

118TH CONGRESS
1ST SESSION

S. 3445

To promote domestic energy production, to require onshore and offshore oil and natural gas lease sales, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2023

Mr. DAINES (for himself, Mr. LANKFORD, Mrs. HYDE-SMITH, Mr. CASSIDY, Mr. RISCH, Mr. HOEVEN, Ms. LUMMIS, Mr. LEE, and Mr. MARSHALL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To promote domestic energy production, to require onshore and offshore oil and natural gas lease sales, 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 “Supporting Made in
5 America Energy Act”.

6 **SEC. 2. REQUIRED ONSHORE AND OFFSHORE OIL AND NAT-**
7 **URAL GAS LEASING.**

8 (a) ONSHORE LEASE SALES.—

1 (1) REQUIREMENT TO IMMEDIATELY RESUME
2 ONSHORE AND OFFSHORE OIL AND GAS LEASE
3 SALES.—

4 (A) IN GENERAL.—The Secretary of the
5 Interior (referred to in this Act as the “Sec-
6 retary”) shall immediately resume oil and gas
7 lease sales in compliance with the Mineral Leas-
8 ing Act (30 U.S.C. 181 et seq.).

9 (B) REQUIREMENT.—The Secretary shall
10 ensure that any oil and gas lease sale under
11 subparagraph (A) is conducted immediately on
12 completion of all applicable scoping, public com-
13 ment, and environmental analysis requirements
14 under the Mineral Leasing Act (30 U.S.C. 181
15 et seq.) and the National Environmental Policy
16 Act of 1969 (42 U.S.C. 4321 et seq.).

17 (2) ANNUAL LEASE SALES.—

18 (A) IN GENERAL.—Notwithstanding any
19 other provision of law, in accordance with the
20 Mineral Leasing Act (30 U.S.C. 181 et seq.),
21 beginning in fiscal year 2024, the Secretary
22 shall conduct a minimum of 4 oil and natural
23 gas lease sales annually in each of the following
24 States:

25 (i) Wyoming.

- 1 (ii) New Mexico.
2 (iii) Colorado.
3 (iv) Utah.
4 (v) Montana.
5 (vi) North Dakota.
6 (vii) Oklahoma.
7 (viii) Nevada.
8 (ix) Alaska.
9 (x) Any other State in which there is
10 land available for oil and natural gas leas-
11 ing under that Act.

12 (B) REQUIREMENT.—In conducting a lease
13 sale under subparagraph (A) in a State de-
14 scribed in that subparagraph, the Secretary
15 shall offer all parcels eligible for oil and gas de-
16 velopment under the resource management plan
17 in effect for the State.

18 (C) REPLACEMENT SALES.—If, for any
19 reason, a lease sale under subparagraph (A) for
20 a calendar year is canceled, delayed, or de-
21 ferred, including for a lack of eligible parcels,
22 the Secretary shall conduct a replacement sale
23 during the same calendar year.

24 (b) OFFSHORE LEASE SALES.—

1 (1) GULF OF MEXICO REGION ANNUAL LEASE
2 SALES.—Notwithstanding any other provision of law,
3 beginning in fiscal year 2024, the Secretary shall
4 conduct a minimum of 2 region-wide oil and natural
5 gas lease sales annually in the Gulf of Mexico Re-
6 gion of the outer Continental Shelf, which shall—

7 (A) offer the same lease form, lease terms,
8 economic conditions, and stipulations as con-
9 tained in the final notice of sale entitled “Gulf
10 of Mexico Outer Continental Shelf Oil and Gas
11 Lease Sale 257” (86 Fed. Reg. 54728 (October
12 4, 2021)); and

13 (B) include—

14 (i) the Central Gulf of Mexico Plan-
15 ning Area, as described in the 2017–2022
16 Outer Continental Shelf Oil and Gas Leas-
17 ing Proposed Final Program (November
18 2016); and

19 (ii) the Western Gulf of Mexico Plan-
20 ning Area, as described in the 2017–2022
21 Outer Continental Shelf Oil and Gas Leas-
22 ing Proposed Final Program (November
23 2016).

24 (2) ALASKA REGION ANNUAL LEASE SALES.—
25 Notwithstanding any other provision of law, begin-

1 ning in fiscal year 2024, the Secretary shall conduct
2 a minimum of 2 region-wide oil and natural gas
3 lease sales annually in the Alaska Region of the
4 outer Continental Shelf, as described in the 2017–
5 2022 Outer Continental Shelf Oil and Gas Leasing
6 Proposed Final Program (November 2016).

7 (3) OUTER CONTINENTAL SHELF OIL AND GAS
8 LEASING PROGRAM.—Section 18 of the Outer Conti-
9 nental Shelf Lands Act (43 U.S.C. 1344) is amend-
10 ed—

11 (A) in subsection (a), in the first sentence
12 of the matter preceding paragraph (1), by strik-
13 ing “subsections (c) and (d) of this section”
14 and inserting “subsections (e) through (f)”;

15 (B) by redesignating subsections (f)
16 through (h) as subsections (g) through (i), re-
17 spectively;

18 (C) by inserting after subsection (e) the
19 following:

20 “(f) SUBSEQUENT LEASING PROGRAMS.—

21 “(1) IN GENERAL.—Not later than 36 months
22 after conducting the first lease sale under an oil and
23 gas leasing program prepared pursuant to this sec-
24 tion, the Secretary shall begin preparing the subse-

1 quent oil and gas leasing program under this sec-
2 tion.

3 “(2) REQUIREMENT.—Each subsequent oil and
4 gas leasing program under this section shall be ap-
5 proved not later than 180 days before the expiration
6 of the previous oil and gas leasing program.”; and

7 (D) by indenting subsection (j) (as so re-
8 designated) appropriately.

9 (c) PROHIBITION.—

10 (1) IN GENERAL.—The President shall not,
11 through Executive order or any other administrative
12 procedure, unreasonably pause, cancel, delay, defer,
13 or otherwise impede or circumvent the Federal en-
14 ergy mineral leasing processes under the Mineral
15 Leasing Act (30 U.S.C. 181 et seq.) or the Outer
16 Continental Shelf Lands Act (43 U.S.C. 1331 et
17 seq.) or a related rulemaking process required by
18 subchapter II of chapter 5, and chapter 7, of title
19 5, United States Code (commonly known as the
20 “Administrative Procedure Act”), without Congres-
21 sional approval.

22 (2) REBUTTABLE PRESUMPTION.—There shall
23 be a rebuttable presumption that any attempt by the
24 President to pause, cancel, delay, defer, or otherwise
25 impede or circumvent any Federal energy mineral

1 leasing process under the Mineral Leasing Act (30
2 U.S.C. 181 et seq.) or the Outer Continental Shelf
3 Lands Act (43 U.S.C. 1331 et seq.) or a related
4 rulemaking process required by subchapter II of
5 chapter 5, and chapter 7, of title 5, United States
6 Code (commonly known as the “Administrative Pro-
7 cedure Act”), without Congressional approval, is a
8 violation of the applicable law.

9 **SEC. 3. REQUIREMENT TO SUBMIT DOCUMENTS AND COM-**
10 **MUNICATIONS.**

11 (a) **IN GENERAL.**—Not later than 60 days after the
12 date of enactment of this Act, the Secretary shall submit
13 to the Committee on Energy and Natural Resources of
14 the Senate and the Committee on Natural Resources of
15 the House of Representatives all documents and commu-
16 nications relating to the comprehensive review of Federal
17 oil and gas permitting and leasing practices required
18 under section 208 of Executive Order 14008 (86 Fed.
19 Reg. 7624 (February 1, 2021); relating to tackling the
20 climate crisis at home and abroad).

21 (b) **INCLUSIONS.**—The submission under subsection
22 (a) shall include all documents and communications sub-
23 mitted to the Secretary by members of the public in re-

- 1 sponse to any public meeting or forum relating to the com-
- 2 prehensive review described in that subsection.

○