

Public Law 101-46
101st Congress

An Act

June 30, 1989

[S. 694]

To extend title I of the Energy Policy and Conservation Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION.

Title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended—

42 USC 6251.

(1) in section 171, by striking out “June 30, 1989” each place it appears and inserting in lieu thereof “April 1, 1990”; and

50 USC app.
2071 notes.

(2) in section 104(b)(1), by striking out “June 30, 1989” and inserting in lieu thereof “April 1, 1990”.

42 USC 6240
note.

SEC. 2. STUDY AND REPORT ON OIL LEASING AND OTHER ARRANGEMENTS TO FILL SPR TO ONE BILLION BARRELS.

(a) IN GENERAL.—The Secretary of Energy shall carry out a study on potential financial arrangements (including long-term leasing of crude oil and storage facilities) that could be used to provide additional, alternative means of financing the filling of the Strategic Petroleum Reserve to one billion barrels. In carrying out such study, the Secretary shall—

(1) assume that the legislation that extends title I of the Energy Policy and Conservation Act beyond April 1, 1990, will require the Secretary to amend, by July 1, 1990, the Strategic Petroleum Reserve Plan to provide plans for completion of storage of one billion barrels of petroleum products in the Reserve at an average fill-rate of at least seventy-five thousand barrels per day;

(2) consider a broad array of such arrangements;

(3) consult with persons in the private sector who might be interested in leasing crude oil or storage facilities;

(4) initiate, in cooperation with the Department of State, to the extent consistent with the interests of the United States, discussions with representatives of foreign governments and other entities as to the types of financial arrangements (including crude oil leasing arrangements) that would interest them; and

(5) produce preliminary written solicitations for proposed alternative financial arrangements (including long-term leasing of crude oil and storage facilities) to assist in filling the Strategic Petroleum Reserve to one billion barrels.

(b) REPORTS.—(1) The Secretary shall, no later than October 15, 1989, transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives an interim report containing—

(A) an enumeration of the specific resources (both personnel and funding) committed to the study described in subsection (a);

(B) a description of the progress made toward completing the study; and

(C) any preliminary findings and conclusions made by such date.

(2) The Secretary shall, no later than February 1, 1990, transmit to such committees a copy of the solicitations described in paragraph (5) of subsection (a) and a final report containing the findings and conclusions of the study carried out under this section, together with a draft of the legislative changes that would be necessary to authorize the most significant alternative financial arrangements studied by the Secretary (including long-term leasing of crude oil and storage facilities) and recommendations of the Secretary with respect to the need for and desirability of such financial arrangements (including long-term leasing of crude oil and storage facilities).

(c) **ENFORCEMENT.**—Notwithstanding any other provision of law, no portion of the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of pursuant to any contract or other agreement entered into or extended on or after February 1, 1990, other than to the Strategic Petroleum Reserve (either directly or by exchange) until the Secretary of Energy has transmitted the solicitations and the final report described in subsection (b)(2) (including the legislative changes and recommendations described in such subsection) to the committees described in subsection (b)(1), except for the purposes provided in section 160(d)(2) of the Energy Policy and Conservation Act.

Approved June 30, 1989.

LEGISLATIVE HISTORY—S. 694 (H.R. 2539):

HOUSE REPORTS: No. 101-86 accompanying H.R. 2539 (Comm. on Energy and Commerce).

SENATE REPORTS: No. 101-33 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 135 (1989):

May 31, considered and passed Senate.

June 20, H.R. 2539 considered and passed House; proceedings vacated and S. 694, amended, passed in lieu.

June 23, Senate concurred in House amendment with an amendment.

June 28, House concurred in Senate amendment.