

Public Law 105-177
105th Congress

An Act

To extend certain programs under the Energy Policy and Conservation Act.

June 1, 1998
[H.R. 2472]

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

SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

The Energy Policy and Conservation Act is amended—

(1) in section 166 (42 U.S.C. 6246) by striking “1997” and inserting in lieu thereof “1999”;

(2) in section 181 (42 U.S.C. 6251) by striking “1997” both places it appears and inserting in lieu thereof “1999”;

(3) by striking “section 252(l)(1)” in section 251(e)(1) (42 U.S.C. 6271(e)(1)) and inserting “section 252(k)(1)”;

(4) in section 252 (42 U.S.C. 6272)—

(A) in subsections (a)(1) and (b), by striking “allocation and information provisions of the international energy program” and inserting “international emergency response provisions”;

(B) in subsection (d)(3), by striking “known” and inserting after “circumstances” “known at the time of approval”;

(C) in subsection (e)(2) by striking “shall” and inserting “may”;

(D) in subsection (f)(2) by inserting “voluntary agreement or” after “approved”;

(E) by amending subsection (h) to read as follows:

“(h) Section 708 of the Defense Production Act of 1950 shall not apply to any agreement or action undertaken for the purpose of developing or carrying out—

“(1) the international energy program; or

“(2) any allocation, price control, or similar program with respect to petroleum products under this Act.”;

(F) in subsection (k) by amending paragraph (2) to read as follows:

“(2) The term ‘international emergency response provisions’ means—

“(A) the provisions of the international energy program which relate to international allocation of petroleum products and to the information system provided in the program; and

“(B) the emergency response measures adopted by the Governing Board of the International Energy Agency (including the July 11, 1984, decision by the Governing Board on ‘Stocks and Supply Disruptions’) for—

“(i) the coordinated drawdown of stocks of petroleum products held or controlled by governments; and

“(ii) complementary actions taken by governments during an existing or impending international oil supply disruption.”; and

(G) by amending subsection (l) to read as follows:

“(l) The antitrust defense under subsection (f) shall not extend to the international allocation of petroleum products unless allocation is required by chapters III and IV of the international energy program during an international energy supply emergency.”;

(5) in section 281 (42 U.S.C. 6285) by striking “1997” both places it appears and inserting in lieu thereof “1999”; and

(6) at the end of section 154 by adding the following new subsection:

“(f)(1) The drawdown and distribution of petroleum products from the Strategic Petroleum Reserve is authorized only under section 161 of this Act, and drawdown and distribution of petroleum products for purposes other than those described in section 161 of this Act shall be prohibited.

“(2) In the Secretary’s annual budget submission, the Secretary shall request funds for acquisition, transportation, and injection of petroleum products for storage in the Reserve. If no requests for funds are made, the Secretary shall provide a written explanation of the reason therefore.”.

Approved June 1, 1998.

42 USC 6234.

Petroleum and
petroleum
products.

LEGISLATIVE HISTORY—H.R. 2472 (S. 417):

HOUSE REPORTS: No. 105-275 (Comm. on Commerce).

SENATE REPORTS: No. 105-25 accompanying S. 417 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 143 (1997): Sept. 29, considered and passed House.

Sept. 30, considered and passed Senate, amended.

Nov. 9, House concurred in Senate amendment with an amendment pursuant to H. Res. 317.

Vol. 144 (1998): Feb. 12, Senate concurred in House amendment with an amendment.

May 19, House concurred in Senate amendment.