

118TH CONGRESS
1ST SESSION

S. _____

To promote domestic energy production, to require onshore and offshore oil and natural gas lease sales, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To promote domestic energy production, to require onshore and offshore oil and natural gas lease sales, 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 “Supporting Made in
5 America Energy Act”.

6 **SEC. 2. REQUIRED ONSHORE AND OFFSHORE OIL AND NAT-**
7 **URAL GAS LEASING.**

8 (a) ONSHORE LEASE SALES.—

9 (1) ANNUAL LEASE SALES.—Notwithstanding
10 any other provision of law, in accordance with the

1 Mineral Leasing Act (30 U.S.C. 181 et seq.), begin-
2 ning in fiscal year 2025, the Secretary of the Inte-
3 rior (referred to in this section as the “Secretary”)
4 shall conduct a minimum of 4 oil and natural gas
5 lease sales annually in each of the following States:

6 (A) Wyoming.

7 (B) New Mexico.

8 (C) Colorado.

9 (D) Utah.

10 (E) Montana.

11 (F) North Dakota.

12 (G) Oklahoma.

13 (H) Nevada.

14 (I) Any other State in which there is land
15 available for oil and natural gas leasing under
16 that Act.

17 (2) REQUIREMENT.—In conducting a lease sale
18 under paragraph (1) in a State described in that
19 paragraph, the Secretary shall offer all parcels eligi-
20 ble for oil and gas development under the resource
21 management plan in effect for the State.

22 (3) REPLACEMENT SALES.—If, for any reason,
23 a lease sale under paragraph (1) for a calendar year
24 is canceled, delayed, or deferred, including for a lack

1 of eligible parcels, the Secretary shall conduct a re-
2 placement sale during the same calendar year.

3 (b) OFFSHORE LEASE SALES.—

4 (1) GULF OF MEXICO REGION ANNUAL LEASE
5 SALES.—

6 (A) IN GENERAL.—Notwithstanding any
7 other provision of law, beginning in fiscal year
8 2026, the Secretary shall conduct a minimum
9 of 2 region-wide oil and natural gas lease sales
10 annually in the Gulf of Mexico Region of the
11 outer Continental Shelf, which shall—

12 (i) offer the same lease form, lease
13 terms, economic conditions, and stipula-
14 tions as contained in the final notice of
15 sale entitled “Gulf of Mexico Outer Conti-
16 nental Shelf Oil and Gas Lease Sale 261”
17 (88 Fed. Reg. 80750 (November 20,
18 2023)); and

19 (ii) include—

20 (I) the Central Gulf of Mexico
21 Planning Area, as described in the
22 2017–2022 Outer Continental Shelf
23 Oil and Gas Leasing Proposed Final
24 Program (November 2016); and

1 (II) the Western Gulf of Mexico
2 Planning Area, as described in the
3 2017–2022 Outer Continental Shelf
4 Oil and Gas Leasing Proposed Final
5 Program (November 2016).

6 (B) TIMING.—In conducting the offshore
7 lease sales under subparagraph (A), the Sec-
8 retary shall conduct a lease sale under that sub-
9 paragraph not later than each of the following
10 dates:

- 11 (i) March 31, 2026.
- 12 (ii) August 31, 2026.
- 13 (iii) March 31, 2027.
- 14 (iv) August 31, 2027.
- 15 (v) March 31, 2028.
- 16 (vi) August 31, 2028.
- 17 (vii) March 31, 2029.
- 18 (viii) August 31, 2029.
- 19 (ix) March 31, 2030.
- 20 (x) August 31, 2030.
- 21 (xi) March 31, 2031.
- 22 (xii) August 31, 2031.
- 23 (xiii) March 31, 2032.
- 24 (xiv) August 31, 2032.
- 25 (xv) March 31, 2033.

1 (xvi) August 31, 2033.

2 (xvii) March 31, 2034.

3 (xviii) August 31, 2034.

4 (xix) March 31, 2035.

5 (xx) August 31, 2035.

6 (2) MORATORIUM ON OIL AND GAS LEASING IN
7 THE EASTERN GULF OF MEXICO.—Section 104 of
8 the Gulf of Mexico Energy Security Act of 2006 (43
9 U.S.C. 1331 note; Public Law 109–432) is amend-
10 ed—

11 (A) in subsection (a)—

12 (i) in the matter preceding paragraph
13 (1), by striking “June 30, 2022” and in-
14 serting “December 31, 2035”;

15 (ii) in paragraph (2), by striking “or”
16 after the semicolon;

17 (iii) in paragraph (3)(B)(iii), by strik-
18 ing the period at the end and inserting a
19 semicolon; and

20 (iv) by adding at the end the fol-
21 lowing:

22 “(4) any area in the South Atlantic Planning
23 Area (as designated by the Bureau of Ocean Energy
24 Management as of the date of enactment of this
25 paragraph); or

1 “(5) any area in the Straits of Florida Planning
2 Area (as designated by the Bureau of Ocean Energy
3 Management as of the date of enactment of this
4 paragraph).”; and

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

6 “(d) EFFECT ON CERTAIN LEASES.—The moratoria
7 under subsection (a) shall not affect valid existing leases
8 in effect on the date of enactment of this subsection.

9 “(e) ENVIRONMENTAL EXCEPTIONS.—Notwith-
10 standing subsection (a), the Secretary may issue leases in
11 areas described in that subsection for environmental con-
12 servation purposes, including the purposes of shore protec-
13 tion, beach nourishment and restoration, wetlands restora-
14 tion, and habitat protection.”.

15 (3) LEASE SALES IN ALASKA REGION.—

16 (A) IN GENERAL.—The Secretary of the
17 Interior shall conduct a minimum of 6 offshore
18 lease sales during the 10-year period beginning
19 on the date of enactment of this Act in the
20 Cook Inlet Planning Area as identified in the
21 2017–2022 Outer Continental Shelf Oil and
22 Gas Leasing Proposed Final Program published
23 on November 18, 2016, by the Bureau of Ocean
24 Energy Management (as announced in the no-
25 tice of availability of the Bureau of Ocean En-

1 ergy Management entitled “Notice of Avail-
2 ability of the 2017–2022 Outer Continental
3 Shelf Oil and Gas Leasing Proposed Final Pro-
4 gram” (81 Fed. Reg. 84612 (November 23,
5 2016))).

6 (B) REQUIREMENTS.—

7 (i) AREA OFFERED FOR LEASE.—The
8 Secretary of the Interior shall offer not
9 fewer than 1,000,000 acres for each off-
10 shore lease sale conducted under subpara-
11 graph (A).

12 (ii) ISSUANCE OF LEASES.—If any ac-
13 ceptable bids have been received for any
14 tract offered in a lease sale conducted
15 under subparagraph (A), the Secretary of
16 the Interior shall issue the lease not later
17 than 90 days after the lease sale to the
18 highest bid on the tract offered.

19 (iii) ROYALTY RATE.—The royalty
20 rate for each lease issued pursuant to a
21 lease sale conducted under subparagraph
22 (A) shall be 12.5 percent.

23 (4) OUTER CONTINENTAL SHELF OIL AND GAS
24 LEASING PROGRAM.—Section 18 of the Outer Conti-

1 mental Shelf Lands Act (43 U.S.C. 1344) is amend-
2 ed—

3 (A) in subsection (a), in the first sentence
4 of the matter preceding paragraph (1), by strik-
5 ing “subsections (c) and (d) of this section”
6 and inserting “subsections (e) through (f)”;

7 (B) by redesignating subsections (f)
8 through (i) as subsections (g) through (j), re-
9 spectively;

10 (C) by inserting after subsection (e) the
11 following:

12 “(f) **SUBSEQUENT LEASING PROGRAMS.**—

13 “(1) **IN GENERAL.**—Not later than 36 months
14 after conducting the first lease sale under an oil and
15 gas leasing program prepared pursuant to this sec-
16 tion, the Secretary shall begin preparing the subse-
17 quent oil and gas leasing program under this sec-
18 tion.

19 “(2) **REQUIREMENT.**—Each subsequent oil and
20 gas leasing program under this section shall be ap-
21 proved not later than 180 days before the expiration
22 of the previous oil and gas leasing program.”; and

23 (D) by indenting subsection (j) (as so re-
24 designated) appropriately.

25 (c) **PROHIBITION.**—

1 (1) IN GENERAL.—The President shall not,
2 through Executive order or any other administrative
3 procedure, unreasonably pause, cancel, delay, defer,
4 or otherwise impede or circumvent the Federal en-
5 ergy mineral leasing processes under the Mineral
6 Leasing Act (30 U.S.C. 181 et seq.), the Outer Con-
7 tinental Shelf Lands Act (43 U.S.C. 1331 et seq.),
8 the Naval Petroleum Reserves Production Act of
9 1976 (42 U.S.C. 6501 et seq.), or Public Law 115–
10 97 (commonly known as the “Tax Cuts and Jobs
11 Act of 2017”), or a related rulemaking process re-
12 quired by subchapter II of chapter 5, and chapter 7,
13 of title 5, United States Code (commonly known as
14 the “Administrative Procedure Act”), without con-
15 gressional approval.

16 (2) REBUTTABLE PRESUMPTION.—There shall
17 be a rebuttable presumption that any attempt by the
18 President to pause, cancel, delay, defer, or otherwise
19 impede or circumvent any Federal energy mineral
20 leasing process under the Mineral Leasing Act (30
21 U.S.C. 181 et seq.), the Outer Continental Shelf
22 Lands Act (43 U.S.C. 1331 et seq.), the Naval Pe-
23 troleum Reserves Production Act of 1976 (42 U.S.C.
24 6501 et seq.), or Public Law 115–97 (commonly
25 known as the “Tax Cuts and Jobs Act of 2017”),

1 or a related rulemaking process required by sub-
2 chapter II of chapter 5, and chapter 7, of title 5,
3 United States Code (commonly known as the “Ad-
4 ministrative Procedure Act”), without congressional
5 approval, is a violation of the applicable law.