

109TH CONGRESS
1ST SESSION

H. R. 319

To require a temporary moratorium on leasing, exploration, and development on lands of the Outer Continental Shelf off the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2005

Mr. CUNNINGHAM introduced the following bill; which was referred to the Committee on Resources

A BILL

To require a temporary moratorium on leasing, exploration, and development on lands of the Outer Continental Shelf off the State of California, 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. PRELEASING AND LEASING ACTIVITIES.**

4 The Secretary of the Interior shall not conduct a
5 lease sale or issue a lease for oil or gas under the Outer
6 Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) in
7 the Southern California, Central California, or Northern
8 California Planning Areas until the later of—

9 (1) January 1, 2011; or

1 (2) 45 days of continuous session of the Con-
2 gress after the issuance of the final environmental
3 impact statement relating to the second 5-year oil
4 and gas leasing program prepared under section 18
5 of the Outer Continental Shelf Lands Act after the
6 date of enactment of this Act.

7 **SEC. 2. EXPLORATION AND DEVELOPMENT ACTIVITIES.**

8 (a) MORATORIUM.—The Secretary of the Interior
9 shall not approve any exploration plan, development and
10 production plan, or application for permit to drill, or per-
11 mit any drilling, for oil or gas under the Outer Continental
12 Shelf Lands Act (43 U.S.C. 1331 et seq.) on any lands
13 of the Outer Continental Shelf in the Southern California,
14 Central California, or Northern California Planning Areas
15 until 45 days of continuous session of the Congress after
16 submittal to the Congress of the completed studies de-
17 scribed in subsection (b).

18 (b) STUDIES.—

19 (1) DESCRIPTION OF STUDIES REQUIRED.—The
20 studies required under subsection (a) are studies
21 with respect to the Southern California, Central
22 California, and Northern California Planning Areas
23 to acquire information found inadequate for Outer
24 Continental Shelf lands offshore California by the
25 National Research Council report entitled “The Ade-

1 quacy of Environmental Information for Outer Con-
2 tinental Shelf Oil and Gas Decisions: Florida and
3 California” issued in 1989 by the National Research
4 Council’s Committee to Review the Outer Conti-
5 nental Shelf Environmental Studies Program, and
6 supported by the President’s Outer Continental
7 Shelf Leasing and Development Task Force through
8 Department of the Interior Contract No.
9 1435000130495.

10 (2) PEER REVIEW REQUIREMENT.—No study
11 described in paragraph (1) shall be considered com-
12 pleted unless such study has been reviewed, before
13 submittal to the Congress, by at least 3 scientists
14 who—

15 (A) shall be nominated by the Scripps In-
16 stitute of Oceanography and approved by the
17 Secretary of the Interior and the Governor of
18 the State of California;

19 (B) are not employees of the Department
20 of the Interior; and

21 (C) are well qualified in the scientific dis-
22 ciplines required for performance of the par-
23 ticular study or studies they review.

1 **SEC. 3. CONTINUOUS SESSION OF CONGRESS.**

2 In computing any 45-day period of continuous session
3 of Congress under this Act—

4 (1) continuity of session is broken only by an
5 adjournment of the Congress sine die; and

6 (2) the days on which either House of Congress
7 is not in session because of an adjournment of more
8 than 3 days to a day certain are excluded.

○