

U.S.C. 13a, 13b, and 21a)." for "(1) the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies', approved July 2, 1890 (15 U.S.C. 1 et seq.), as amended;" "(2) the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914 (15 U.S.C. 12 et seq.), as amended;" "(3) the Federal Trade Commission Act (15 U.S.C. 41 et seq.), as amended;" "(4) sections 73 and 74 of the Act entitled 'An Act to reduce taxation, to provide revenue for the Government, and for other purposes', approved August 27, 1894 (15 U.S.C. 8 and 9), as amended; or", and "(5) sections 2, 3, and 4 of the Act of June 19, 1936, chapter 592 (15 U.S.C. 13a, 13b, and 21a)", respectively.

Subsec. (j). Pub. L. 96-513, § 513(34)(E), inserted "(15 U.S.C. 717 et seq.)".

Subsec. (k). Pub. L. 96-294, § 804(b), amended subsec. (k) generally, inserting references to the Secretary, provision authorizing the exchange of petroleum under terms and conditions determined appropriate without regard to Federal procurement statutes and regulations, and provision making 42 U.S.C. 6239 inapplicable.

Subsec. (l). Pub. L. 96-294, § 804(c), added subsec. (l).

1976—Subsec. (a). Pub. L. 94-258 substituted provisions setting forth requirements for Secretary in administering naval petroleum reserves under this chapter, for provisions setting forth requirements for Secretary of the Navy in administering naval petroleum and oil shale reserves under this chapter.

Subsec. (b). Pub. L. 94-258 inserted "Notwithstanding any other provision of law" before "each sale", reference to United States share of petroleum, provision relating to periods of sale, and provision exempting Federal, State, or local regulations controlling sales or allocation of petroleum products, and struck out applicability to sales of gas, other hydrocarbons, oil shale, or products therefrom.

Subsecs. (c) to (k). Pub. L. 94-258 added subsecs. (c) to (k).

1962—Subsec. (a). Pub. L. 87-796 included provision for administration of oil shale reserves, required the Secretary of the Navy to use, store, sell, or exchange oil shale and products therefrom produced from oil shale reserves for other petroleum or refined products, and deleted provision which required the Secretary to use, store, sell, or exchange gas products from lands in the South Barrow gas field of naval petroleum reserve numbered 4 for other petroleum or refined products.

Pub. L. 87-599 required the Secretary of the Navy to use, store, sell, or exchange gas products from lands in the South Barrow gas field of naval petroleum reserve numbered 4 for other petroleum or refined products.

Subsec. (b). Pub. L. 87-796 included sale of oil shale and products from petroleum, gas, other hydrocarbons, and oil shale.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

MINIMUM SELLING PRICE OF UNITED STATES SHARE OF PETROLEUM

Pub. L. 106-291, title II, Oct. 11, 2000, 114 Stat. 976, provided in part: "That the requirements of 10 U.S.C. 7430(b)(2)(B) [now 8730(b)(2)(B)] shall not apply to fiscal year 2001 and any fiscal year thereafter".

Similar provisions were contained in the following appropriation and authorization acts:

Pub. L. 106-113, div. B, § 1000(a)(3) [title II], Nov. 29, 1999, 113 Stat. 1535, 1501A-179.

Pub. L. 105-277, div. A, § 101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-276.

Pub. L. 105-85, div. C, title XXXIV, § 3402, Nov. 18, 1997, 111 Stat. 2059.

Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1580.

Pub. L. 104-208, div. A, title I, § 101(d) [title II], Sept. 30, 1996, 110 Stat. 3009-181, 3009-210.

Pub. L. 104-201, div. C, title XXXIV, § 3402, Sept. 23, 1996, 110 Stat. 2858.

Pub. L. 104-134, title I, § 101(c) [title II], Apr. 26, 1996, 110 Stat. 1321-156, 1321-187; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327.

Pub. L. 104-106, div. C, title XXXIV, § 3402, Feb. 10, 1996, 110 Stat. 631.

Pub. L. 103-337, div. C, title XXXV, § 3502, Oct. 5, 1994, 108 Stat. 3111.

Pub. L. 103-332, title II, Sept. 30, 1994, 108 Stat. 2525.

Pub. L. 103-138, title II, Nov. 11, 1993, 107 Stat. 1405.

Executive Documents

DELEGATION OF FUNCTIONS

Functions vested in President by subsec. (k) of this section delegated to Secretary of Energy by section 1-102 of Ex. Ord. No. 12231, Aug. 4, 1980, 45 F.R. 52139, set out as a note under section 6240 of Title 42, The Public Health and Welfare.

§ 8731. Requirements as to consultation and approval

(a) The Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives must be consulted and the President's approval must be obtained before any condemnation proceedings may be started under this chapter and before any of the following transactions authorized by this chapter may be effective:

(1) A lease of any part of the naval petroleum reserves.

(2) A contract to alienate from the United States the use, control, or possession of any part of the naval petroleum reserves (except that consultation and Presidential approval are not required in connection with the issuance of permits, licenses, easements, grazing and agricultural leases, rights-of-way, and similar contracts pertaining to use of the surface area of the naval petroleum reserves).

(3) A contract to sell the petroleum (other than royalty oil and gas) produced from any part of the naval petroleum reserves.

(4) A contract for conservation or for compensation for estimated drainage.

(5) An agreement to exchange land, the right to royalty production, or the right to any money due the United States.

(b)(1) During the period of production authorized by section 8722(c) of this title, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives any new plans or substantial amendments to ongoing plans for the exploration, development, and production of the naval petroleum reserves.

(2) All plans or substantial amendments submitted to the Congress pursuant to this section shall contain a report by the Attorney General of the United States with respect to the anticipated effects of such plans or amendments on competition. Such plans or amendments shall

not be implemented until sixty days after such plans or amendments have been submitted to such committees.

(Aug. 10, 1956, ch. 1041, 70A Stat. 460, §7431; Pub. L. 87-796, §1(7), Oct. 11, 1962, 76 Stat. 905; Pub. L. 94-258, title II, §201(12), Apr. 5, 1976, 90 Stat. 311; Pub. L. 98-525, title XIV, §1405(52), Oct. 19, 1984, 98 Stat. 2625; Pub. L. 99-145, title XIII, §1303(a)(25), Nov. 8, 1985, 99 Stat. 740; Pub. L. 104-106, div. A, title XV, §1502(a)(2), Feb. 10, 1996, 110 Stat. 502; Pub. L. 106-65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 114-92, div. A, title X, §1073(b), Nov. 25, 2015, 129 Stat. 995; renumbered §8731 and amended Pub. L. 115-232, div. A, title VIII, §§807(d)(5), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7431	34 U.S.C. 524 (1st proviso of 4th par.).	June 4, 1920, ch. 228 (4th par., 1st proviso, of amended 3d and 4th provisos), 41 Stat. 813; June 30, 1938, ch. 851, §1, 52 Stat. 1252; June 17, 1944, ch. 262, 58 Stat. 282.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, §807(d)(5), renumbered section 7431 of this title as this section.

Subsec. (b)(1). Pub. L. 115-232, §809(a), substituted “section 8722(c)” for “section 7422(c)”.

2015—Subsec. (c). Pub. L. 114-92 struck out subsec. (c) which required annual reports relating to naval petroleum reserves.

1999—Subsecs. (a), (b)(1), (c). Pub. L. 106-65 substituted “and the Committee on Armed Services” for “and the Committee on National Security”.

1996—Subsecs. (a), (b)(1), (c). Pub. L. 104-106 substituted “Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives” for “Committees on Armed Services of the Senate and the House of Representatives”.

1985—Subsec. (c). Pub. L. 99-145 in pars. (1) to (3) substituted “The” for “the” at beginning and periods for the semicolons at end, in par. (4) substituted “A summary” for “a summary” and a period for “; and”, and in par. (5) substituted “Such” for “such”.

1984—Subsecs. (b)(1), (c). Pub. L. 98-525 inserted “of this title” after “section 7422(c)”.

1976—Pub. L. 94-258 designated existing provisions as subsec. (a), struck out “or oil shale” in pars. (1) and (2) before “reserves”, struck out “and oil shale” in pars. (2) and (3), before “reserves” substituted “petroleum (other than royalty oil and gas)” for “oil and gas (other than royalty oil and gas), oil shale, and products therefrom” in par. (3), and added subsecs. (b) and (c).

1962—Pub. L. 87-796 included oil shale reserves in cls. (1) and (2), inserted provisions in cl. (2) excepting consultation and Presidential approval in connection with issuance of permits, licenses, easements, grazing and agricultural leases, rights-of-way, and similar contracts pertaining to use of surface area of naval petroleum and oil shale reserves, and included oil shale, and products therefrom produced from any part of oil shale reserves.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800

of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8732. Authorizations of appropriations

(a) Funds for the following purposes may not be appropriated unless such appropriations have been specifically authorized by law:

(1) Exploration, prospecting, conservation, development, use, operations, and production of the naval petroleum reserves as authorized by this chapter.

(2) Production (including preparation for production) as authorized by this chapter or as may be authorized after April 5, 1976.

(3) The construction and operation of facilities both within and outside the naval petroleum reserves incident to the production and the delivery of petroleum, including pipelines and shipping terminals.

Sums appropriated for such purposes shall remain available until expended.

(b) Contracts under this chapter providing for the obligation of funds may be entered into for a period of five years, renewable for an additional five-year period; however, such contracts may obligate funds only to the extent that such funds are made available in appropriation Acts.

(Aug. 10, 1956, ch. 1041, 70A Stat. 461, §7432; Pub. L. 87-796, §1(8), Oct. 11, 1962, 76 Stat. 905; Pub. L. 94-258, title II, §201(13), Apr. 5, 1976, 90 Stat. 312; Pub. L. 96-137, §3(b)(1), Dec. 12, 1979, 93 Stat. 1061; Pub. L. 96-513, title V, §513(35), Dec. 12, 1980, 94 Stat. 2934; renumbered §8732, Pub. L. 115-232, div. A, title VIII, §807(d)(5), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7432	34 U.S.C. 524 (3d par., less 2d sentence; 5th par., 124th through 168th words).	June 4, 1920, ch. 228 (3d par., less 2d sentence; 5th par., 124th through 168th words, of amended 3d and 4th provisos), 41 Stat. 813; June 30, 1938, ch. 851, §1, 52 Stat. 1252; June 17, 1944, ch. 262, 58 Stat. 281.

In subsection (a) the words “by the Congress” are omitted as surplusage.

In subsection (b) the words “There is authorized to be appropriated” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7432 of this title as this section.

1980—Subsec. (a)(1). Pub. L. 96-513 substituted a period for the semicolon at the end.

1979—Pub. L. 96-137 struck out provisions relating to the naval petroleum reserves special account.

1976—Pub. L. 94-258 substituted “Naval petroleum reserves special account” for “Expenditures: appropriations chargeable” in section catchline.

Subsec. (a). Pub. L. 94-258 substituted provisions establishing a special account on the books of the Treasury Department to be designated as the “naval petroleum reserves special account”, and authorizing to be credited proceeds resulting from the sale or exchange of the United States share of petroleum, refined petroleum products, appropriation funds, royalties, or other revenue from the operation of the reserves, for provi-