

***In the House of Representatives, U. S.,***

*July 25, 1995.*

*Resolved,* That the bill from the Senate (S. 395) entitled “An Act to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil and for other purposes”, do pass with the following

**AMENDMENTS:**

1   **(1)** Page 2, strike out line 1 through page 9, line 6.

2   **(2)** Page 9, strike out line 8 through page 13, line 26,  
3 and insert:

4   ***SECTION 1. EXPORTS OF ALASKAN NORTH SLOPE OIL.***

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

7             “*EXPORTS OF ALASKAN NORTH SLOPE OIL*

8             “(s)(1) *Subject to paragraphs (2) through (6) of this*  
9 *subsection and notwithstanding any other provision of this*  
10 *Act or any other provision of law (including any regula-*  
11 *tion) applicable to the export of oil transported by pipeline*  
12 *over right-of-way granted pursuant to section 203 of the*  
13 *Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652),*  
14 *such oil may be exported unless the President finds that*

1 *exportation of this oil is not in the national interest. The*  
2 *President shall make his national interest determination*  
3 *within five months of the date of enactment of this sub-*  
4 *section. In evaluating whether exports of this oil are in the*  
5 *national interest, the President shall at a minimum con-*  
6 *sider—*

7           “(A) *whether exports of this oil would diminish*  
8 *the total quantity or quality of petroleum available to*  
9 *the United States;*

10           “(B) *the results of an appropriate environmental*  
11 *review, including consideration of appropriate meas-*  
12 *ures to mitigate any potential adverse effects of ex-*  
13 *ports of this oil on the environment, which shall be*  
14 *completed within four months of the date of the enact-*  
15 *ment of this subsection; and*

16           “(C) *whether exports of this oil are likely to*  
17 *cause sustained material oil supply shortages or sus-*  
18 *tained oil prices significantly above world market lev-*  
19 *els that would cause sustained material adverse em-*  
20 *ployment effects in the United States or that would*  
21 *cause substantial harm to consumers, including non-*  
22 *contiguous States and Pacific territories.*

23 *If the President determines that exports of this oil are in*  
24 *the national interest, he may impose such terms and condi-*  
25 *tions (other than a volume limitation) as are necessary or*

1 *appropriate to ensure that such exports are consistent with*  
2 *the national interest.*

3       “(2) *Except in the case of oil exported to a country*  
4 *with which the United States entered into a bilateral inter-*  
5 *national oil supply agreement before November 26, 1979,*  
6 *or to a country pursuant to the International Emergency*  
7 *Oil Sharing Plan of the International Energy Agency, any*  
8 *oil transported by pipeline over right-of-way granted pur-*  
9 *suant to section 203 of the Trans-Alaska Pipeline Author-*  
10 *ization Act (43 U.S.C. 1652) shall, when exported, be trans-*  
11 *ported by a vessel documented under the laws of the United*  
12 *States and owned by a citizen of the United States (as de-*  
13 *termined in accordance with section 2 of the Shipping Act,*  
14 *1916 (46 U.S.C. App. 802)).*

15       “(3) *Nothing in this subsection shall restrict the au-*  
16 *thority of the President under the Constitution, the Inter-*  
17 *national Emergency Economic Powers Act (50 U.S.C. 1701*  
18 *et seq.), or the National Emergencies Act (50 U.S.C. 1601*  
19 *et seq.) to prohibit exports of this oil or under Part B of*  
20 *title II of the Energy Policy and Conservation Act (42*  
21 *U.S.C. 6271–76).*

22       “(4) *The Secretary of Commerce shall issue any rules*  
23 *necessary for implementation of the President’s national in-*  
24 *terest determination, including any licensing requirements*  
25 *and conditions, within 30 days of the date of such deter-*

1 *mination by the President. The Secretary of Commerce shall*  
2 *consult with the Secretary of Energy in administering the*  
3 *provisions of this subsection.*

4       “(5) *If the Secretary of Commerce finds that exporting*  
5 *oil under authority of this subsection has caused sustained*  
6 *material oil supply shortages or sustained oil prices signifi-*  
7 *cantly above world market levels and further finds that*  
8 *these supply shortages or price increases have caused or are*  
9 *likely to cause sustained material adverse employment ef-*  
10 *fects in the United States, the Secretary of Commerce, in*  
11 *consultation with the Secretary of Energy, shall rec-*  
12 *ommend, and the President may take, appropriate action*  
13 *concerning exports of this oil, which may include modifying*  
14 *or revoking authority to export such oil.*

15       “(6) *Administrative action under this subsection is not*  
16 *subject to sections 551 and 553 through 559 of title 5, Unit-*  
17 *ed States Code.”.*

18 **SEC. 2. GAO REPORT.**

19       (a) *REVIEW.—The Comptroller General of the United*  
20 *States shall conduct a review of energy production in Cali-*  
21 *ornia and Alaska and the effects of Alaskan North Slope*  
22 *oil exports, if any, on consumers, independent refiners, and*  
23 *shipbuilding and ship repair yards on the West Coast and*  
24 *in Hawaii. The Comptroller General shall commence this*  
25 *review two years after the date of enactment of this Act*

1 *and, within six months after commencing the review, shall*  
2 *provide a report to the Committee on Energy and Natural*  
3 *Resources of the Senate and the Committee on Resources*  
4 *and the Committee on Commerce of the House of Represent-*  
5 *atives.*

6 *(b) CONTENTS OF REPORT.—The report shall contain*  
7 *a statement of the principal findings of the review and rec-*  
8 *ommendations for Congress and the President to address*  
9 *job loss in the shipbuilding and ship repair industry on*  
10 *the West Coast, as well as adverse impacts on consumers*  
11 *and refiners on the West Coast and in Hawaii, that the*  
12 *Comptroller General attributes to Alaska North Slope oil*  
13 *exports.*

14 **(3)** Page 14, strike out line 1 through page 15, line 11.

15 **(4)** Page 15, strike out line 12 through page 16, line  
16 10.

17 **(5)** Page 16, strike out line 14 through page 24, line  
18 15.

19 Amend the title so as to read: “An Act to permit ex-  
20 ports of certain domestically produced crude oil, and for  
21 other purposes.”.

Attest:

*Clerk.*

104TH CONGRESS  
1ST SESSION

**S. 395**

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**AMENDMENTS**