



Legislative Bulletin.....July 24, 2012

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H.R. 6082 & Amendments - Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan

H.R. 6082 - Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan (Hastings, R-WA)

Order of Business: The bill is scheduled to be considered as early as July 24, 2012, under a structured rule, H.Res. 738. The rule provides for consideration of both H.R. 6082, and H.R. 4078.

The rule provides for the consideration of H.R. 6082 in the Committee of the Whole House on the state of the Union. The rule provides for 1 hour of general debate that is equally divided by the chair and ranking minority member. After debate, the legislation shall be considered for amendment under the five minute rule. The rule makes in order only those amendments that are printed in Rules Committee Report 112-28. After amendment debate, the Committee shall rise and report the legislation to the House. At that time, Members may demand a separate vote on any amendment that was adopted in the Committee. The rule also provides for one motion to recommit, with or without instructions. The text of the rule can be [found here](#).

Summary: H.R. 6082 requires the Secretary of the Interior to carry out a new outer continental shelf oil and gas leasing program. This consists of directing the Secretary to conduct 29 specific OCS lease sales that are scheduled between 2012 and 2017. A full list of the lease sales are below. The Secretary is required to prepare an environmental impact statement, as required by the National Environmental Policy Act.

With respect to Lease Sale 249, the legislation directs the Secretary to offer tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area before December 31, 2013. This lease sale is required to use existing infrastructure only.

H.R. 6082 states that the legislation in no way affects the existing authority of the Secretary of Defense to designate national defense areas on the outer Continental Shelf. This legislation requires the Secretaries of Interior and Defense to continue to work together within the existing framework established by the Memorandum of Agreement (MOA). According to the Committee, the MOA recognizes that the OCS leasing program of the Department of the Interior is an “integral part of the nation’s energy security program,” but it also recognizes that the military’s continued use of the OCS is imperative to ensure that our armed forces “achieve and maintain an optimum state of readiness.”

This legislation does contain a few lease sales that are in the Eastern Gulf of Mexico, but the legislation does not affect the current moratorium on oil and gas leasing in the eastern gulf. The existing moratorium on oil and natural gas leasing is in effect through 2022. There is a small amount of acreage in the eastern gulf that is not under the moratorium and this acreage is opened for development, but again this does not affect the current moratorium on the rest of the Eastern Gulf.

The lease sales authorized by this legislation are as follows:

Lease Sale No.	OCS Planning Area	Year
229	Western Gulf of Mexico	2012
220	Mid-Atlantic	2013
225	Eastern Gulf of Mexico	2013
227	Central Gulf of Mexico	2013
249	Southern California (existing infrastructure sale)	2013
233	Western Gulf of Mexico	2013
244	Cook Inlet	2013
212	Chukchi Sea	2013
228	Southern California	2014
230	Mid-Atlantic	2014
231	Central Gulf of Mexico	2014
238	Western Gulf of Mexico	2014
242	Beaufort Sea	2014
221	Chukchi Sea	2014
245	Mid-Atlantic	2015
232	North Atlantic	2015
234	Eastern Gulf of Mexico	2015
235	Central Gulf of Mexico	2015
246	Western Gulf of Mexico	2015
237	Chukchi Sea	2016
239	North Aleutian Basin	2016
248	Western Gulf of Mexico	2016
241	Central Gulf of Mexico	2016
226	Eastern Gulf of Mexico	2016
217	Beaufort Sea	2016
243	Southern California	2017
250	Mid-Atlantic	2017
247	Central Gulf of Mexico	2017
255	South Atlantic-South Carolina	2015

Amendments Made In Order:

1. **Hastings (R-WA):** The amendment would make minor technical corrections to the legislation. The text of the amendment can be [found here](#).
2. **Holt (D-NJ):** The amendment would strike section 6 of the legislation, which requires the Secretary to prepare an environmental impact statement, as required by the National Environmental Policy Act. The text of the amendment can be [found here](#).
3. **Richardson (D-CA):** When conducting lease sales off of California, the amendment would require the Secretary to consult with the Governor and the state legislature and focus on areas that have the most geologically promising energy resources. The text of the amendment can be [found here](#).
4. **Markey (D-MA):** The amendment would prohibit any gas produced as a result of this lease from being exported from the United States. The text of the amendment can be [found here](#). Some Members may have concerns that this amendment would adversely affect export opportunities that would otherwise create U.S. jobs. Similar amendments (H.Amdt. 933 & H.Amdt. 948) were offered to H.R. 3408 and failed by roll call votes of [173-254](#) and [168-254](#).
5. **Markey (D-MA):** The amendment would add requirements to the legislation that drilling operations be certified by a third-party for safety systems related to well control and blowout preventers. The performance of blowout preventers would also be required to be certified, as well the casing and cementing programs and procedures. The text of the amendment can be [found here](#).
6. **Holt (D-NJ):** The amendment would prohibit the Secretary of the Interior from issuing leases unless the lease has been renegotiated to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds in the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)). The text of the amendment can be [found here](#).
7. **Hastings (D-FL):** The amendment requires the Secretary to require that each lease include an estimate of:
 - The amount of oil and gas that is expected; and
 - The amount by which crude oil prices and consumer prices would be reduced as a result of oil and gas found or produced by the well, and by when the reductions would occur.

The text of the amendment can be [found here](#).

8. **Hastings (D-FL):** The amendment requires the Secretary to require that each lease include an estimate of:

- The amount of oil and gas that is expected;
- The amount of climate change that would result from consumption of oil and gas found.

The text of the amendment can be [found here](#).

Outside Groups: The following have expressed support for H.R. 6082:

- National Association of Manufacturers – *scoring as a key vote*

Committee Action: H.R. 6082 was introduced on July 9, 2012, and was referred to the House Natural Resources Committee. The full committee held a markup on July 18, 2012, and the legislation was favorably reported, as amended, by a [roll call vote of 24-17](#).

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that enacting H.R. 6082 would increase offsetting receipts collected from lease sales over the 2013-2022 period, thus reducing net direct spending by about \$600 million over that period. In addition, CBO estimates that implementing the bill would cost \$35 million over the 2013-2017 period, assuming appropriation of the necessary amounts.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Hastings states, “Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, clause 2.” The statement can be [found here](#).

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