

**[DISCUSSION DRAFT]**115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R.** \_\_\_\_\_

To amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. BORDALLO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, 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 “Offshore Renewable  
5 Energy for Territories Act”.

1 **SEC. 2. APPLICATION OF OUTER CONTINENTAL SHELF**  
2 **LANDS ACT WITH RESPECT TO TERRITORIES**  
3 **OF THE UNITED STATES.**

4 Section 2 of the Outer Continental Shelf Lands Act  
5 (43 U.S.C. 1331 et seq.) is amended—

6 (1) in paragraph (a)—

7 (A) by inserting after “control” the fol-  
8 lowing: “or lying within the exclusive economic  
9 zone of the United States and the outer Conti-  
10 nental Shelf adjacent to any territory or posses-  
11 sion of the United States”; and

12 (B) by adding at the end the following: “,  
13 except that such term shall not include any  
14 area conveyed by Congress to a territorial gov-  
15 ernment for administration”;

16 (2) in paragraph (p), by striking “and” after  
17 the semicolon at the end;

18 (3) in paragraph (q), by striking the period at  
19 the end and inserting “; and”; and

20 (4) by adding at the end the following:

21 “(r) The term ‘State’ includes each territory of the  
22 United States.”.

23 **SEC. 3. DISPOSITION OF REVENUES WITH RESPECT TO**  
24 **TERRITORIES OF THE UNITED STATES.**

25 Section 9 of the Outer Continental Shelf Lands Act  
26 (43 U.S.C. 1338) is amended—

1 (1) by striking “All rentals” and inserting the  
2 following:

3 “(a) IN GENERAL.—Except as otherwise provided in  
4 law, all rentals”; and

5 (2) by adding at the end the following:

6 “(b) DISPOSITION OF REVENUES TO TERRITORIES  
7 OF THE UNITED STATES.—Of the rentals, royalties, and  
8 other sums paid to the Secretary under this Act from a  
9 lease for an area of land on the outer Continental Shelf  
10 adjacent to a territory and lying within the exclusive eco-  
11 nomic zone of the United States pertaining to such terri-  
12 tory, and not otherwise obligated or appropriated—

13 “(1) 35 percent shall be deposited in the Treas-  
14 ury and credited to miscellaneous receipts;

15 “(2) 15 percent shall be deposited in the Coral  
16 Reef Conservation Fund established under section  
17 211 of the Coral Reef Conservation Act of 2000;  
18 and

19 “(3) 50 percent shall be disbursed to territories  
20 of the United States in an amount for each territory  
21 (based on a formula established by the Secretary by  
22 regulation) that is inversely proportional to the re-  
23 spective distance between the point on the coastline  
24 of the territory that is closest to the geographic cen-

1 ter of the applicable leased tract and the geographic  
2 center of the leased tract.”.

3 **SEC. 4. WIND LEASE SALES FOR AREAS OF OUTER CONTI-**  
4 **NENTAL SHELF.**

5 (a) **CONDITIONAL WIND LEASE SALES IN TERRI-**  
6 **TORIES OF THE UNITED STATES.**—The Outer Continental  
7 Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by  
8 adding at the end the following:

9 **“SEC. 33. WIND LEASE SALES FOR AREAS OF OUTER CONTI-**  
10 **NENTAL SHELF.**

11 “(a) **AUTHORIZATION.**—The Secretary may conduct  
12 wind lease sales on the outer Continental Shelf.

13 “(b) **WIND LEASE SALE PROCEDURE.**—Any wind  
14 lease sale conducted under this section shall be considered  
15 a lease under section 8(p).

16 “(c) **WIND LEASE SALES OFF COASTS OF TERRI-**  
17 **TORIES OF THE UNITED STATES.**—

18 “(1) **STUDY ON FEASIBILITY OF CONDUCTING**  
19 **WIND LEASE SALES.**—

20 “(A) **IN GENERAL.**—The Secretary shall  
21 conduct a study on the feasibility, including the  
22 technological and long-term economic feasibility,  
23 of conducting wind lease sales on an area of the  
24 outer Continental Shelf within the territorial ju-  
25 risdiction of American Samoa, Guam, the

1 Northern Mariana Islands, Puerto Rico, and  
2 the Virgin Islands of the United States.

3 “(B) REQUIREMENTS.—The study re-  
4 quired in paragraph (A) shall be—

5 “(i) published in the Federal Register  
6 for public comment for not fewer than 90  
7 days; and

8 “(ii) finalized within 90 days after the  
9 end of the public comment period.

10 “(C) SUBMISSION OF RESULTS.—Not later  
11 than 180 days after the date of the enactment  
12 of this section, the Secretary shall submit the  
13 results of the study conducted under subpara-  
14 graph (A) to:

15 “(i) the Committee on Energy and  
16 Natural Resources of the Senate;

17 “(ii) the Committee on Natural Re-  
18 sources of the House of Representatives;  
19 and

20 “(iii) each of the delegates or resident  
21 commissioner to the House of Representa-  
22 tives from American Samoa, Guam, the  
23 Northern Mariana Islands, Puerto Rico,  
24 and the Virgin Islands of the United  
25 States, respectively.

1           “(D) PUBLIC AVAILABILITY.—The study  
2           required under subparagraph (A) and results  
3           submitted under subparagraph (C) shall be  
4           made readily available on a public Government  
5           internet website.

6           “(2) CALL FOR INFORMATION AND NOMINA-  
7           TIONS.—The Secretary shall issue a call for informa-  
8           tion and nominations for proposed wind lease sales  
9           for areas determined to be feasible under the study  
10          conducted under paragraph (1).

11          “(3) CONDITIONAL WIND LEASE SALES.—

12           “(A) IN GENERAL.—For each territory,  
13           the Secretary shall conduct not less than 1 wind  
14           lease sale on an area of the outer Continental  
15           Shelf within the territorial jurisdiction of such  
16           territory that meets each of the following cri-  
17           teria:

18                   “(i) The study required under para-  
19                   graph (1)(A) concluded that a wind lease  
20                   sale on the area is feasible.

21                   “(ii) The Secretary has determined  
22                   that the call for information has generated  
23                   sufficient interest for the area.

1           “(iii) The Secretary has consulted  
2           with the Secretary of Defense regarding  
3           such a sale.

4           “(iv) The Secretary has consulted  
5           with the Governor of the territory regard-  
6           ing the suitability of the area for wind en-  
7           ergy development.

8           “(B) EXCEPTION.—If no area of the outer  
9           Continental Shelf within the territorial jurisdic-  
10          tion of a territory meets each of the criteria in  
11          clauses (i) through (iii) of subparagraph (A),  
12          the requirement under subparagraph (A) shall  
13          not apply to such territory.”.

14 **SEC. 5. ESTABLISHMENT OF CORAL REEF CONSERVATION**  
15 **FUND.**

16          (a) IN GENERAL.—The Coral Reef Conservation Act  
17          of 2000 (16 U.S.C. 6401 et seq.) is amended by adding  
18          at the end the following:

19 **“SEC. 211. CORAL REEF CONSERVATION FUND.**

20          “(a) ESTABLISHMENT.—There is established in the  
21          Treasury the Coral Reef Conservation Fund, hereafter re-  
22          ferred to as the Fund.

23          “(b) DEPOSITS.—For each fiscal year, there shall be  
24          deposited in the Fund the portion of such revenues due  
25          and payable to the United States under subsection (b)(2)

1 of section 9 of the Outer Continental Shelf Lands Act (43  
2 U.S.C. 1338).

3 “(c) USES.—Amounts deposited in the Fund under  
4 this section and appropriated to the Secretary of Com-  
5 merce under subsection (f) shall be used by the Secretary  
6 of Commerce to carry out the Coral Reef Conservation Act  
7 of 2000 (16 U.S.C. 6401 et seq.), with priority given to  
8 carrying out sections 204 and 206 of such Act (16 U.S.C.  
9 6403 and 6405).

10 “(d) AVAILABILITY.—Amounts deposited in the Fund  
11 shall remain in the Fund until appropriated by Congress.

12 “(e) REPORTING.—The President shall include with  
13 the proposed budget for the United States Government  
14 submitted to Congress for a fiscal year a comprehensive  
15 statement of deposits into the Fund during the previous  
16 fiscal year and estimated requirements during the fol-  
17 lowing fiscal year for appropriations from the Fund.

18 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated from the Fund to the  
20 Secretary of Commerce, an amount equal to the amount  
21 deposited in the Fund in the previous fiscal year.

22 “(g) NO LIMITATION.—Appropriations from the  
23 Fund pursuant to this section may be made without fiscal  
24 year limitation.”



1 (b) RENAMING OF EXISTING FUND.—Section 205 of  
2 the Coral Reef Conservation Act of 2000 (16 U.S.C. 6404)  
3 is amended—

4 (1) in the heading, by striking “**CORAL REEF**  
5 **CONSERVATION FUND**” and inserting “**CORAL**  
6 **REEF PUBLIC-PRIVATE PARTNERSHIP**”;

7 (2) in subsection (a)—

8 (A) by striking “Fund” and inserting  
9 “Public-Private Partnership”; and

10 (B) by striking “, hereafter referred to as  
11 the Fund,”; and

12 (3) in subsection (b), by striking “Fund” and  
13 inserting “separate interest bearing account”.