

Whitepaper
Florida's Eastern Gulf of Mexico
Oil Drilling Moratorium Extension

PURPOSE

- To provide the status of Florida's Joint Gulf Range Complex and outline a state military and defense plan to extend the oil drilling moratorium set to expire in June 2022.

BACKGROUND

- **June 30, 2022 Moratorium Expiration Date.** The [Gulf of Mexico Energy Security Act of 2006](#) codified offshore oil and gas leasing in the Gulf of Mexico and established the Military Mission Line located at 86°41' W. longitude. SEC. 104. defines the moratorium on oil and gas leasing in certain areas of the Gulf of Mexico until June 30, 2022, specifically the Eastern and portions of the Central Gulf of Mexico Planning Areas.
- **A New National Outer Continental Shelf Program.** In April 28, 2017, President Trump issued [Executive Order 13795](#), outlining an America-First Offshore Energy Strategy. As part of this strategy, former Secretary of the Interior Ryan Zinke issued [Secretarial Order 3350](#) directing the Bureau of Ocean Energy Management to begin the process of developing the next Outer Continental Shelf Oil and Gas Leasing Program (National OCS Program). The [analytical phases required](#) to develop the 2019–2024 Program include the (1) Draft Proposed Program (DPP); (2) Proposed Program; and (3) Proposed Final Program. The Secretary makes the decisions on all three program documents, and the 2019–2024 Program, once completed, will replace the current 2017–2022 Program.

Per the [OCS Lands Act](#) (43 U.S.C. 1344(a)(2)), the Secretary of the Interior must consider eight factors when determining the size, timing, and location of potential oil and gas lease sales:

1. Geographical, Geological, and Ecological Characteristics
2. Equitable Sharing of Developmental Benefits and Environmental Risks
3. Location with Respect to Regional and National Energy Markets and Needs
4. Other Uses of the Sea and Seabed
5. Laws, Goals, and Policies of Affected States Identified by Governors
6. Interest of Potential Oil and Gas Producers
7. Environmental Sensitivity and Marine Productivity
8. Environmental and Predictive Information

Published in January 2018, [the 2019-2024 DPP](#) proposes lease sales in the area covered by the moratorium, with the sales scheduled after the moratorium expires. Following the 2018 release, the process was put on hold due to legal challenges.

- **Immediate Action Needed.** There is a strong, bipartisan sense of urgency among federal, state, and local FL representatives, as well as within the FL military and environmental communities, to extend the moratorium in the 116th Congress given the June 2022 expiration date and the inclusion of Gulf leases in the 2019-2024 DPP.

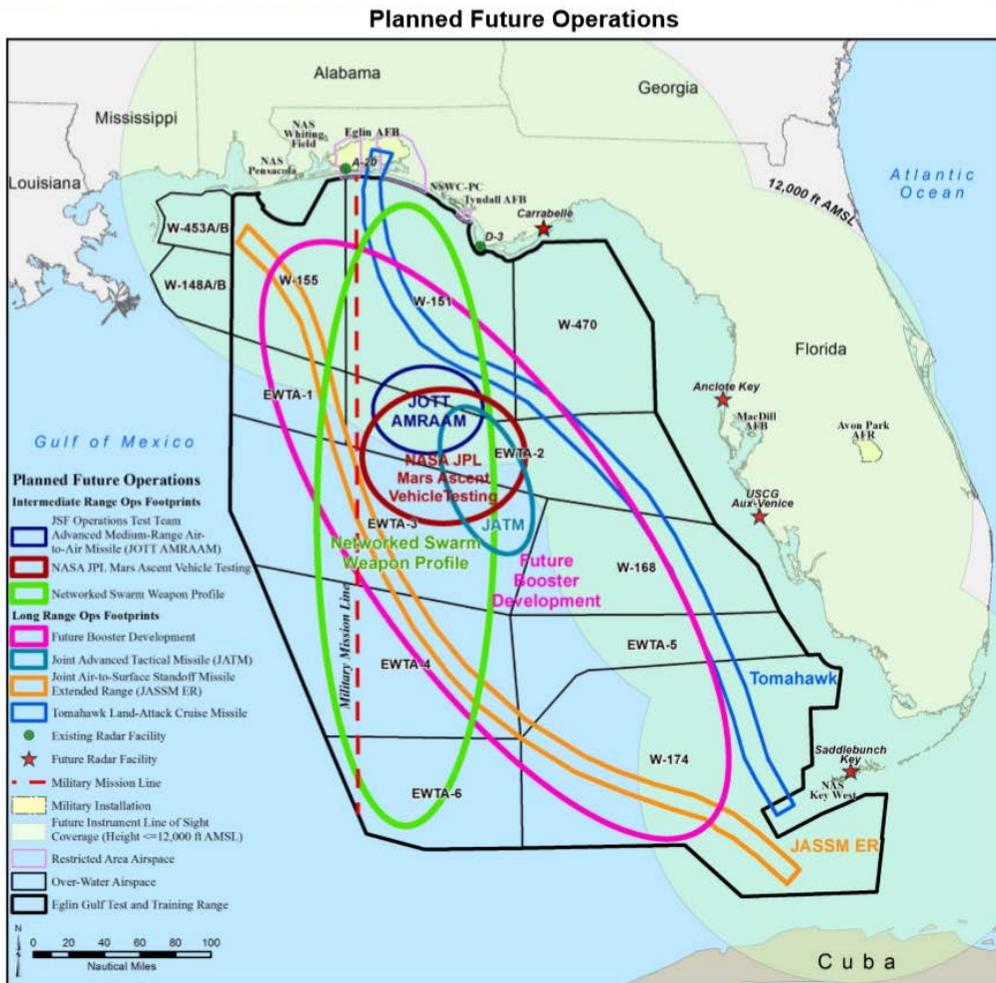
While a permanent ban would be ideal, a 10-year extension is politically more feasible.

Neighboring states, primarily Texas, Louisiana, Mississippi and Alabama, who benefit from oil drilling revenue, oppose the moratorium extension.

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MILITARY IMPORTANCE

- Department of Defense Position.** The May 2018 Office of the Secretary of Defense Report, *Preserving Military Readiness in the Eastern Gulf of Mexico*, states, “The Eastern Gulf of Mexico (EGOMEX) is an irreplaceable national asset. No other area offers the DoD a comparable combination of air space, water space, and existing infrastructure to support military activities.”
- Unique Capacity is Unrivaled.** Florida’s Joint Gulf Range Complex provides a unique range environment sized to accommodate testing and training of advanced weapons systems. It is the only test range in the continental United States large enough to accommodate a full-range test flight (Key West to Eglin AFB) of hypersonic missile components: capable of speed topping Mach 5 or five times the speed of sound. The on-



- Future Test & Training Requirements:
- Long Range Standoff Weapons
 - Air and Sea Weapons
 - Directed Energy Weapons
 - Hypersonic Weapons
 - Swarming / Artificial Intelligence Weapons

This document is sourced primarily from the Department of Defense document number 03012018T098, dated 9 May 2018; Ref ID: 6-3395484, titled, *Preserving Military Readiness in the Eastern Gulf of Mexico*. Oil and Gas data are sourced from the Bureau of Ocean Energy Management, New Orleans, LA.

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going Gulf Range Enhancement project extends test instrumentation along the west coast of Florida from Eglin AFB to NAS Key West.

- **Significant Mission Disruptions Possible.** Oil and gas development with associated drilling structures in this area pose safety hazards and are incompatible with missile flights, low-flying aircraft, weapons testing and training. This activity will jeopardize the military's ability to test advanced weapons systems and reduce Florida's appeal to retain or attract military installations, missions, training and defense contractors.

RECENT CONGRESSIONAL ACTION

Senate:

- In January 2019, Senator Rubio reintroduced [S. 13 – The Florida Shores Protection and Fairness Act](#) for a 5-year extension of the moratorium until June 30, 2027.
- In March 2019, Senators Rubio and Scott sent a [letter](#) to then-Acting Department of the Interior Secretary David Bernhardt urging that the Department's next five-year Proposed Plan for offshore oil and gas drilling exclude all areas along Florida's coast.
- In April 2019, Senator Rubio issued the following statement regarding his upcoming vote to confirm Bernhardt as Secretary of the Interior: "After speaking with Acting Secretary Bernhardt, the White House, and leadership in the Senate, I am confident that when all is said and done the ban on oil drilling off of Florida's coasts will remain in place," Rubio said. "Mr. Bernhardt will have to follow the legal requirements for taking input and comment in finalizing the five-year Outer Continental Shelf Oil and Gas Drilling Final Proposed Plan. But he is well aware of Florida's unique and vulnerable coastal character, and that most Floridians are opposed to allowing offshore drilling off of the state's coasts. He confirmed that input from state delegations and governors is one of the most important factors and our state's Congressional delegation and Governor DeSantis stand united in opposition to Florida's inclusion."
- Senator Rubio placed a hold on Katharine MacGregor's nomination to be Deputy Secretary of the Interior over concerns regarding the Department's plans to expand offshore drilling; he lifted the hold in February 2020 after a conversation with Secretary Bernhardt.
- In March 2020, Senators Rubio and Scott introduced [an amendment to S. 2657, the American Energy Innovation Act of 2020](#), to extend the moratorium by 10 years; the amendment was ruled nongermane, and the Act stalled in the Senate.

House:

- In September 2019, the U.S. House of Representatives passed [H.R. 205 – Protecting and Securing Florida's Coastline Act of 2019](#), for a permanent extension of the existing oil drilling moratorium.

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PLAN OF ACTION

• **8-Point Plan:**

1. Increase communication between the Governor and the Administration to elevate military, environmental, and economic concerns.
2. Support a legislative fix:
 - Track potential congressional vehicles, including but not limited to the annual NDAA, appropriations bills, and energy and environment packages;
 - Build coalitions of support through direct communication with Members, staff, and relevant committees;
 - Address energy and revenue aspects of extending the moratorium with opponents, to include a cost-benefit analysis;
 - Seek opportunities to coordinate state-level statements with the FL delegation; and
 - Request Administration backing of specific legislation once introduced.
3. Identify key offices to coordinate with and educate on the military importance of the issue: increase one-on-one MLA calls and shift the FL delegation MLA call to once per quarter.
 - Initial offices to coordinate with:
 - Senators Rubio and Scott;
 - House Armed Services: Reps Gaetz, Waltz;
 - Appropriations MilCon-VA: Reps Wasserman Schultz (chairwoman), Rutherford;
 - Appropriations Defense: Reps Crist, Diaz-Balart; and
 - Military-focused: Rep Dunn.
 - Initial offices to educate:
 - FL House offices without large military communities in their districts; and
 - Non-FL Senate offices and committee staff unaware of moratorium extension importance.
 - Work with the FL delegation to coordinate congressional Member and staff visits to Florida's Gulf Range Test & Training Installations.
4. Increase visibility of Department of Defense support: seek a new OSD letter detailing the national criticality of military test and training; encourage FL defense stakeholders' direct, regular communication with the Department.
5. Engage with the Department of the Interior at the principal, staff, and FL defense stakeholder levels to influence remaining steps in the BOEM development process. Concentrate efforts on the eight OCS Lands Act factors that drive the Secretary of the Interior's decision making in the National OCS Program.

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6. Build out the Enterprise FL public awareness and marketing strategy: video marketing, messaging campaigns to engage communities, social media, etc.
 7. Coordinate Enterprise FL efforts with the Department of Environmental Protection and Space Florida to enhance a state-level, unified message on urgency and importance.
 8. Solicit defense industry partner recommendations, input, and resources to further points 1-7.
- **May 2020 Potential Vehicles for Legislative Approach:**
 1. S.3422, the Great American Outdoors Act (Cory Gardner)
 2. National Defense Authorization Act, FY 2021