

Thom Tillis

AMENDMENT NO. _____

Calendar No. _____

Purpose: To provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing.

1-22-15
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IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1

	AMENDMENT N^o	102
Refe	By	<i>Tillis - Burr</i>
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MR. BURR

GPO: 2014 91-623 (mac)

Viz:

1 At the appropriate place, insert the following:

2 **TITLE ___—ATLANTIC OCS ACCESS AND**
3 **REVENUE SHARE ACT OF 2015**

4 **SEC. _01. SHORT TITLE.**

5 This title may be cited as the “Atlantic OCS Access and Revenue Share Act
6 of 2015”.

7 **SEC. _02. DEFINITIONS.**

8 In this title:

9 (1) MID-ATLANTIC PRODUCING STATE.—The term “Mid-Atlantic Producing
10 State” means each of the States of—

11 (A) Delaware;

1 (B) Maryland;

2 (C) North Carolina; and

3 (D) Virginia.

4 (2) MID-ATLANTIC PLANNING AREA.—The term “Mid-Atlantic Planning
5 Area” means the Mid-Atlantic Planning Area of the outer Continental Shelf
6 designated in the document entitled “Final Outer Continental Shelf Oil and Gas
7 Leasing Program 2012–17” and dated June 2012.

8 (3) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

9 (A) IN GENERAL.—The term “qualified outer Continental Shelf
10 revenues” means all rentals, royalties, bonus bids, and other sums due and
11 payable to the United States from leases entered into on or after the date
12 of enactment of this Act.

13 (B) EXCLUSIONS.—The term “qualified outer Continental Shelf
14 revenues” does not include—

15 (i) revenues from the forfeiture of a bond or other surety securing
16 obligations other than royalties, civil penalties, or royalties taken by
17 the Secretary in-kind and not sold; or

18 (ii) revenues generated from leases subject to section 8(g) of the
19 Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)).

20 (4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

21 (5) SOUTH ATLANTIC PRODUCING STATE.—The term “South Atlantic
22 Producing State” means each of the States of—

23 (A) Florida;

24 (B) Georgia; and

25 (C) South Carolina.

1 (6) SOUTH ATLANTIC PLANNING AREA.—The term “South Atlantic
2 Planning Area” means the South Atlantic Planning Area of the outer
3 Continental Shelf designated in the document entitled “Final Outer
4 Continental Shelf Oil and Gas Leasing Program 2012–17” and dated June
5 2012.

6 **SEC. _03. OFFSHORE OIL AND GAS LEASING IN MID-ATLANTIC**
7 **AND SOUTH ATLANTIC PLANNING AREAS.**

8 (a) IN GENERAL.—The Secretary shall—

9 (1) not later than July 15, 2016, publish and submit to Congress a
10 new proposed oil and gas leasing program prepared under section 18 of
11 the Outer Continental Shelf Lands Act (43 U.S.C. 1344) for the 5-year
12 period beginning on July 15, 2017 and ending July 15, 2022; and

13 (2) not later than July 15, 2017, approve a final oil and gas leasing
14 program under that section for that period.

15 (b) INCLUSION OF MID-ATLANTIC AND SOUTH ATLANTIC PLANNING
16 AREAS.—The Secretary shall include in the program described in subsection
17 (a) annual lease sales in both the Mid-Atlantic Planning Area and the South
18 Atlantic Planning Area.

19 (c) PROHIBITION ON LEASING CERTAIN AREAS—

20 (1) PETITION.—Notwithstanding subsections (a) and (b), the leasing of
21 areas within the administrative boundaries of a Mid-Atlantic Producing
22 State or South Atlantic Producing State that are 30 miles or less off the
23 coast of the State shall be prohibited.

24 **SEC. _04. DISPOSITION OF QUALIFIED OUTER CONTINENTAL**
25 **SHELF REVENUES FROM MID-ATLANTIC LEASING ACTIVITIES.**

26 (a) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf
27 Lands Act (43 U.S.C. 1338) and subject to this section, for each applicable fiscal

1 year, the Secretary of the Treasury shall deposit—

2 (1) 50 percent of qualified outer Continental Shelf revenues generated
3 from leasing activities in the Mid-Atlantic Planning Area in the general
4 fund of the Treasury; and

5 (2) 50 percent of qualified outer Continental Shelf revenues generated
6 from leasing activities in the Mid-Atlantic Planning Area in a special
7 account in the Treasury from which the Secretary shall disburse—

8 (A) 75 percent to Mid-Atlantic Producing States in accordance
9 with subsection (b); and

10 (B) 25 percent to provide financial assistance to States in
11 accordance with section 200305 of title 54, United States Code,
12 which shall be considered income to the Land and Water
13 Conservation Fund for purposes of section 200302 of that title.

14 (b) ALLOCATION AMONG MID-ATLANTIC PRODUCING STATES.—

15 (1) IN GENERAL.—Subject to paragraph (2), the amount made available
16 under subsection (a)(2)(A) from any lease entered into within the Mid-
17 Atlantic Planning Area shall be allocated to each Mid-Atlantic producing
18 State in amounts (based on a formula established by the Secretary by
19 regulation) that are inversely proportional to the respective distances
20 between the point on the coastline of each Mid-Atlantic producing State that
21 is closest to the geographic center of the applicable leased tract and the
22 geographic center of the leased tract.

23 (2) MINIMUM ALLOCATION.—The amount allocated to a Mid-Atlantic
24 Producing State each fiscal year under paragraph (1) shall be at least 10
25 percent of the amounts available under subsection (a)(2)(A).

26 (c) TIMING.—The amounts required to be deposited under subsection (a)(2) for
27 the applicable fiscal year shall be made available in accordance with that

1 paragraph during the fiscal year immediately following the applicable fiscal year.

2 (d) ADMINISTRATION.—Amounts made available under subsection (a)(2)
3 shall—

4 (1) be made available, without further appropriation, in accordance with
5 this section;

6 (2) remain available until expended; and

7 (3) be in addition to any amounts appropriated under—

8 (A) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

9 (B) chapter 2003 of title 54, United States Code; or

10 (C) any other provision of law.

11 (e) DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES SHALL
12 BE NET OF RECEIPTS.— for each of fiscal years 2017 through 2055, expenditures
13 under subsection (a)(2) and shall be net of receipts from that fiscal year from
14 qualified outer Continental shelf revenues from any area in the Mid-Atlantic
15 Planning Area.

16 **SEC. _05. DISPOSITION OF QUALIFIED OUTER CONTINENTAL**
17 **SHELF REVENUES FROM SOUTH ATLANTIC LEASING**
18 **ACTIVITIES.**

19 (a) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf
20 Lands Act (43 U.S.C. 1338) and subject to this section, for each applicable fiscal
21 year, the Secretary of the Treasury shall deposit—

22 (1) 50 percent of qualified outer Continental Shelf revenues generated
23 from leasing activities in the South Atlantic Planning Area in the general
24 fund of the Treasury; and

25 (2) 50 percent of qualified outer Continental Shelf revenues generated
26 from leasing activities in the South Atlantic Planning Area in a special

1 account in the Treasury from which the Secretary shall disburse—

2 (A) 75 percent to South Atlantic producing States in accordance with
3 subsection (b); and

4 (B) 25 percent to provide financial assistance to States in accordance
5 with section 200305 of title 54, United States Code, which shall be
6 considered income to the Land and Water Conservation Fund for
7 purposes of section 200302 of that title.

8 (b) ALLOCATION AMONG SOUTH ATLANTIC PRODUCING STATES.—

9 (1) IN GENERAL.—Subject to paragraph (2), the amount made available
10 under subsection (a)(2)(A) from any lease entered into within the South
11 Atlantic Planning Area shall be allocated to each South Atlantic producing
12 State in amounts (based on a formula established by the Secretary by
13 regulation) that are inversely proportional to the respective distances
14 between the point on the coastline of each South Atlantic producing State
15 that is closest to the geographic center of the applicable leased tract and the
16 geographic center of the leased tract.

17 (2) MINIMUM ALLOCATION.—The amount allocated to a South Atlantic
18 Producing State each fiscal year under paragraph (1) shall be at least 10
19 percent of the amounts available under subsection (a)(2)(A).

20 (c) TIMING.—The amounts required to be deposited under paragraph
21 subsection (a)(2) for the applicable fiscal year shall be made available in
22 accordance with that paragraph during the fiscal year immediately following the
23 applicable fiscal year.

24 (d) ADMINISTRATION.—Amounts made available under subsection (a)(2)
25 shall—

26 (1) be made available, without further appropriation, in accordance with
27 this section;

1 (2) remain available until expended; and

2 (3) be in addition to any amounts appropriated under—

3 (A) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

4 (B) chapter 2003 of title 54, United States Code; or

5 (C) any other provision of law.

6 (e) DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES SHALL
7 BE NET OF RECEIPTS.— for each of fiscal years 2017 through 2055, expenditures
8 under subsection (a)(2) and shall be net of receipts from that fiscal year from
9 qualified outer Continental shelf revenues from any area in the South Atlantic
10 Planning Area.