

110TH CONGRESS
1ST SESSION

H. R. 3182

To allow United States persons to participate in energy development offshore from Cuba and other nearby countries.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2007

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To allow United States persons to participate in energy development offshore from Cuba and other nearby countries.

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, FINDINGS, AND PURPOSE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “U.S. Participation in Cuban Energy Exploration Act of
6 2007”.

7 (b) FINDINGS.—The Congress finds:

8 (1) Current Federal laws and policies bar
9 United States nationals, including United States

1 companies, from taking part in exploration for and
2 development of energy resources in areas where such
3 activities are controlled by the Government of Cuba.

4 (2) Other countries do not impose the same re-
5 striction on people and companies subject to their
6 jurisdiction, so the restriction penalizes United
7 States nationals and companies without affecting the
8 ability of the Cuban Government to benefit from
9 those exploration and development activities.

10 (3) It is in the national interest for United
11 States nationals, including United States companies,
12 to be able to compete for the opportunity to develop
13 those resources if the Government of Cuba decides
14 to allow such development and if the development is
15 done in a manner consistent with protection of the
16 environment.

17 (c) PURPOSE.—The purpose of this Act is to allow
18 United States nationals, including United States compa-
19 nies, to take part in exploration for and development of
20 energy resources in offshore areas near Cuba and in other
21 similar offshore areas outside of but contiguous to the ex-
22 clusive economic zone of the United States.

1 **SEC. 2. AUTHORIZATION OF ACTIVITIES AND EXPORTS IN-**
2 **VOLVING HYDROCARBON RESOURCES BY**
3 **UNITED STATES PERSONS.**

4 (a) AUTHORIZATION.—Notwithstanding the provi-
5 sions of law referred to in subsection (b), and subject to
6 subsection (c), United States persons (including agents
7 and affiliates of those United States persons) may—

8 (1) engage in any transaction necessary for the
9 exploration for and extraction of hydrocarbon re-
10 sources from any portion of a foreign exclusive eco-
11 nomic zone that is contiguous to the exclusive eco-
12 nomic zone of the United States;

13 (2) export without license authority all equip-
14 ment necessary for the exploration for or extraction
15 of hydrocarbon resources described in paragraph (1);
16 and

17 (3) import into the United States hydrocarbon
18 resources extracted under the authority of this sec-
19 tion, and products thereof.

20 (b) PROVISIONS OF LAW INAPPLICABLE.—The provi-
21 sions of law referred to in subsection (a) are—

22 (1) section 620(a) of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2370(a));

24 (2) the Cuban Liberty and Democratic Soli-
25 darity (LIBERTAD) Act of 1996 (22 U.S.C. 6021
26 et seq.);

1 (3) the Cuban Democracy Act of 1992 (22
2 U.S.C. 6001 et seq.);

3 (4) part 515 of title 31, Code of Federal Regu-
4 lations (Cuban Assets Control Regulations); and

5 (5) any other law, Executive order, or regula-
6 tion prohibiting exports to or imports from Cuba, or
7 transactions in property in which a Cuban national
8 has an interest.

9 (c) APPLICABILITY OF ENVIRONMENTAL LAWS.—
10 Any exploration for or extraction of hydrocarbon resources
11 by a United States person within an area described in sub-
12 section (a)(1) shall be subject to the same laws, rules, and
13 regulations for the protection of fish, wildlife, and the en-
14 vironment that are applicable to such activities within the
15 exclusive economic zone of the United States.

16 **SEC. 3. TRAVEL IN CONNECTION WITH AUTHORIZED HY-**
17 **DROCARBON EXPLORATION AND EXTRAC-**
18 **TION ACTIVITIES.**

19 (a) GENERAL LICENSE AUTHORITY FOR TRAVEL-RE-
20 LATED EXPENDITURES BY PERSONS ENGAGING IN HY-
21 DROCARBON EXPLORATION AND EXTRACTION ACTIVI-
22 TIES.—The Secretary of the Treasury shall authorize
23 under a general license the travel-related transactions list-
24 ed in section 515.560(c) of title 31, Code of Federal Regu-
25 lations, for travel to, from, or within Cuba in connection

1 with exploration for and the extraction of hydrocarbon re-
2 sources in any part of a foreign maritime exclusive eco-
3 nomic zone that is contiguous to the exclusive economic
4 zone of the United States.

5 (b) PERSONS AUTHORIZED.—Persons authorized to
6 travel to Cuba under this section include full-time employ-
7 ees, executives, agents, and consultants of producers, dis-
8 tributors, and shippers of hydrocarbon resources.

9 **SEC. 4. DEFINITIONS.**

10 In this Act—

11 (1) the term “exclusive economic zone of the
12 United States” means the exclusive economic zone of
13 the United States established by Proclamation 5030
14 of March 10, 1983 (16 U.S.C. 1453 note);

15 (2) the term “foreign exclusive economic zone”
16 means an economic zone contiguous to the territorial
17 sea of a foreign country that is asserted by the gov-
18 ernment of that country; and

19 (3) the term “United States person” means—

20 (A) any United States citizen or alien law-
21 fully admitted for permanent residence in the
22 United States; and

23 (B) any person other than an individual, if
24 1 or more individuals described in subpara-
25 graph (A) own or control at least 51 percent of

- 1 the securities or other equity interest in that
- 2 person.

