

116TH CONGRESS
2D SESSION

S. 4947

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

DECEMBER 2, 2020

Mr. KENNEDY (for himself, Mrs. HYDE-SMITH, Mr. CASSIDY, Mr. CRUZ, Mr. CORNYN, and Mr. WICKER) 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”.

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

7 Section 18 of the Outer Continental Shelf Lands Act
8 (43 U.S.C. 1344) is amended by adding at the end the
9 following:

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

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

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

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

18 “(2) ANNUAL LEASE SALES.—Notwithstanding
19 any other provision of law, beginning in fiscal year
20 2022, the Secretary shall hold a minimum of 2 re-
21 gion-wide lease sales annually in the Gulf of Mexico
22 pursuant to this Act, each of which shall include
23 areas in—

24 “(A) the Central Gulf of Mexico Planning
25 Area; and

1 “(B) the Western Gulf of Mexico Planning
2 Area.

3 “(3) REQUIREMENTS.—

4 “(A) IN GENERAL.—In carrying out the
5 lease sales under paragraph (2), the Secretary
6 shall issue leases to the highest responsible
7 qualified bidder or bidders.

8 “(B) AREAS INCLUDED IN LEASE SALES.—

9 In carrying out the lease sales under paragraph
10 (2), the Secretary shall include in each lease
11 sale all unleased areas that are not subject to
12 restrictions as of the date of the lease sale.

13 “(4) ENVIRONMENTAL REVIEW.—

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

19 “(B) DEADLINE.—

20 “(i) INDIVIDUAL REVIEW.—If the Sec-
21 retary conducts environmental reviews with
22 respect to a lease sale under subparagraph
23 (A) for each individual lease included in
24 the lease sale, the Secretary shall complete
25 all environmental reviews for the lease sale,

1 including by issuing a finding of no signifi-
2 cant impact or a record of decision, if ap-
3 plicable, in less than 365 calendar days.

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

14 “(j) PERMITTING.—

15 “(1) IN GENERAL.—Pursuant to sovereign con-
16 tracting rights and obligations, the Secretary shall
17 review and grant or deny in accordance with para-
18 graph (2) any application for a permit or other ap-
19 proval for offshore oil and natural gas exploration,
20 development, and production activities under a lease
21 issued pursuant to this Act by not later than the
22 earlier of—

23 “(A) 75 calendar days after the date on
24 which the application is received by the Bureau

1 of Ocean Energy Management or the Bureau of
2 Safety and Environmental Enforcement; or

3 “(B) any other applicable deadline re-
4 quired by law.

5 “(2) APPROVAL OR DENIAL.—

6 “(A) IN GENERAL.—Absent clear grounds
7 for denial of an application for a permit or
8 other approval described in paragraph (1), the
9 Secretary shall grant the permit or approval.

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

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