

[DOCID: usc43-995]
 From the U. S. Code Online via GPO Access
 [wais.access.gpo.gov]
 [Laws in effect as of January 16, 1996]
 [Document not affected by Public Laws enacted between
 January 16, 1996 and May 14, 1998]
 [CITE: 43USC]

TITLE 43--PUBLIC LANDS
 CHAPTER 29--SUBMERGED LANDS
 SUBCHAPTER I--GENERAL PROVISIONS

- Sec.
 1301. Definitions.
 1302. Resources seaward of Continental Shelf.
 1303. Amendment, modification, or repeal of other laws.
- SUBCHAPTER II--LANDS BENEATH NAVIGABLE WATERS WITHIN STATE
 BOUNDARIES
1311. Rights of States.
 (a) Confirmation and establishment of title and ownership of
 lands and resources; management, administration,
 leasing, development, and use.
 (b) Release and relinquishment of title and claims of United
 States; payment to States of moneys paid under leases.
 (c) Leases in effect on June 5, 1950.
 (d) Authority and rights of United States respecting
 navigation, flood control and production of power.
 (e) Ground and surface waters west of 98th meridian.
 1312. Seaward boundaries of States.
 1313. Exceptions from operation of section 1311 of this title.
 1314. Rights and powers retained by United States; purchase of
 natural resources; condemnation of lands.
 1315. Rights acquired under laws of United States unaffected.
- SUBCHAPTER III--OUTER CONTINENTAL SHELF LANDS
1331. Definitions.
 1332. Congressional declaration of policy.
 1333. Laws and regulations governing lands.
 (a) Constitution and United States laws; laws of adjacent
 States; publication of projected State lines;
 international boundary disputes; restriction on State
 taxation and jurisdiction.
 (b) Longshore and Harbor Workers' Compensation Act applicable;
 definitions.
 (c) National Labor Relations Act applicable.
 (d) Coast Guard regulations; marking of artificial islands,
 installations, and other devices; failure of owner
 suitably to mark according to regulations.
 (e) Authority of Secretary of the Army to prevent obstruction
 to navigation.
 (f) Provisions as nonexclusive.
 1334. Administration of leasing.
 (a) Rules and regulations; amendment; cooperation with State
 agencies; subject matter and scope of regulations.
 (b) Compliance with regulations as condition for issuance,
 continuation, assignment, or other transfer of leases.
 (c) Cancellation of nonproducing lease.
 (d) Cancellation of producing lease.
 (e) Pipeline rights-of-way; forfeiture of grant.
 (f) Competitive principles governing pipeline operation.
 (g) Rates of production.

- (h) Federal action affecting outer Continental Shelf; notification; recommended changes.
 - (i) Flaring of natural gas.
 - (j) Cooperative development of common hydrocarbon-bearing areas.
1335. Validation and maintenance of prior leases.
- (a) Requirements for validation.
 - (b) Conduct of operations under lease; sulphur rights.
 - (c) Nonwaiver of United States claims.
 - (d) Judicial review of determination.
 - (e) Lands beneath navigable waters.
1336. Controversies over jurisdiction; agreements; payments; final settlement or adjudication; approval of notice concerning oil and gas operations in Gulf of Mexico.
1337. Grant of leases by Secretary.
- (a) Oil and gas leases; award to highest responsible qualified bidder; method of bidding; royalty relief; Congressional consideration of bidding system; notice; annual report to Congress.
 - (b) Terms and provisions of oil and gas leases.
 - (c) Anti-trust review of lease sales.
 - (d) Due diligence.
 - (e) Secretary's approval for sale, exchange, assignment, or other transfer of leases.
 - (f) Anti-trust immunity or defenses.
 - (g) Leasing of lands within three miles of seaward boundaries of coastal States; deposit of revenues; distribution of revenues.
 - (h) State claims to jurisdiction over submerged lands.
 - (i) Sulphur leases; award to highest bidder; method of bidding.
 - (j) Terms and provisions of sulphur leases.
 - (k) Other mineral leases; award to highest bidder; terms and conditions; agreements for use of resources for shore protection, beach or coastal wetlands restoration, or other projects.
 - (l) Publication of notices of sale and terms of bidding.
 - (m) Disposition of revenues.
 - (n) Issuance of lease as nonprejudicial to ultimate settlement or adjudication of controversies.
 - (o) Cancellation of leases for fraud.
1338. Disposition of revenues.
- 1338a. Moneys received as a result of forfeiture by Outer Continental Shelf permittee, lessee, or right-of-way holder; return of excess amounts.
1339. Refunds; filing time limitation; certification of repayment; necessity of report to Congress.
1340. Geological and geophysical explorations.
- (a) Approved exploration plans.
 - (b) Oil and gas exploration.
 - (c) Plan approval; State concurrence; plan provisions.
 - (d) Drilling permit.
 - (e) Plan revisions; conduct of exploration activities.
 - (f) Drilling permits issued and exploration plans approved within 90-day period after September 18, 1978.
 - (g) Determinations requisite to issuance of permits.
 - (h) Lands beneath navigable waters adjacent to Phillip Burton Wilderness.
1341. Reservation of lands and rights.
- (a) Withdrawal of unleased lands by President.
 - (b) First refusal of mineral purchases.
 - (c) National security clause.
 - (d) National defense areas; suspension of operations; extension of leases.

- (e) Source materials essential to production of fissionable materials.
- (f) Helium ownership; rules and regulations governing extraction.
- 1342. Prior claims as unaffected.
- 1343. Annual report by Secretary to Congress.
- 1344. Outer Continental Shelf leasing program.
 - (a) Schedule of proposed oil and gas lease sales.
 - (b) Estimates of appropriations and staff required for management of leasing program.
 - (c) Suggestions from Federal agencies and affected State and local governments; submission of proposed program to Governors of affected States and Congress; publication in Federal Register.
 - (d) Comments by Attorney General on anticipated effect on competition; comments by State or local governments; submission of program to President and Congress; issuance of leases in accordance with program.
 - (e) Review, revision, and reapproval of program.
 - (f) Procedural regulations for management of program.
 - (g) Information from public and private sources; confidentiality of classified or privileged data.
 - (h) Information from all Federal departments and agencies; confidentiality of privileged or proprietary information.
- 1345. Coordination and consultation with affected State and local governments.
 - (a) Recommendations regarding size, time, or location of proposed lease sales.
 - (b) Time for submission of recommendations.
 - (c) Acceptance or rejection of recommendations.
 - (d) Finality of acceptance or rejection of recommendations.
 - (e) Cooperative agreements.
- 1346. Environmental studies.
 - (a) Information for assessment and management of impacts on environment; time for study; impacts on marine biota from pollution or large spills.
 - (b) Additional studies subsequent to leasing and development of area.
 - (c) Procedural regulations for conduct of studies; cooperation with affected States; utilization of information from Federal, State and local governments and agencies.
 - (d) Consideration of relevant environmental information in developing regulations, lease conditions and operating orders.
 - (e) Assessment of cumulative effects of activities on environment; submission to Congress.
- 1347. Utilization of capabilities of Department of Commerce.
 - (a) Safety and health regulations.
 - (a) Joint study of adequacy of existing safety and health regulations; submission to President and Congress.
 - (b) Use of best available and safest economically feasible technologies.
 - (c) Regulations applying to unregulated hazardous working conditions.
 - (d) Application of other laws.
 - (e) Studies of underwater diving techniques and equipment.
 - (f) Coordination and consultation with Federal departments and agencies; availability to interested persons of compilation of safety regulations.
- 1348. Enforcement of safety and environmental regulations.
 - (a) Utilization of Federal departments and agencies.
 - (b) Duties of holders of lease or permit.
 - (c) Onsite inspection of facilities.

- (d) Investigation and report on major fires, oil spills, death, or serious injury.
 - (e) Review of allegations of violations.
 - (f) Summoning of witnesses and production of evidence.
 - (g) Report to Congress of violations and action taken.
1349. Citizens suits, jurisdiction and judicial review.
- (a) Persons who may bring actions; persons against whom action may be brought; time of action; intervention by Attorney General; costs and fees; security.
 - (b) Jurisdiction and venue of actions.
 - (c) Review of Secretary's approval of leasing program; review of approval, modification or disapproval of exploration or production plan; persons who may seek review; scope of review; certiorari to Supreme Court.
1350. Remedies and penalties.
- (a) Injunctions, restraining orders, etc.
 - (b) Civil penalties; hearing.
 - (c) Criminal penalties.
 - (d) Liability of corporate officers and agents for violations by corporation.
1351. Concurrent and cumulative nature of penalties.
- Oil and gas development and production.
- (a) Development and production plans; submission to Secretary; statement of facilities and operation; submission to Governors of affected States and local governments.
 - (b) Development and production activities in accordance with plan as lease requirement.
 - (c) Scope and contents of plan.
 - (d) State concurrence in land or water zone use in coastal zone of State.
 - (e) Declaration of approval of development and production plan as major Federal action; submission of preliminary or final lease plans prior to commencement of National Environmental Policy provisions procedures.
 - (f) Plans considered major Federal actions; submission of draft environmental impact statement to Governors of affected States and local governments.
 - (g) Plans considered nonmajor Federal actions; comments and recommendations from States.
 - (h) Approval, disapproval or modification of plan; reapplication; periodic review.
 - (i) Approval of revision of approved plan.
 - (j) Cancellation of lease on failure to submit plan or comply with approved plan.
 - (k) Production and transportation of natural gas; submission of plan to Federal Energy Regulatory Commission; impact statement.
1352. Application of provisions to leases in Gulf of Mexico.
- Oil and gas information program.
- (a) Access to data and information obtained by lessee or permittee from oil or gas exploration, etc., data obtained by Federal department or agency from geological and geophysical explorations.
 - (b) Processing, analyzing, and interpreting information; availability of summary of data to affected States and local government.
 - (c) Confidentiality of information; regulations.
 - (d) Transmittal of information to affected State; protection of competitive position.
 - (e) Agreement with State to waive defenses and hold United States harmless from failure to maintain confidentiality of information.
 - (f) Civil action against United States or State for failure to maintain confidentiality of information; certain

- defenses unavailable.
 - (g) Preemption of State law by Federal law.
 - (h) Failure by State to comply with regulations; withholding of information.
1353. Federal purchase and disposition of oil and gas.
- (a) Payment of royalties or net profit shares in oil and gas; purchase of oil and gas by United States; transfer of title to Federal agencies.
 - (b) Sale of oil by United States to public; disposition of oil to small refiners; application of other laws.
 - (c) Sale of gas by United States to public.
 - (d) Purchase by lessee of Federal oil or gas for which no bids received.
 - (e) Definitions.
 - (f) Purchase of oil and gas in time of war.
1354. Limitations on export of oil or gas.
- (a) Application of Export Administration provisions.
 - (b) Condition precedent to exportation; express finding by President of no increase in reliance on imported oil or gas.
 - (c) Report of findings by President to Congress; joint resolution of disagreement with findings of President.
 - (d) Exchange or temporary exportation of oil and gas for convenience or efficiency of transportation.
1355. Restrictions on employment of former officers or employees of Department of the Interior.
1356. Documentary, registry and manning requirements.
- (a) Regulations.
 - (b) Exceptions from design, construction, alteration, and repair requirements.
 - (c) Exceptions from manning requirements.