

(B) Mitigation of damage to fish, wildlife, or natural resources.

(C) Planning assistance and the administrative costs of complying with this section.

(D) Implementation of a federally-approved marine, coastal, or comprehensive conservation management plan.

(E) Mitigation of the impact of outer Continental Shelf activities through funding of onshore infrastructure projects and public service needs.

(2) Compliance with authorized uses

If the Secretary determines that any expenditure made by a producing State or coastal political subdivision is not consistent with this subsection, the Secretary shall not disburse any additional amount under this section to the producing State or the coastal political subdivision until such time as all amounts obligated for unauthorized uses have been repaid or reobligated for authorized uses.

(3) Limitation

Not more than 23 percent of amounts received by a producing State or coastal political subdivision for any 1 fiscal year shall be used for the purposes described in subparagraphs (C) and (E) of paragraph (1).

(e) Emergency funding

(1) In general

In response to a spill of national significance under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), at the request of a producing State or coastal political subdivision and notwithstanding the requirements of part 12 of title 43, Code of Federal Regulations (or a successor regulation), the Secretary may immediately disburse funds allocated under this section for 1 or more individual projects that are—

(A) consistent with subsection (d); and

(B) specifically designed to respond to the spill of national significance.

(2) Approval by Secretary

The Secretary may, in the sole discretion of the Secretary, approve, on a project by project basis, the immediate disbursal of the funds under paragraph (1).

(3) State requirements

(A) Additional information

If the Secretary approves a project for funding under this subsection that is included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision shall submit to the Secretary any additional information that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).

(B) Amendment to plan

If the Secretary approves a project for funding under this subsection that is not included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision

shall submit to the Secretary for approval an amendment to the plan that includes any projects funded under paragraph (1), as well as any information about such projects that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).

(C) Limitation

If a producing State or coastal political subdivision does not submit the additional information or amendments to the plan required by this paragraph, or if, based on the information submitted by the Secretary determines that the project is not in compliance with subsection (d), by the deadlines specified in this paragraph, the Secretary shall not disburse any additional funds to the producing State or the coastal political subdivisions until the date on which the additional information or amendment to the plan has been approved by the Secretary.

(Aug. 7, 1953, ch. 345, §31, as added Pub. L. 106-553, §1(a)(2) [title IX, §903], Dec. 21, 2000, 114 Stat. 2762, 2762A-124; amended Pub. L. 109-58, title III, §384, Aug. 8, 2005, 119 Stat. 739; Pub. L. 111-212, title III, §3013, July 29, 2010, 124 Stat. 2341.)

Editorial Notes

REFERENCES IN TEXT

The Coastal Zone Management Act of 1972, referred to in subsec. (a)(2), is title III of Pub. L. 89-454, as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, which is classified generally to chapter 33 (§1451 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

Sections 107 through 109 of division E of the Consolidated Appropriations Act, 2005, referred to in subsec. (a)(7), are sections 107 to 109 of Pub. L. 108-447, div. E, title I, Dec. 8, 2004, 118 Stat. 3063, 3064, which are not classified to the Code.

The Oil Pollution Act of 1990, referred to in subsec. (e)(1), is Pub. L. 101-380, Aug. 18, 1990, 104 Stat. 484, which is classified principally to chapter 40 (§2701 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of Title 33 and Tables.

AMENDMENTS

2010—Subsec. (e). Pub. L. 111-212 added subsec. (e).

2005—Pub. L. 109-58 amended section catchline and text generally. Prior to amendment, section consisted of subssecs. (a) to (g) relating to construction of section, definitions, authorization of appropriations, payments to States and political subdivisions, coastal impact assistance plan by the Governor of each producing coastal State, authorized uses of amounts provided, and repayment of amounts inconsistent with authorized uses.

§ 1356b. Transboundary hydrocarbon agreements

(a) Authorization

After December 26, 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and en-

sure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

(b) Submission to Congress

(1) In general

No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

- (A) the Speaker of the House of Representatives;
- (B) the Majority Leader of the Senate;
- (C) the Chair of the Committee on Natural Resources of the House of Representatives; and
- (D) the Chair of the Committee on Energy and Natural Resources of the Senate.

(2) Contents of submission

The submission shall include—

- (A) any amendments to this subchapter or other Federal law necessary to implement the agreement;
- (B) an analysis of the economic impacts such agreement and any amendments necessitated by the agreement will have on domestic exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf; and
- (C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

(c) Implementation of specific transboundary agreement with Mexico

The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

- (1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;
- (2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;
- (3) taking actions consistent with an expert determination under the agreement; and
- (4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erect-

ed thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

(d) Savings provisions

Nothing in this section shall be construed—

- (1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba or the area known by the Department of the Interior as the “Eastern Gap”; or
- (2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.

(Aug. 7, 1953, ch. 345, §32, as added Pub. L. 113-67, div. A, title III, §304, Dec. 26, 2013, 127 Stat. 1182.)

Statutory Notes and Related Subsidiaries

APPROVAL OF AGREEMENT WITH MEXICO

Pub. L. 113-67, div. A, title III, §303, Dec. 26, 2013, 127 Stat. 1181, provided that: “The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, is hereby approved.”

§ 1356c. Wind lease sales for areas of the outer Continental Shelf offshore of territories of the United States

(a)¹ Wind lease sales off coasts of territories of the United States

(1) Call for information and nominations

(A) In general

The Secretary shall issue calls for information and nominations for proposed wind lease sales for areas of the outer Continental Shelf described in paragraph (2) that are determined to be feasible.

(B) Initial call

No later than September 30, 2025, the Secretary shall issue an initial call for information and nominations under this paragraph.

(2) Conditional wind lease sales

The Secretary may conduct wind lease sales in each area within the exclusive economic zone of the United States adjacent to the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands that meets each of the following criteria:

- (A) The Secretary has concluded that a wind lease sale in the area is feasible.
- (B) The Secretary has determined that there is sufficient interest in leasing the area.
- (C) The Secretary has consulted with the Governor of the territory regarding the suitability of the area for wind energy development.

(Aug. 7, 1953, ch. 345, §33, as added Pub. L. 117-169, title V, §50251(b)(2), Aug. 16, 2022, 136 Stat. 2055.)

¹ So in original. There is no subsec. (b).