



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. **3333** Δ

Subject: Implementation of the *Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico* and Designation of the “Executive Agency” and Appointment of the Representative and Alternate Representative to the “Joint Commission.”

Sec. 1 **Purposes.** The purposes of this Order are to:

a. Implement, in part, the *Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico* (Agreement).

b. Designate the Department of the Interior (Department) as the Executive Agency required by the Agreement and delegate to the Bureau of Ocean Energy Management (BOEM) and/or the Bureau of Safety and Environmental Enforcement (BSEE) the authority, by function, to carry out the Executive Agency’s duties under the Agreement. It confirms the authority of BOEM and BSEE under the Outer Continental Shelf Lands Act of 1953 (OCSLA), as amended, to carry out their responsibilities under the Agreement as provided by existing general delegations to the Directors of BOEM and BSEE. Further, it obligates BOEM and BSEE to develop collaborative procedures for carrying out their responsibilities under the Agreement.

c. Provide for the appointment of the Deputy Secretary as the Representative and the Assistant Secretary – Land and Minerals Management as the Alternate Representative to the Joint Commission established under the Agreement.

Sec. 2 **Background.** The Agreement, signed by the United States and the United Mexican States on February 20, 2012, was approved by the United States Congress in the Bipartisan Budget Act of 2013 (Budget Act) signed by the President on December 26, 2013 (P.L. 113-67). The Budget Act also amended the OCSLA by adding section 32, “Transboundary Hydrocarbon Agreements.” The Agreement establishes a legal framework for the exploration and exploitation of transboundary hydrocarbon reservoirs that may exist along the maritime boundary between the United States and Mexico in the Gulf of Mexico through cooperative arrangements, primarily unitization agreements involving United States lessees and the Mexican national oil company, Petróleos Mexicanos (Pemex), and/or private companies. Under the Agreement, the United States must designate an Executive Agency to carry out many of the United States’ obligations and appoint one Representative and one Alternate Representative to the Joint Commission. The Budget Act granted the authority to implement the terms of the Agreement to the Secretary of the Interior (Secretary).

Sec. 3 Authority. This Order is issued under the authority of the OCSLA (43 U.S.C. 1331 et seq.), as amended by the Budget Act. Section 32 of OCSLA provides that “the Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012”

Sec. 4 Delegations. This Order hereby confirms that the authority provided to the Secretary by section 32 of the OCSLA is granted through existing general delegations to the Directors of BOEM and BSEE. The Directors of BOEM and BSEE accordingly have the authority to carry out all functions necessary to implement the terms of the Agreement.

Sec. 5 Policy. The Department, acting through BOEM and BSEE, will be diligent in carrying out the Agreement. The BOEM and BSEE will, separately and in cooperation with each other, carry out the functions of the Agreement to ensure that the United States meets its obligations related to responsible exploration and exploitation of transboundary hydrocarbon reservoirs that may exist along the maritime boundaries between the United States and Mexico in the Gulf of Mexico.

Sec. 6 Establishment of the Executive Agency.

a. The Department is hereby designated as the Executive Agency under the Agreement, and BOEM and BSEE are delegated the authority to carry out the Executive Agency’s duties under the Agreement, insofar and only insofar as set forth in Exhibit A, attached hereto.

b. The BOEM and BSEE will enter into a Memorandum of Understanding (MOU) not later than 30 days after the effective date of the Order detailing how, separately and in cooperation with each other, they will fulfill their responsibilities under the Agreement. Where both BOEM and BSEE are indicated in Exhibit A as the Executive Agency for an Article, the MOU will assign to either BOEM or BSEE the responsibility for carrying out the specific obligations described in the Article.

c. The MOU will align Executive Agency responsibilities consistent with the regulations in 30 CFR Chapters II and V as well as the *Memorandum of Understanding between the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement and the Office of Natural Resources Revenue for the Collaboration on Processes, Policies and Systems Relating to the Management of Outer Continental Shelf Energy and Marine Mineral Development* that became effective April 16, 2014.

Sec. 7 Appointment of the Representative and Alternate Representative. Both the United States and Mexico must appoint one Representative and one Alternate Representative to the Joint Commission not later than 90 days after the Agreement enters into force. The Deputy Secretary of the Department is hereby appointed as the Representative and the Assistant Secretary – Land and Minerals Management is hereby appointed as the Alternate Representative to the Joint Commission.

Sec. 8 **Implementation.** The Assistant Secretary – Land and Minerals Management is responsible for ensuring implementation of this Order.

Sec. 9 **Effective Date.** This Order is effective immediately. It will remain in effect until its provisions are incorporated into the Departmental Manual or until it is amended, superseded, or revoked, whichever comes first. The termination of this Order will not nullify implementation of the requirements and responsibilities set forth herein.



Secretary of the Interior

Date: JUN _ 3 2014

Exhibit A

The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico

Designation of the “Executive Agency” And Delegation of Functions

The Department of the Interior as Executive Agency will carry out the functions of the Agreement acting through BOEM and BSEE according to the table set forth below. Designation of either BOEM or BSEE as the implementing bureau in this table will not be interpreted as creating any new authority on behalf of either bureau.

Article	Implementing Bureau
1	BOEM/BSEE
4	BOEM/BSEE
5	BOEM/BSEE
6	BOEM/BSEE
7	BOEM/BSEE
8	BSEE
9	BSEE
10	BSEE
11	BSEE
12	BSEE
14	BOEM/BSEE
15	BOEM/BSEE
16	BOEM/BSEE
17	BOEM/BSEE
18	BSEE
19	BOEM/BSEE
20	BOEM/BSEE

The responsibility to implement Articles 2, 3, 13, and 21-25 does not lie with the Secretary; therefore, they are not listed in the table.