–2024’, dated  
9 January 2018.”.

10 **SEC. 4. INSPECTION FEE COLLECTION.**

11 Section 22 of the Outer Continental Shelf Lands Act  
12 (43 U.S.C. 1348) is amended by adding at the end the  
13 following:

14 “(g) INSPECTION FEES.—

15 “(1) ESTABLISHMENT.—The Secretary of the  
16 Interior shall collect from the operators of facilities  
17 subject to inspection under subsection (c) non-re-  
18 fundable fees for such inspections—

19 “(A) at an aggregate level equal to the  
20 amount necessary to offset the annual expenses  
21 of inspections of outer Continental Shelf facili-  
22 ties (including mobile offshore drilling units) by  
23 the Secretary of the Interior; and

1           “(B) using a schedule that reflects the dif-  
2           ferences in complexity among the classes of fa-  
3           cilities to be inspected.

4           “(2) OCEAN ENERGY SAFETY FUND.—There is  
5           established in the Treasury a fund, to be known as  
6           the ‘Ocean Energy Safety Fund’ (referred to in this  
7           subsection as the ‘Fund’), into which shall be depos-  
8           ited all amounts collected as fees under paragraph  
9           (1) and which shall be available as provided under  
10          paragraph (3).

11          “(3) AVAILABILITY OF FEES.—Notwithstanding  
12          section 3302 of title 31, United States Code, all  
13          amounts deposited in the Fund—

14               “(A) shall be credited as offsetting collec-  
15               tions;

16               “(B) shall be available for expenditure for  
17               purposes of carrying out inspections of outer  
18               Continental Shelf facilities (including mobile  
19               offshore drilling units) and the administration  
20               of the inspection program under this section;

21               “(C) shall be available only to the extent  
22               provided for in advance in an appropriations  
23               Act; and

24               “(D) shall remain available until expended.

1           “(4) ADJUSTMENT FOR INFLATION.—For each  
2       fiscal year beginning after fiscal year 2020, the Sec-  
3       retary shall adjust each dollar amount specified in  
4       this subsection for inflation based on the change in  
5       the Consumer Price Index from fiscal year 2020.

6           “(5) ANNUAL FEES.—Annual fees shall be col-  
7       lected under this subsection for facilities that are  
8       above the waterline, excluding drilling rigs, and are  
9       in place at the start of the fiscal year. Fees for fiscal  
10      year 2020 shall be—

11           “(A) \$11,500 for facilities with no wells,  
12           but with processing equipment or gathering  
13           lines;

14           “(B) \$18,500 for facilities with 1 to 10  
15           wells, with any combination of active or inactive  
16           wells; and

17           “(C) \$34,500 for facilities with more than  
18           10 wells, with any combination of active or in-  
19           active wells.

20           “(6) FEES FOR DRILLING RIGS.—Fees shall be  
21       collected under this subsection for drilling rigs on a  
22       per inspection basis. Fees for fiscal year 2020 shall  
23       be—

24           “(A) \$33,500 per inspection for rigs oper-  
25           ating in water depths of 500 feet or more; and

1           “(B) \$18,500 per inspection for rigs oper-  
2           ating in water depths of less than 500 feet.

3           “(7) FEES FOR NON-RIG UNITS.—Fees shall be  
4           collected under this subsection for well operations  
5           conducted via non-rig units as outlined in subparts  
6           D, E, F, and Q of part 250 of title 30, Code of Fed-  
7           eral Regulations, on a per inspection basis. Fees for  
8           fiscal year 2020 shall be—

9           “(A) \$13,260 per inspection for non-rig  
10          units operating in water depths of 2,500 feet or  
11          more;

12          “(B) \$11,530 per inspection for non-rig  
13          units operating in water depths between 500  
14          and 2,499 feet; and

15          “(C) \$4,470 per inspection for non-rig  
16          units operating in water depths of less than 500  
17          feet.

18          “(8) BILLING.—The Secretary shall bill des-  
19          ignated operators under paragraph (5) annually,  
20          with payment required within 30 days of billing. The  
21          Secretary shall bill designated operators under para-  
22          graph (6) within 30 days of the end of the month  
23          in which the inspection occurred, with payment re-  
24          quired within 30 days after billing.”.

1 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

2       The budgetary effects of this Act, for the purpose of  
3 complying with the Statutory Pay-As-You-Go Act of 2010,  
4 shall be determined by reference to the latest statement  
5 titled “Budgetary Effects of PAYGO Legislation” for this  
6 Act, submitted for printing in the Congressional Record  
7 by the Chairman of the House Budget Committee, pro-  
8 vided that such statement has been submitted prior to the  
9 vote on passage.

10 **SEC. 6. RISK TO NATIONAL SECURITY.**

11       The Secretary of the Interior, after consulting with  
12 the Secretary of Defense, shall report to Congress on  
13 whether this Act poses a risk to national security due to  
14 potential increase in dependence on foreign oil.

15 **SEC. 7. STUDYING THE IMPACTS OF OFFSHORE DRILLING**  
16 **ON COASTAL COMMUNITIES AND COASTAL**  
17 **ECONOMIES.**

18       (a) REPORT.—Not later than 1 year after the date  
19 of enactment of this Act, the Comptroller General shall  
20 submit to the Committee on Natural Resources of the  
21 House of Representatives and the Committee on Energy  
22 and Natural Resources of the Senate a report on the im-  
23 pacts of offshore drilling on coastal communities and  
24 coastal economies.

25       (b) CONTENTS.—The report required by subsection  
26 (a) shall—

1           (1) address how oil and gas companies interact  
2           with local stakeholders in advance of a siting deci-  
3           sion, including their meetings with fishermen;

4           (2) investigate the impacts of offshore drilling  
5           on tourism, including tradeoffs during normal oper-  
6           ations and economic impacts after a spill;

7           (3) describe how the Bureau of Ocean Energy  
8           Management works with other agencies, including  
9           the National Marine Fisheries Service, to include  
10          stakeholder input in advance of a siting decision;

11          (4) address how quickly response teams can  
12          mitigate environmental damage after a spill and how  
13          long regional ecosystems take to recover following a  
14          spill;

15          (5) describe any limitations on the quantity of  
16          comparative data available on impacts to regions of  
17          the Outer Continental Shelf that have not been sited  
18          for drilling;

19          (6) describe the impacts on commercial and rec-  
20          reational fisheries from offshore drilling; and

21          (7) address the economic impacts of oil spills on  
22          the food supply of a region, including those food  
23          sources that are distinctive to a region's culture.

1 **SEC. 8. MORATORIUM ON SEISMIC ACTIVITIES RELATED TO**  
2 **OIL, GAS, AND METHANE HYDRATE EXPLO-**  
3 **RATION AND DEVELOPMENT IN THE NORTH**  
4 **ATLANTIC, MID-ATLANTIC, SOUTH ATLANTIC,**  
5 **AND STRAITS OF FLORIDA PLANNING AREAS.**

6 Section 11 of the Outer Continental Shelf Lands Act  
7 (43 U.S.C. 1340) is amended by adding at the end the  
8 following:

9 “(i) MORATORIUM ON SEISMIC ACTIVITIES RELATED  
10 TO OIL, GAS, AND METHANE HYDRATE EXPLORATION  
11 AND DEVELOPMENT IN THE NORTH ATLANTIC, MID-AT-  
12 LANTIC, SOUTH ATLANTIC, AND STRAITS OF FLORIDA  
13 PLANNING AREAS.—Notwithstanding any other provision  
14 of law, no agency of the United States or person may con-  
15 duct or authorize any other person to conduct geological  
16 or geophysical activities in support of oil, gas, or methane  
17 hydrate exploration and development in any area located  
18 in the North Atlantic, Mid-Atlantic, South Atlantic, and  
19 Straits of Florida Planning Areas of the outer Continental  
20 Shelf.”.

21 **SEC. 9. ECONOMIC IMPACT STUDY.**

22 Not later than 1 year after the date of enactment  
23 of this Act, the Secretary of Commerce shall conduct a  
24 study to determine the potential economic impact of off-  
25 shore drilling on tourism, commercial fishing, recreational

- 1 fishing, boating, transportation, and other waterfront-re-
- 2 lated and coastal-related business.

Passed the House of Representatives September 11,  
2019.

Attest:                      CHERYL L. JOHNSON,  
*Clerk.*