..... (Original Signature of Member)

117th CONGRESS 2D Session



To modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. FLETCHER introduced the following bill; which was referred to the Committee on _____

A BILL

- To modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, 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 "Reinvesting in Shore5 line Economies and Ecosystems Act of 2022" or the
6 "RISEE Act of 2022".

SEC. 2. NATIONAL OCEANS AND COASTAL SECURITY FUND; PARITY IN OFFSHORE WIND REVENUE SHAR ING.

4 (a) DEFINITIONS IN THE NATIONAL OCEANS AND
5 COASTAL SECURITY ACT.—Section 902 of the National
6 Oceans and Coastal Security Act (16 U.S.C. 7501) is
7 amended—

8 (1) by striking paragraph (5) and inserting the9 following:

"(5) INDIAN TRIBE.—The term 'Indian tribe'
has the meaning given that term in section 4 of the
Indian Self-Determination and Education Assistance
Act (25 U.S.C. 5304)."; and

14 (2) by striking paragraph (7) and inserting the15 following:

((7) 16 SHORELINE.—The TIDAL term 'tidal 17 shoreline' means the length of tidal shoreline or 18 Great Lake shoreline based on the most recently 19 available data from or accepted by the Office of 20 Coast Survey of the National Oceanic and Atmos-21 pheric Administration.".

(b) NATIONAL OCEANS AND COASTAL SECURITY
FUND.—Section 904 of the National Oceans and Coastal
Security Act (16 U.S.C. 7503) is amended—

25 (1) in subsection (a), by inserting "and man26 age" after "establish";

1	(2) in subsection (b), by striking paragraph (1)
2	and inserting the following:
3	"(1) IN GENERAL.—The Fund shall consist of
4	such amounts as—
5	"(A) are deposited in the Fund under sub-
6	paragraph (C)(ii)(II) of section $8(p)(2)$ of the
7	Outer Continental Shelf Lands Act (43 U.S.C.
8	1337(p)(2); and
9	"(B) are appropriated or otherwise made
10	available for the Fund.";
11	(3) by striking subsection (d) and inserting the
12	following:
13	"(d) Expenditure.—
14	"(1) $34,000,000$ or Less.—If $34,000,000$ or
15	less is deposited in, or appropriated or otherwise
16	made available for, the Fund for a fiscal year, in
17	that fiscal year—
18	"(A) not more than 5 percent of such
19	amounts may be used by the Administrator and
20	the Foundation for administrative expenses to
21	carry out this title; and
22	"(B) any remaining amounts shall be used
23	only for the award of grants under section
24	906(c).

1	"(2) More than \$34,000,000.—If more than
2	\$34,000,000 is deposited in, or appropriated or oth-
3	erwise made available for, the Fund for a fiscal year,
4	in that fiscal year—
5	"(A) not more than 5 percent of such
6	amounts may be used by the Administrator and
7	the Foundation for administrative expenses to
8	carry out this title;
9	"(B) not less than $$34,000,000$ shall be
10	used for the award of grants under section
11	906(c); and
12	"(C) of any amounts exceeding
13	\$34,000,000—
14	"(i) not more than 75 percent may be
15	used for the award of grants under section
16	906(b); and
17	"(ii) not more than 20 percent may be
18	used for the award of grants under section
19	906(c).
20	"(3) DIVISION OF AMOUNTS FOR ADMINISTRA-
21	TIVE EXPENSES.—The amounts referred to in para-
22	graphs $(1)(A)$ and $(2)(A)$ shall be divided between
23	the Administrator and the Foundation pursuant to
24	an agreement reached and documented by both the
25	Administrator and the Foundation."; and

(4) in subsection (e)(2), by striking "section
 906(a)(1)" and inserting "section 906(a)".

3 (c) ELIGIBLE USES OF AMOUNTS IN THE NATIONAL
4 OCEANS AND COASTAL SECURITY FUND.—Section 905 of
5 the National Oceans and Coastal Security Act (16 U.S.C.
6 7504) is amended to read as follows:

7 "SEC. 905. ELIGIBLE USES.

8 "(a) IN GENERAL.—Amounts in the Fund may be 9 allocated by the Administrator under section 906(b) and 10 the Foundation, in consultation with the Administrator, 11 under section 906(c) to support programs and activities 12 intended to improve understanding and use of ocean and 13 coastal resources and coastal infrastructure.

14 "(b) Programs and Activities.—The programs 15 and activities referred to in subsection (a) may include scientific research related to changing environmental condi-16 tions, ocean observing projects, efforts to enhance resil-17 iency of infrastructure and communities (including project 18 planning and design), habitat protection and restoration, 19 monitoring and reducing damage to natural resources and 2021 marine life (including birds, marine mammals, and fish), 22 and efforts to support sustainable seafood production car-23 ried out by States, local governments, Indian tribes, re-24 gional and interstate collaboratives (such as regional ocean

partnerships), nongovernmental organizations, public-pri vate partnerships, and academic institutions.

3 "(c) PROHIBITION ON USE OF FUNDS FOR LITIGA4 TION OR OTHER PURPOSES.—No funds made available
5 under this title may be used—

6 "(1) to fund litigation against the Federal Gov-7 ernment; or

8 "(2) to fund the creation of national marine
9 monuments, marine protected areas, or marine spa10 tial plans.".

(d) GRANTS UNDER THE NATIONAL OCEANS AND
COASTAL SECURITY ACT.—Section 906 of the National
Oceans and Coastal Security Act (16 U.S.C. 7505) is
amended—

15 (1) in subsection (a)—

- 16 (A) by striking paragraph (2);
- 17 (B) by striking "(a) ADMINISTRATION OF
 18 GRANTS.—" and all that follows through "the
 19 following:" and inserting the following:

"(a) ADMINISTRATION OF GRANTS.—Not later than
90 days after funds are deposited in the Fund and made
available to the Administrator and the Foundation for administrative purposes, the Administrator and the Foundation shall establish the following:";

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1	(C) in subparagraph (A), by striking "such
2	subsections" and inserting "this section";
3	(D) by striking subparagraph (B) and in-
4	serting the following:
5	"(B) Selection procedures and criteria for
6	the awarding of grants under this section that
7	require consultation with the Administrator and
8	the Secretary of the Interior.";
9	(E) in subparagraph (C), by striking
10	clause (ii) and inserting the following:
11	"(ii) under subsection (c) to entities
12	including States, local governments, Indian
13	tribes, regional and interstate
14	collaboratives (such as regional ocean part-
15	nerships), nongovernmental organizations,
16	public-private partnerships, and academic
17	institutions.";
18	(F) in subparagraph (D), by striking "Per-
19	formance accountability and monitoring" and
20	inserting "Performance, accountability, and
21	monitoring";
22	(G) by redesignating subparagraphs (A)
23	through (H) as paragraphs (1) through (8), re-
24	spectively, and moving such paragraphs, as so
25	redesignated, 2 ems to the left; and

1	(H) in paragraph (3), as so redesignated,
2	by redesignating clauses (i) and (ii) as subpara-
3	graphs (A) and (B), respectively, and moving
4	such subparagraphs, as so redesignated, 2 ems
5	to the left;
6	(2) by striking subsection (b) and inserting the
7	following:
8	"(b) Grants to Coastal States.—
9	"(1) IN GENERAL.—The Administrator shall
10	award grants to coastal States as follows:
11	"(A) 70 percent of available amounts shall
12	be allocated equally among coastal States.
13	"(B) 15 percent of available amounts shall
14	be allocated on the basis of the ratio of tidal
15	shoreline in a coastal State to the tidal shore-
16	line of all coastal States.
17	"(C) 15 percent of available amounts shall
18	be allocated on the basis of the ratio of popu-
19	lation density of the coastal counties of a coast-
20	al State to the average population density of all
21	coastal counties based on the most recent data
22	available from the Bureau of the Census.
23	"(2) MAXIMUM ALLOCATION TO STATES.—Not-
24	withstanding paragraph (1), not more than 5 per-
25	cent of the total funds distributed under this sub-

1	section may be allocated to any single coastal State.
2	Any amount exceeding that limitation shall be redis-
3	tributed equally among the remaining coastal States.
4	"(3) Optional matching funds.—Each enti-
5	ty seeking to receive a grant under this subsection
6	is encouraged, but not required, to demonstrate that
7	funds of any amount are available from non-Federal
8	sources to supplement the amount of the grant.";
9	and
10	(3) in subsection (c)—
11	(A) in paragraph (1), by striking "The Ad-
12	ministrator and the Foundation" and inserting
13	"The Foundation, in consultation with the Ad-
14	ministrator,"; and
15	(B) by adding at the end the following:
16	"(3) EXCLUSION OF FUNDS FROM LIMITA-
17	TION.—The amount of a grant awarded under this
18	subsection shall not count toward the limitation
19	under subsection $(b)(2)$ on funding to coastal States
20	through grants awarded under subsection (b).".
21	(e) ANNUAL REPORT ON OPERATION OF THE NA-
22	TIONAL OCEANS AND COASTAL SECURITY FUND.—Sec-
23	tion 907(a) of the National Oceans and Coastal Security
24	Act (16 U.S.C. 7506(a)) is amended by striking "Subject
25	to" and all that follows through "the Foundation" and

1 inserting the following: "Not later than 60 days after the

2	end of each fiscal year, the Administrator and the Founda-
3	tion".
4	(f) Repeal of Authorization of Appropriations
5	FOR FISCAL YEARS 2017, 2018, AND 2019.—Section 908
6	of the National Oceans and Coastal Security Act (16
7	U.S.C. 7507) is repealed.
8	(g) Parity in Offshore Wind Revenue Shar-
9	ING.—Section $8(p)(2)$ of the Outer Continental Shelf
10	Lands Act (43 U.S.C. 1337(p)(2)) is amended—
11	(1) in subparagraph (A), by striking "(A) The
12	Secretary" and inserting the following:
13	"(A) IN GENERAL.—Subject to subpara-
14	graphs (B) and (C), the Secretary";
15	(2) in subparagraph (B), by striking "(B) The
16	Secretary" and inserting the following:
17	"(B) DISPOSITION OF REVENUES FOR
18	PROJECTS LOCATED WITHIN 3 NAUTICAL MILES
19	SEAWARD OF STATE SUBMERGED LAND.—The
20	Secretary"; and
21	(3) by adding at the end the following:
22	"(C) DISPOSITION OF REVENUES FOR OFF-
23	SHORE WIND PROJECTS IN CERTAIN AREAS.—
24	"(i) DEFINITIONS.—In this subpara-
25	graph:

1	((I) Covered offshore wind
2	PROJECT.—The term 'covered off-
3	shore wind project' means a wind-
4	powered electric generation project in
5	a lease area on the outer Continental
6	Shelf that is not wholly or partially lo-
7	cated within an area subject to sub-
8	paragraph (B).
9	"(II) ELIGIBLE STATE.—The
10	term 'eligible State' means a State a
11	point on the coastline of which is lo-
12	cated within 75 miles of the geo-
12	mapping contar of a lagge treat lying

- 13 graphic center of a lease tract lying
 14 wholly or partly within the area of the
 15 applicable covered offshore wind
- project. 16 "(ii) REQUIREMENT.—Of the oper-17 18 ating fees, rentals, bonuses, royalties, and 19 other payments that are paid to the Secretary under subparagraph (A) from cov-20 21 ered offshore wind projects carried out 22 under a lease entered into on or after Jan-23 uary 1, 2022—

1	((I) 50 percent shall be deposited
2	in the Treasury and credited to mis-
3	cellaneous receipts;
4	((II) 12.5 percent shall be depos-
5	ited in the National Oceans and
6	Coastal Security Fund established
7	under section 904(a) of the National
8	Oceans and Coastal Security Act (16
9	U.S.C. 7503(a)); and
10	((III) 37.5 percent shall be de-
11	posited in a special account in the
12	Treasury, from which the Secretary
13	shall disburse to each eligible State an
14	amount (based on a formula estab-
15	lished by the Secretary of the Interior
16	by rulemaking not later than 180
17	days after the date of enactment of
18	the Reinvesting in Shoreline Econo-
19	mies and Ecosystems Act of 2022)
20	that is inversely proportional to the
21	respective distances between—
22	"(aa) the point on the coast-
23	line of each eligible State that is
24	closest to the geographic center
25	of the applicable leased tract; and

	-
1	"(bb) the geographic center
2	of the leased tract.
3	"(iii) TIMING.—The amounts required
4	to be deposited under subclause (III) of
5	clause (ii) for the applicable fiscal year
6	shall be made available in accordance with
7	that item during the fiscal year imme-
8	diately following the applicable fiscal year.
9	"(iv) Authorized uses.—
10	"(I) IN GENERAL.—Subject to
11	subclause (II), each State shall use all
12	amounts received under clause
13	(ii)(III) in accordance with all applica-
14	ble Federal and State laws, only for 1
15	or more of the following purposes:
16	"(aa) Projects and activities
17	for the purposes of coastal pro-
18	tection, including conservation,
19	coastal restoration, hurricane
20	protection, and infrastructure di-
21	rectly affected by coastal wetland
22	losses.
23	"(bb) Mitigation of damage
24	to fish, wildlife, or natural re-

	14
1	sources, including through fish-
2	eries science and research.
3	"(cc) Implementation of a
4	federally approved marine, coast-
5	al, or comprehensive conservation
6	management plan.
7	"(dd) Mitigation of the im-
8	pact of outer Continental Shelf
9	activities through the funding of
10	onshore infrastructure projects,
11	on the condition that the projects
12	are not primarily for entertain-
13	ment purposes.
14	"(ee) Planning assistance
15	and the administrative costs of
16	complying with this section.
17	"(II) LIMITATION.—Of the
18	amounts received by a State under
19	clause (ii)(III), not more than 3 per-
20	cent shall be used for the purposes de-
21	scribed in subclause (I)(ee).
22	"(v) Administration.—Subject to
23	clause (vi)(III), amounts made available
24	under clause (ii) shall—

	10
1	"(I) be made available, without
2	further appropriation, in accordance
3	with this paragraph;
4	"(II) remain available until ex-
5	pended; and
6	"(III) be in addition to any
7	amount appropriated under any other
8	Act.
9	"(vi) Reporting requirement for
10	FISCAL YEAR 2023 AND THEREAFTER.—
11	"(I) IN GENERAL.—Beginning
12	with fiscal year 2023, not later than
13	180 days after the end of each fiscal
14	year, each eligible State that receives
15	amounts under clause (ii)(III) for the
16	applicable fiscal year shall submit to
17	the Secretary a report that describes
18	the use of the amounts by the eligible
19	State during the period covered by the
20	report.
21	"(II) PUBLIC AVAILABILITY.—On
22	receipt of a report under subclause
23	(I), the Secretary shall make the re-
24	port available to the public on the

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website of the Department of the Interior.

3 "(III) LIMITATION.—If an eligi-4 ble State that receives amounts under 5 clause (ii)(III) for the applicable fiscal 6 year fails to submit the report re-7 quired under subclause (I) by the 8 deadline specified in that subclause, 9 any amounts that would otherwise be 10 provided to the eligible State under 11 clause (ii)(III) for the succeeding fis-12 cal year shall be withheld for the suc-13 ceeding fiscal year until the date on 14 which the report is submitted. "(IV) CONTENTS OF REPORT.— 15 Each report required under subclause 16

17 (I) shall include, for each project

18 funded in whole or in part using
19 amounts received under clause
20 (ii)(III)—

21 "(aa) the name and descrip22 tion of the project;
23 "(bb) the amount received
24 under clause (ii)(III) that is allo25 cated to the project; and

	11
1	"(cc) a description of how
2	each project is consistent with
3	the authorized uses under clause
4	(iv)(I).
5	"(V) CLARIFICATION.—Nothing
6	in this clause—
7	"(aa) requires or provides
8	authority for the Secretary to
9	delay, modify, or withhold pay-
10	ment under clause (ii)(III), other
11	than for failure to submit a re-
12	port as required under this
13	clause;
14	"(bb) requires or provides
15	authority for the Secretary to re-
16	view or approve uses of funds re-
17	ported under this clause;
18	"(cc) requires or provides
19	authority for the Secretary to ap-
20	prove individual projects that re-
21	ceive funds reported under this
22	clause;
23	"(dd) requires an eligible
24	State to obtain the approval of,
25	or review by, the Secretary prior

	10
1	to spending funds disbursed
2	under clause (ii)(III);
3	"(ee) requires or provides
4	authority for the Secretary to
5	issue guidance relating to the
6	contents of, or to determine the
7	completeness of, the report re-
8	quired under this clause;
9	"(ff) requires an eligible
10	State to obligate or expend funds
11	by a certain date; or
12	"(gg) requires or provides
13	authority for the Secretary to re-
14	quest an eligible State to return
15	unobligated funds.".
16	SEC. 3. GULF OF MEXICO OUTER CONTINENTAL SHELF
17	REVENUES.
18	(a) Authorized Uses.—Section $105(d)(1)(D)$ of
19	the Gulf of Mexico Energy Security Act of 2006 (43
20	U.S.C. 1331 note; Public Law 109–432) is amended by
21	inserting ", on the condition that the projects are not pri-
22	marily for entertainment purposes" after "infrastructure
23	projects".
24	(b) Administration.—Section 105(e) of the Gulf of
25	Mexico Energy Security Act of 2006 (43 U.S.C. 1331

note; Public Law 109-432) is amended, in the matter pre ceding paragraph (1), by striking "Amounts" and insert ing "Subject to subsection (g)(3), amounts".

4 (c) ELIMINATION OF LIMITATION ON AMOUNT OF
5 DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF
6 REVENUES.—Section 105(f) of the Gulf of Mexico Energy
7 Security Act of 2006 (43 U.S.C. 1331 note; Public Law
8 109–432) is amended—

9 (1) in paragraph (1), by striking subparagraphs
10 (A) through (C) and inserting the following:

 11
 "(A) \$500,000,000 for each of fiscal years

 12
 2016 through 2019; and

13 "(B) \$650,000,000 for each of fiscal years
14 2020 through 2022."; and

15 (2) in paragraph (2), by striking "2055" and16 inserting "2022".

17 (d) REPORTING REQUIREMENTS.—Section 105 of the
18 Gulf of Mexico Energy Security Act of 2006 (43 U.S.C.
19 1331 note; Public Law 109–432) is amended by adding
20 at the end the following:

21 "(g) REPORTING REQUIREMENT FOR FISCAL YEAR
22 2023 AND THEREAFTER.—

23 "(1) IN GENERAL.—Beginning with fiscal year
24 2023, not later than 180 days after the end of each
25 fiscal year, each Gulf producing State that receives

amounts under subsection (a)(2)(A) for the applicable fiscal year shall submit to the Secretary a report
that describes the use of the amounts by the Gulf
producing State during the period covered by the report.

6 "(2) PUBLIC AVAILABILITY.—On receipt of a
7 report under paragraph (1), the Secretary shall
8 make the report available to the public on the
9 website of the Department of the Interior.

10 "(3) LIMITATION.—If a Gulf producing State 11 that receives amounts under subsection (a)(2)(A) for 12 the applicable fiscal year fails to submit the report required under paragraph (1) by the deadline speci-13 14 fied in that paragraph, any amounts that would oth-15 erwise be provided to the Gulf producing State 16 under subsection (a)(2)(A) for the succeeding fiscal 17 vear shall be withheld for the succeeding fiscal year 18 until the date on which the report is submitted.

"(4) CONTENTS OF REPORT.—Each report required under paragraph (1) shall include, for each
project funded in whole or in part using amounts received under subsection (a)(2)(A)—

23 "(A) the name and description of the24 project;

1	"(B) the amount received under subsection
2	(a)(2)(A) that is allocated to the project; and
3	"(C) a description of how each project is
4	consistent with the authorized uses under sub-
5	section $(d)(1)$.
6	"(5) CLARIFICATION.—Nothing in this clause—
7	"(A) requires or provides authority for the
8	Secretary to delay, modify, or withhold payment
9	under subsection $(a)(2)(A)$, other than for fail-
10	ure to submit a report as required under this
11	subsection;
12	"(B) requires or provides authority for the
13	Secretary to review or approve uses of funds re-
14	ported under this subsection;
15	"(C) requires or provides authority for the
16	Secretary to approve individual projects that re-
17	ceive funds reported under this subsection;
18	"(D) requires a Gulf producing State to
19	obtain the approval of, or review by, the Sec-
20	retary prior to spending funds disbursed under
21	subsection $(a)(2)(A);$
22	"(E) requires or provides authority for the
23	Secretary to issue guidance relating to the con-
24	tents of, or to determine the completeness of,
25	the report required under this subsection;

1	"(F) requires a Gulf producing State to
2	obligate or expend funds by a certain date; or
3	"(G) requires or provides authority for the
4	Secretary to request a Gulf producing State to
5	return unobligated funds.".
6	SEC. 4. ELIMINATION OF ADMINISTRATIVE FEE UNDER THE
7	MINERAL LEASING ACT.
8	(a) IN GENERAL.—Section 35 of the Mineral Leasing
9	Act (30 U.S.C. 191) is amended—
10	(1) in subsection (a), in the first sentence, by
11	striking "and, subject to the provisions of subsection
12	(b),";
13	(2) by striking subsection (b);
14	(3) by redesignating subsections (c) and (d) as
15	subsections (b) and (c), respectively;
16	(4) in paragraph $(3)(B)(ii)$ of subsection (b) (as
17	so redesignated), by striking "subsection (d)" and
18	inserting "subsection (c)"; and
19	(5) in paragraph $(3)(A)(ii)$ of subsection (c) (as
20	so redesignated), by striking "subsection $(c)(2)(B)$ "
21	and inserting "subsection (b)(2)(B)".
22	(b) Conforming Amendments.—
23	(1) Section 6(a) of the Mineral Leasing Act for
24	Acquired Lands (30 U.S.C. 355(a)) is amended—

1	(A) in the first sentence, by striking "Sub-
2	ject to the provisions of section 35(b) of the
3	Mineral Leasing Act (30 U.S.C. 191(b)), all"
4	and inserting "All"; and
5	(B) in the second sentence, by striking "of
6	the Act of February 25, 1920 (41 Stat. 450; 30
7	U.S.C. 191)," and inserting "of the Mineral
8	Leasing Act (30 U.S.C. 191)".
9	(2) Section 20(a) of the Geothermal Steam Act
10	of 1970 (30 U.S.C. 1019(a)) is amended, in the sec-
11	ond sentence of the matter preceding paragraph (1) ,
12	by striking "the provisions of subsection (b) of sec-
13	tion 35 of the Mineral Leasing Act (30 U.S.C.
14	191(b)) and section $5(a)(2)$ of this Act" and insert-
15	ing "section $5(a)(2)$ ".
16	(3) Section 205(f) of the Federal Oil and Gas
17	Royalty Management Act of 1982 (30 U.S.C.
18	1735(f)) is amended—
19	(A) in the first sentence, by striking "this
20	Section" and inserting "this section"; and
21	(B) by striking the fourth, fifth, and sixth
22	sentences.