

111TH CONGRESS  
1ST SESSION

# H. R. 797

To greatly enhance the Nation’s environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2009

Mr. CALVERT introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on the Budget and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To greatly enhance the Nation’s environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, 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 “Maximize Offshore Re-  
5 source Exploration Act of 2009” or the “MORE Act of  
6 2009”.

1 **SEC. 2. TERMINATION OF PROHIBITIONS ON EXPENDI-**  
2 **TURES FOR, AND WITHDRAWALS FROM, OFF-**  
3 **SHORE OIL AND GAS LEASING.**

4 (a) PROHIBITIONS ON EXPENDITURES.—All provi-  
5 sions of Federal law that prohibit the expenditure of ap-  
6 propriated funds to conduct oil and natural gas leasing  
7 and preleasing activities for any area of the Outer Conti-  
8 nental Shelf shall have no force or effect with respect to  
9 such activities.

10 (b) REVOCATION WITHDRAWALS.—All withdrawals  
11 of Federal submerged lands of the Outer Continental Shelf  
12 from leasing, including withdrawals by the President  
13 under the authority of section 12(a) of the Outer Conti-  
14 nental Shelf Lands Act (43 U.S.C. 1341(a)), are hereby  
15 revoked and are no longer in effect with respect to the  
16 leasing of areas for exploration for, and development and  
17 production of, oil and natural gas.

18 **SEC. 3. OUTER CONTINENTAL SHELF OIL AND NATURAL**  
19 **GAS LEASING PROGRAM.**

20 The Outer Continental Shelf Lands Act (43 U.S.C.  
21 1331 et seq.) is amended by inserting after section 9 the  
22 following:

23 **“SEC. 10. STATE APPROVAL REQUIREMENT WITH RESPECT**  
24 **TO OIL AND NATURAL GAS LEASING.**

25 “(a) IN GENERAL.—The Secretary may not issue any  
26 lease authorizing exploration for, or development of, oil

1 and natural gas in any area of the Outer Continental Shelf  
2 that is located within 25 miles of the coastline of a State  
3 unless the State has enacted a law approving of the  
4 issuance of such leases by the Secretary.

5 “(b) STATE APPROVAL PERMANENT.—Repeal of  
6 such a law by a State shall have no effect for purposes  
7 of subsection (a).”.

8 **SEC. 4. SHARING OF REVENUES.**

9 (a) IN GENERAL.—Section 8(g) of the Outer Conti-  
10 nental Shelf Lands Act (43 U.S.C. 1337(g)) is amended—

11 (1) in paragraph (2) by striking “Notwith-  
12 standing” and inserting “Except as provided in  
13 paragraph (6), and notwithstanding”;

14 (2) by redesignating paragraphs (6) and (7) as  
15 paragraphs (7) and (8); and

16 (3) by inserting after paragraph (5) the fol-  
17 lowing:

18 “(6) ROYALTIES UNDER QUALIFIED OIL AND  
19 GAS LEASES.—

20 “(A) IN GENERAL.—Except as provided in  
21 subparagraph (B), of amounts received by the  
22 United States as royalties under any qualified  
23 oil and gas lease on submerged lands that are  
24 located within the seaward boundaries of a  
25 State established under section 4(a)(2)(A)—

1           “(i) 12.5 percent shall be deposited in  
2           the general fund of the Treasury;

3           “(ii) 12.5 percent shall be deposited in  
4           the Renewable Energy Reserve established  
5           by section 5 of the MORE Act of 2009;  
6           and

7           “(iii) 75 percent shall be paid to the  
8           States that are producing States with re-  
9           spect to those submerged lands.

10          “(B) LEASE TRACTS WITHIN 25 MILES OF  
11          THE COASTLINE.—Of amounts received by the  
12          United States as royalties under any qualified  
13          oil and gas lease on submerged lands that are  
14          located within 25 miles of the coastline of a  
15          State and within the seaward boundaries of a  
16          State established under section 4(a)(2)(A)—

17               “(i) 5 percent shall be deposited in  
18               the general fund of the Treasury;

19               “(ii) 5 percent shall be deposited in  
20               the Renewable Energy Reserve established  
21               by section 5 of the MORE Act of 2009;  
22               and

23               “(iii) 90 percent shall be paid to the  
24               States that are producing States with re-  
25               spect to those submerged lands.

1           “(C) LEASED TRACT THAT LIES PAR-  
2           Tially WITHIN THE SEAWARD BOUNDARIES OF  
3           A STATE.—In the case of a leased tract that lies  
4           partially within the seaward boundaries of a  
5           State, the amounts of royalties from such tract  
6           that are subject to subparagraph (A) or (B), as  
7           applicable, with respect to such State shall be  
8           a percentage of the total amounts of royalties  
9           from such tract that is equivalent to the total  
10          percentage of surface acreage of the tract that  
11          lies within such seaward boundaries.

12          “(D) DEFINITIONS.—In this paragraph:

13                 “(i) ADJACENT STATE.—The term  
14                 ‘adjacent State’ means, with respect to any  
15                 program, plan, lease sale, leased tract or  
16                 other activity, proposed, conducted, or ap-  
17                 proved pursuant to the provisions of this  
18                 Act, any State the laws of which are de-  
19                 clared, pursuant to section 4(a)(2), to be  
20                 the law of the United States for the por-  
21                 tion of the Outer Continental Shelf on  
22                 which such program, plan, lease sale,  
23                 leased tract, or activity appertains or is, or  
24                 is proposed to be, conducted.

1           “(ii) ADJACENT ZONE.—The term  
2           ‘adjacent zone’ means, with respect to any  
3           program, plan, lease sale, leased tract, or  
4           other activity, proposed, conducted, or ap-  
5           proved pursuant to the provisions of this  
6           Act, the portion of the Outer Continental  
7           Shelf for which the laws of a particular ad-  
8           jacent State are declared, pursuant to sec-  
9           tion 4(a)(2), to be the law of the United  
10          States.

11          “(iii) PRODUCING STATE.—The term  
12          ‘producing State’ means an Adjacent State  
13          having an adjacent zone containing leased  
14          tracts from which are derived royalties  
15          under a lease under this Act.

16          “(iv) STATE.—The term ‘State’ in-  
17          cludes Puerto Rico and the other terri-  
18          tories of the United States.

19          “(v) QUALIFIED OIL AND GAS  
20          LEASE.—The term ‘qualified oil and gas  
21          lease’ means a lease under this Act grant-  
22          ed after the date of the enactment of the  
23          Maximize Offshore Resource Exploration  
24          Act of 2009 that authorizes development

1                   and production of oil and natural gas and  
2                   associated condensate.

3                   “(E) APPLICATION.—This paragraph shall  
4                   apply to royalties received by the United States  
5                   after September 30, 2009.”.

6           (b) ESTABLISHMENT OF STATE SEAWARD BOUND-  
7    ARIES.—Section 4(a)(2)(A) of the Outer Continental Shelf  
8    Lands Act (43 U.S.C. 1333(a)(2)(A)) is amended in the  
9    first sentence by striking “, and the President” and all  
10   that follows through the end of the sentence and inserting  
11   the following: “. Such extended lines are deemed to be as  
12   indicated on the maps for each Outer Continental Shelf  
13   region entitled ‘Alaska OCS Region State Adjacent Zone  
14   and OCS Planning Areas’, ‘Pacific OCS Region State Ad-  
15   jacent Zones and OCS Planning Areas’, ‘Gulf of Mexico  
16   OCS Region State Adjacent Zones and OCS Planning  
17   Areas’, and ‘Atlantic OCS Region State Adjacent Zones  
18   and OCS Planning Areas’, all of which are dated Sep-  
19   tember 2005 and on file in the Office of the Director, Min-  
20   erals Management Service. The preceding sentence shall  
21   not apply with respect to the treatment under section 105  
22   of the Gulf of Mexico Energy Security Act of 2006 (title  
23   I of division C of Public Law 109–432) of qualified Outer  
24   Continental Shelf revenues deposited and disbursed under  
25   subsection (a)(2) of that section.”.

1 **SEC. 5. RENEWABLE ENERGY RESERVE.**

2 (a) IN GENERAL.—For budgetary purposes, there is  
3 established a separate account in the Treasury to be  
4 known as the “Renewable Energy Reserve”.

5 (b) CONTENTS.—The Renewable Energy Reserve  
6 shall consist of amounts deposited into it under subpara-  
7 graphs (A) and (B) of paragraph (6) of section 8(g) of  
8 the Outer Continental Shelf Lands Act (43 U.S.C.  
9 1337(g)), as amended by this Act.

10 (c) USE.—The Renewable Energy Reserve shall be  
11 available to offset the cost of legislation enacted after the  
12 date of the enactment of this Act—

13 (1) to accelerate the use of cleaner domestic en-  
14 ergy resources and alternative fuels;

15 (2) to promote the utilization of energy-efficient  
16 products and practices; and

17 (3) to increase research, development, and de-  
18 ployment of clean renewable energy and efficiency  
19 technologies and job training programs for those  
20 purposes.

21 (d) PROCEDURE FOR ADJUSTMENTS.—

22 (1) BUDGET COMMITTEE CHAIRMAN.—After the  
23 reporting of a bill or joint resolution, or the offering  
24 of an amendment thereto or the submission of a con-  
25 ference report thereon, providing funding for the  
26 purposes set forth in subsection (c) in excess of the



1 amounts provided for those purposes for fiscal year  
2 2009, the chairman of the Committee on the Budget  
3 of the applicable House of Congress shall make the  
4 adjustments set forth in paragraph (2) for the  
5 amount of new budget authority and outlays in that  
6 measure and the outlays flowing from that budget  
7 authority.

8 (2) MATTERS TO BE ADJUSTED.—The adjust-  
9 ments referred to in paragraph (1) are to be made  
10 to—

11 (A) the discretionary spending limits, if  
12 any, set forth in the appropriate concurrent res-  
13 olution on the budget;

14 (B) the allocations made pursuant to the  
15 appropriate concurrent resolution on the budget  
16 pursuant to section 302(a) of Congressional  
17 Budget Act of 1974; and

18 (C) the budget aggregates contained in the  
19 appropriate concurrent resolution on the budget  
20 as required by section 301(a) of Congressional  
21 Budget Act of 1974.

22 (3) AMOUNTS OF ADJUSTMENTS.—The adjust-  
23 ments referred to in paragraphs (1) and (2) shall  
24 not exceed the total of the receipts over a 10-year

- 1 period, as estimated by the Congressional Budget
- 2 Office upon the enactment of this Act.

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