

Calendar No. 155

104TH CONGRESS
1ST SESSION

H. R. 70

IN THE SENATE OF THE UNITED STATES

JULY 26 (legislative day, JULY 10), 1995
Received; read twice and placed on the calendar

AN ACT

To permit exports of certain domestically produced crude
oil, 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. EXPORTS OF ALASKAN NORTH SLOPE OIL.**

4 Section 28 of the Mineral Leasing Act (30 U.S.C.
5 185) is amended by amending subsection (s) to read as
6 follows:

1 “EXPORTS OF ALASKAN NORTH SLOPE OIL

2 “(s)(1) Subject to paragraphs (2) through (6) of this
3 subsection and notwithstanding any other provision of this
4 Act or any other provision of law (including any regula-
5 tion) applicable to the export of oil transported by pipeline
6 over right-of-way granted pursuant to section 203 of the
7 Trans-Alaska Pipeline Authorization Act (43 U.S.C.
8 1652), such oil may be exported unless the President finds
9 that exportation of this oil is not in the national interest.
10 The President shall make his national interest determina-
11 tion within five months of the date of enactment of this
12 subsection. In evaluating whether exports of this oil are
13 in the national interest, the President shall at a minimum
14 consider—

15 “(A) whether exports of this oil would diminish
16 the total quantity or quality of petroleum available
17 to the United States;

18 “(B) the results of an appropriate environ-
19 mental review, including consideration of appropriate
20 measures to mitigate any potential adverse effects of
21 exports of this oil on the environment, which shall
22 be completed within four months of the date of the
23 enactment of this subsection; and

24 “(C) whether exports of this oil are likely to
25 cause sustained material oil supply shortages or sus-

1 tained oil prices significantly above world market
2 levels that would cause sustained material adverse
3 employment effects in the United States or that
4 would cause substantial harm to consumers, includ-
5 ing noncontiguous States and Pacific territories.

6 If the President determines that exports of this oil are
7 in the national interest, he may impose such terms and
8 conditions (other than a volume limitation) as are nec-
9 essary or appropriate to ensure that such exports are con-
10 sistent with the national interest.

11 “(2) Except in the case of oil exported to a country
12 with which the United States entered into a bilateral inter-
13 national oil supply agreement before November 26, 1979,
14 or to a country pursuant to the International Emergency
15 Oil Sharing Plan of the International Energy Agency, any
16 oil transported by pipeline over right-of-way granted pur-
17 suant to section 203 of the Trans-Alaska Pipeline Author-
18 ization Act (43 U.S.C. 1652) shall, when exported, be
19 transported by a vessel documented under the laws of the
20 United States and owned by a citizen of the United States
21 (as determined in accordance with section 2 of the Ship-
22 ping Act, 1916 (46 U.S.C. App. 802)).

23 “(3) Nothing in this subsection shall restrict the au-
24 thority of the President under the Constitution, the Inter-
25 national Emergency Economic Powers Act (50 U.S.C.

1 1701 et seq.), or the National Emergencies Act (50 U.S.C.
2 1601 et seq.) to prohibit exports of this oil or under Part
3 B of title II of the Energy Policy and Conservation Act
4 (42 U.S.C. 6271–76).

5 “(4) The Secretary of Commerce shall issue any rules
6 necessary for implementation of the President’s national
7 interest determination, including any licensing require-
8 ments and conditions, within 30 days of the date of such
9 determination by the President. The Secretary of Com-
10 merce shall consult with the Secretary of Energy in ad-
11 ministering the provisions of this subsection.

12 “(5) If the Secretary of Commerce finds that export-
13 ing oil under authority of this subsection has caused sus-
14 tained material oil supply shortages or sustained oil prices
15 significantly above world market levels and further finds
16 that these supply shortages or price increases have caused
17 or are likely to cause sustained material adverse employ-
18 ment effects in the United States, the Secretary of Com-
19 merce, in consultation with the Secretary of Energy, shall
20 recommend, and the President may take, appropriate ac-
21 tion concerning exports of this oil, which may include
22 modifying or revoking authority to export such oil.

23 “(6) Administrative action under this subsection is
24 not subject to sections 551 and 553 through 559 of title
25 5, United States Code.”.

1 **SEC. 2. GAO REPORT.**

2 (a) REVIEW.—The Comptroller General of the United
3 States shall conduct a review of energy production in Cali-
4 fornia and Alaska and the effects of Alaskan North Slope
5 oil exports, if any, on consumers, independent refiners,
6 and shipbuilding and ship repair yards on the West Coast
7 and in Hawaii. The Comptroller General shall commence
8 this review two years after the date of enactment of this
9 Act and, within six months after commencing the review,
10 shall provide a report to the Committee on Energy and
11 Natural Resources of the Senate and the Committee on
12 Resources and the Committee on Commerce of the House
13 of Representatives.

14 (b) CONTENTS OF REPORT.—The report shall con-
15 tain a statement of the principal findings of the review
16 and recommendations for Congress and the President to
17 address job loss in the shipbuilding and ship repair indus-
18 try on the West Coast, as well as adverse impacts on con-
19 sumers and refiners on the West Coast and in Hawaii,
20 that the Comptroller General attributes to Alaska North
21 Slope oil exports.

Passed the House of Representatives July 24, 1995.

Attest:

ROBIN H. CARLE,

Clerk.

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