

118TH CONGRESS
2D SESSION

H. R. 10183

To amend the Outer Continental Shelf Lands Act and the Magnuson-Stevens Fishery Conservation and Management Act to provide for the delegation of authority to Louisiana, Mississippi, and Alabama to manage certain expanded submerged lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2024

Mr. GRAVES of Louisiana (for himself and Mr. CARTER of Louisiana) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Outer Continental Shelf Lands Act and the Magnuson-Stevens Fishery Conservation and Management Act to provide for the delegation of authority to Louisiana, Mississippi, and Alabama to manage certain expanded submerged lands, 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 Parity Act
5 of 2024”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

1 (1) to provide equity to the States of Louisiana,
2 Mississippi, and Alabama with respect to the sea-
3 ward boundaries of the States in the Gulf of Mexico
4 by delegating management of the submerged lands
5 from 3 geographical miles to 3 marine leagues if the
6 States meet certain conditions not later than 5 years
7 after the date of enactment of this Act;

8 (2) in delegating the authority to administer
9 any leases, easements, rights-of-use, and rights-of-
10 way, the States shall ensure that the rights of les-
11 sees, operators, and holders of leases, easements,
12 rights-of-use, and rights-of-way on the submerged
13 land are protected; and

14 (3) to improve the management of fisheries by
15 allowing the States of Louisiana, Mississippi, and
16 Alabama to oversee fisheries management in the ex-
17 panded seaward boundaries.

18 **SEC. 3. DELEGATION OF THE MANAGEMENT OF OIL, GAS,**
19 **AND OTHER ENERGY ACTIVITIES ON THE EX-**
20 **PANDED SUBMERGED LAND OF LOUISIANA,**
21 **MISSISSIPPI, AND ALABAMA.**

22 (a) DELEGATION.—The Outer Continental Shelf
23 Lands Act (42 U.S.C. 1301 et seq.) is amended by adding
24 at the end the following:

1 **“SEC. 34. DELEGATION OF THE MANAGEMENT OF OIL, GAS,**
2 **AND OTHER ENERGY ACTIVITIES ON THE EX-**
3 **PANDED SUBMERGED LAND OF LOUISIANA,**
4 **MISSISSIPPI, AND ALABAMA.**

5 “(a) DEFINITIONS.—In this section:

6 “(1) COAST LINE.—The term ‘coast line’ has
7 the meaning given such term in section 2 of the
8 Submerged Lands Act (43 U.S.C. 1301).

9 “(2) EXPANDED SUBMERGED LAND.—The term
10 ‘expanded submerged land’ means the area of the
11 outer Continental Shelf that is located between 3
12 geographical miles and 3 marine leagues seaward of
13 the coast line of the State as of the day before the
14 date of the enactment of this section.

15 “(3) SECRETARY.—The term ‘Secretary’ means
16 the Secretary of the Interior.

17 “(4) STATE.—The term ‘State’ means Lou-
18 isiana, Mississippi, or Alabama.

19 “(b) DELEGATION.—Upon written request of a State
20 before the date that is 5 years after the date of enactment
21 of the Offshore Parity Act of 2024, the Secretary shall,
22 except as provided in subsection (c), delegate to the State
23 the relevant authorities of the Secretary under this Act,
24 except the authority under sections 14 and 20, to grant
25 and manage leases of the expanded submerged land of the
26 State if the Secretary finds that—

1 “(1) it is likely the State will provide adequate
2 resources to carry out such authorities;

3 “(2) the State has demonstrated that it will ef-
4 fectively and faithfully administer the applicable
5 rules and regulations of the Secretary under this
6 Act, including the requirements of subsection (c) of
7 this section; and

8 “(3) such delegation will not create an unrea-
9 sonable burden on any lessee.

10 “(c) REQUIREMENTS.—

11 “(1) NO LEASE OR TRACT DIVIDED.—The Sec-
12 retary may not delegate authority under this section
13 with respect to any lease of an area that is not whol-
14 ly located within the expanded submerged land of
15 the State.

16 “(2) APPLICABILITY TO EXISTING LEASES.—
17 The delegation of authority under this section shall
18 apply to any lease of the expanded submerged land
19 of the State granted by the Secretary before the
20 date of enactment of the Offshore Parity Act of
21 2024.

22 “(3) NO 5 YEAR PLAN REQUIRED.—A State to
23 which authority is delegated under this section shall
24 not be required to prepare, revise, or maintain an oil
25 and gas leasing program under section 18.

1 “(4) REVENUE.—

2 “(A) RENTALS, ROYALTIES, AND OTHER
3 SUMS.—A State to which authority is delegated
4 under this section may collect rentals, royalties,
5 and other sums, as determined by the State,
6 from any lease granted after the date of enact-
7 ment of the Offshore Parity Act of 2024 by the
8 State under such authority.

9 “(B) MINIMUM BID AND ROYALTY
10 AMOUNTS.—The minimum bid and royalty
11 amounts under section 8 shall not apply to any
12 lease of the expanded submerged land of the
13 State granted by the State after the date of en-
14 actment of the Offshore Parity Act of 2024.

15 “(C) DISPOSITION OF REVENUE.—

16 “(i) EXISTING LEASES.—The delega-
17 tion of authority under this section shall
18 not affect the disposition of revenue under
19 any other provision of Federal law from
20 any lease of the expanded submerged land
21 of the State granted before the date of en-
22 actment of the Offshore Parity Act of
23 2024.

24 “(ii) NEW LEASES.—Section 9 of this
25 Act and section 105 of the Gulf of Mexico

1 Energy Security Act of 2006 shall not
2 apply with respect to a lease granted after
3 the date of enactment of the Offshore Par-
4 ity Act of 2024 by a State under authority
5 delegated under this section.

6 “(5) CITIZEN SUITS, COURT JURISDICTION, AND
7 JUDICIAL REVIEW.—Section 23 shall not apply with
8 respect to a lease granted after the date of enact-
9 ment of the Offshore Parity Act of 2024 by a State
10 under authority delegated under this section.

11 “(6) LIABILITY.—

12 “(A) IN GENERAL.—A State to which au-
13 thority is delegated by the Secretary under this
14 section shall indemnify the United States for
15 any liability to any holder of an oil, gas, or
16 other energy lease of the expanded submerged
17 land of the State granted before such delegation
18 of authority from the taking of any property in-
19 terest or breach of contract as a result of—

20 “(i) the delegation of such authority;

21 or

22 “(ii) the management of any such
23 lease.

24 “(B) DEDUCTION FROM OIL AND GAS
25 LEASING REVENUES.—The Secretary may de-

1 duct from the amounts otherwise payable to a
2 State under section 8(g)(2) the amount of any
3 final nonappealable judgment for a taking or
4 breach of contract by such State described in
5 subparagraph (A).

6 “(7) TRANSFER OF BONDS.—

7 “(A) IN GENERAL.—Not later than 90
8 days after delegating authority under this sec-
9 tion, the Secretary shall transfer any surety
10 bonds for oil, gas, or other energy leases of the
11 expanded submerged land of a State granted
12 before the date of enactment of the Offshore
13 Parity Act of 2024 to the applicable State. The
14 applicable State shall ensure that any decom-
15 missioning of a facility with respect to such
16 leases is carried out in accordance with applica-
17 ble Federal law, including regulations.

18 “(B) FAILURE TO TRANSFER BONDS.—If
19 the Secretary does not transfer a surety bond
20 for a lease under subparagraph (A) by the
21 deadline described in such subparagraph, the
22 Secretary shall ensure that any decommis-
23 sioning of a facility with respect to such lease
24 is carried out in accordance with applicable
25 Federal law, including regulations.”.

1 (b) SEAWARD BOUNDARY OF LOUISIANA, MIS-
2 SSISSIPPI, AND ALABAMA.—Section 8(g) of the Outer Con-
3 tinental Shelf Lands Act (43 U.S.C. 1337(g)) is amended
4 by adding at the end the following:

5 “(8) DEFINITION OF SEAWARD BOUNDARY OF LOU-
6 ISIANA, MISSISSIPPI, AND ALABAMA.—In this subsection,
7 the term ‘seaward boundary’ means, with respect to each
8 of the States of Louisiana, Mississippi, and Alabama, 3
9 marine leagues seaward of the coast line (as that term
10 is defined in section 2 of the Submerged Lands Act (43
11 U.S.C. 1301)) of each such State as each such coast line
12 exists as of the day before the date of the enactment of
13 this paragraph.”.

14 **SEC. 4. STATE JURISDICTION UNDER MAGNUSON-STEVENSON**
15 **FISHERY CONSERVATION AND MANAGEMENT**
16 **ACT.**

17 (a) IN GENERAL.—Section 306(a)(2) of the Magnu-
18 son-Stevens Fishery Conservation and Management Act
19 (16 U.S.C. 1856(a)(2)) is amended—

20 (1) in subparagraph (B), by striking “and” at
21 the end;

22 (2) in subparagraph (C)(ii), by striking the pe-
23 riod at the end and inserting “; and”; and

24 (3) by adding at the end the following:

1 “(D) with respect to each of the States of
2 Alabama, Louisiana, and Mississippi, to 3 ma-
3 rine leagues seaward of the coast line (as that
4 term is defined in section 2 of the Submerged
5 Lands Act (43 U.S.C. 1301)) of each such
6 State as each such coast line exists as of the
7 day before the date of the enactment of this
8 subparagraph.”.

9 (b) RULES OF CONSTRUCTION.—

10 (1) HIGHLY MIGRATORY SPECIES.—The amend-
11 ments made by this section may not be construed to
12 limit or otherwise affect the authority of the Federal
13 Government with respect to highly migratory spe-
14 cies, species listed as a threatened species or an en-
15 dangered species pursuant to the Endangered Spe-
16 cies Act of 1973 (16 U.S.C. 1531 et seq.), or fishery
17 resources subject to international agreements as pro-
18 vided under Federal law, including the Magnuson-
19 Stevens Fishery Conservation and Management Act
20 (16 U.S.C. 1801 et seq.), the Endangered Species
21 Act of 1973 (16 U.S.C. 1531 et seq.), and relevant
22 international treaties.

23 (2) FEDERAL JURISDICTION.—The amend-
24 ments made by this section may not be construed to
25 limit or otherwise affect the authority of the Federal

1 Government under the Magnuson-Stevens Fishery
2 Conservation and Management Act (16 U.S.C. 1801
3 et seq.) with respect to—

4 (A) the exclusive economic zone beyond the
5 extended State waters of a covered State; or

6 (B) activities within the extended State
7 waters of a covered State that relate to national
8 security, international obligations, or other mat-
9 ters reserved for Federal authority.

10 (c) DEFINITIONS.—In this section:

11 (1) COAST LINE.—The term “coast line” has
12 the meaning given the term in section 2 of the Sub-
13 merged Lands Act (43 U.S.C. 1301).

14 (2) COVERED STATE.—The term “covered
15 State” means each of the States of Alabama, Lou-
16 isiana, and Mississippi.

17 (3) EXCLUSIVE ECONOMIC ZONE.—The term
18 “exclusive economic zone” has the meaning given
19 the term in section 3 of the Magnuson-Stevens Fish-
20 ery Conservation and Management Act (16 U.S.C.
21 1802).

22 (4) EXTENDED STATE WATERS.—The term
23 “extended State waters” means 3 marine leagues
24 seaward of the coast line of a covered State as each

1 such coast line exists as of the day before the date
2 of the enactment of this section.

3 (5) FISHERY RESOURCE.—The term “fishery
4 resource” has the meaning given the term in section
5 3 of the Magnuson-Stevens Fishery Conservation
6 and Management Act (16 U.S.C. 1802).

7 (6) HIGHLY MIGRATORY SPECIES.—The term
8 “highly migratory species” has the meaning given
9 the term in section 3 of the Magnuson-Stevens Fish-
10 ery Conservation and Management Act (16 U.S.C.
11 1802).

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