

117TH CONGRESS
1ST SESSION

S. 69

To amend the Outer Continental Shelf Lands Act to require annual lease sales in the Gulf of Mexico region of the outer Continental Shelf, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2021

Mr. KENNEDY (for himself, Mrs. HYDE-SMITH, Mr. CASSIDY, Mr. CRUZ, Mr. DAINES, Mr. CORNYN, Mr. WICKER, and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Outer Continental Shelf Lands Act to require annual lease sales in the Gulf of Mexico region of the outer Continental Shelf, 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 “Conservation Funding
5 Protection Act”.

1 **SEC. 2. ANNUAL LEASE SALES IN GULF OF MEXICO REGION.**

2 Section 18 of the Outer Continental Shelf Lands Act
3 (43 U.S.C. 1344) is amended by adding at the end the
4 following:

5 “(i) ANNUAL LEASE SALES IN GULF OF MEXICO RE-
6 GION.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) CENTRAL GULF OF MEXICO PLAN-
9 NING AREA.—The term ‘Central Gulf of Mexico
10 Planning Area’ has the meaning given the term
11 ‘Central Planning Area’ in section 102 of the
12 Gulf of Mexico Energy Security Act of 2006
13 (43 U.S.C. 1331 note; Public Law 109–432).

14 “(B) WESTERN GULF OF MEXICO PLAN-
15 NING AREA.—The term ‘Western Gulf of Mex-
16 ico Planning Area’ means the Western Gulf of
17 Mexico Planning Area of the outer Continental
18 Shelf, as designated in the document entitled
19 ‘Draft Proposed Program Outer Continental
20 Shelf Oil and Gas Leasing Program 2007–
21 2012’ and dated February 2006.

22 “(2) ANNUAL LEASE SALES.—Notwithstanding
23 any other provision of law, beginning in fiscal year
24 2022, the Secretary shall hold a minimum of 2 re-
25 gion-wide lease sales annually in the Gulf of Mexico

1 pursuant to this Act, each of which shall include
2 areas in—

3 “(A) the Central Gulf of Mexico Planning
4 Area; and

5 “(B) the Western Gulf of Mexico Planning
6 Area.

7 “(3) REQUIREMENTS.—

8 “(A) IN GENERAL.—In carrying out the
9 lease sales under paragraph (2), the Secretary
10 shall issue leases to the highest responsible
11 qualified bidder or bidders.

12 “(B) AREAS INCLUDED IN LEASE SALES.—
13 In carrying out the lease sales under paragraph
14 (2), the Secretary shall include in each lease
15 sale all unleased areas that are not subject to
16 restrictions as of the date of the lease sale.

17 “(4) ENVIRONMENTAL REVIEW.—

18 “(A) IN GENERAL.—With respect to each
19 lease sale required under paragraph (2), the
20 Secretary shall conduct any environmental re-
21 views required by the National Environmental
22 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

23 “(B) DEADLINE.—

24 “(i) INDIVIDUAL REVIEW.—If the Sec-
25 retary conducts environmental reviews with

1 respect to a lease sale under subparagraph
2 (A) for each individual lease included in
3 the lease sale, the Secretary shall complete
4 all environmental reviews for the lease sale,
5 including by issuing a finding of no signifi-
6 cant impact or a record of decision, if ap-
7 plicable, in less than 365 calendar days.

8 “(ii) PROGRAMMATIC REVIEW.—If the
9 Secretary conducts a programmatic envi-
10 ronmental review with respect to a lease
11 sale under subparagraph (A) for all leases
12 under the lease sale, the Secretary shall
13 complete the programmatic environmental
14 review, including by issuing a finding of no
15 significant impact or a record of decision,
16 if applicable, in less than 180 calendar
17 days.

18 “(j) PERMITTING.—

19 “(1) IN GENERAL.—Pursuant to sovereign con-
20 tracting rights and obligations, the Secretary shall
21 review and grant or deny in accordance with para-
22 graph (2) any application for a permit or other ap-
23 proval for offshore oil and natural gas exploration,
24 development, and production activities under a lease

1 issued pursuant to this Act by not later than the
2 earlier of—

3 “(A) 75 calendar days after the date on
4 which the application is received by the Bureau
5 of Ocean Energy Management or the Bureau of
6 Safety and Environmental Enforcement; or

7 “(B) any other applicable deadline re-
8 quired by law.

9 “(2) APPROVAL OR DENIAL.—

10 “(A) IN GENERAL.—Absent clear grounds
11 for denial of an application for a permit or
12 other approval described in paragraph (1), the
13 Secretary shall grant the permit or approval.

14 “(B) REQUIREMENT.—If the Secretary de-
15 nies an application for a permit or other ap-
16 proval under subparagraph (A), the Secretary
17 shall provide to the applicant written notice ex-
18 plaining the grounds for the denial.”.

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