

AMENDMENTS

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.

CONTRACT FOR STUDIES OF POTENTIAL TRANSFER OUT OF FEDERAL CONTROL OF FACILITIES AND FUNCTIONS AT ELK HILLS AND TEAPOT DOME; RESTRICTIONS

Pub. L. 101-45, title I, §501, June 30, 1989, 103 Stat. 103, provided that no funds appropriated or made available under Pub. L. 101-45 or any other Act were to be used by the executive branch to contract with organizations outside Department of Energy to perform studies of potential transfer out of Federal ownership, management or control by sale, lease, or other disposition, in whole or in part, of facilities and functions of Naval Petroleum Reserve Numbered 1 (Elk Hills) and Naval Petroleum Reserve Numbered 3 (Teapot Dome), and prohibited negotiation of changes to unit plan contract with Chevron which governed operation of Elk Hills, where purpose of changes was to prepare for divestiture of the Reserve, prior to repeal by 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.

§ 7432. 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 addi-

tional 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; 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.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
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.

AMENDMENTS

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 provisions authorizing the expenditure of funds from available appropriations for expenses incurred in the administration of the reserves.

Subsec. (b). Pub. L. 94-258 substituted provisions which made funds in the naval petroleum reserve special account available in sums specified in annual appropriations acts for enumerated expense items, for provisions which authorized expenditures to be made under the direction of the President and requiring the President to submit an estimate of expenditures necessary to carry out the purposes of this chapter.

Subsecs. (c), (d). Pub. L. 94-258 added subsecs. (c) and (d).

1962—Subsec. (a). Pub. L. 87-796 substituted “with respect to the naval petroleum and oil shale reserves shall be paid from appropriations made available for the purposes specified in this chapter” for “in exploring, prospecting, conserving, developing, using and operating lands owned or controlled by the United States in the naval petroleum reserves, and in producing petroleum, and the share of the United States of expenses incurred under any contract entered into under this chapter, shall be paid from appropriations made available for those purposes”.

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.

ABOLITION OF NAVAL PETROLEUM RESERVES SPECIAL ACCOUNT

Pub. L. 96-137, §3(c), Dec. 12, 1979, 93 Stat. 1062, provided that: “The naval petroleum reserves special ac-

count established by section 7432 of title 10, United States Code, as in existence on the day before the date of the enactment of this Act [Dec. 12, 1979], is abolished. Unappropriated balances of funds in the naval petroleum reserves special account on the date of the enactment of this Act shall be transferred on the books of the Treasury into miscellaneous receipts, and all moneys accruing to the United States after such date under chapter 641 of title 10, United States Code, shall be covered into the Treasury as miscellaneous receipts."

§ 7433. Disposition of royalties

(a) Any oil, gas, gasoline or other substance accruing to the United States as royalty from any lease under this chapter shall be delivered to the United States, or shall be paid for in money, as the Secretary elects.

(b) All money accruing to the United States from lands in the naval petroleum reserves shall be covered into the Treasury.

(Aug. 10, 1956, ch. 1041, 70A Stat. 461; Pub. L. 87-796, §1(9), Oct. 11, 1962, 76 Stat. 905; Pub. L. 94-258, title II, §201(14), (15), Apr. 5, 1976, 90 Stat. 313.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7433	34 U.S.C. 524 (10th par.).	June 4, 1920, ch. 228 (10th par. of amended 3d and 4th provisos), 41 Stat. 813; June 30, 1938, ch. 851, § 1, 52 Stat. 1254; June 17, 1944, ch. 262, 58 Stat. 281.

In subsection (a) the words "or all" are omitted as surplusage. The words "under this chapter" are substituted for the words "of lands within the naval petroleum reserves or other naval fuel reserves under the authority of this section" for brevity. The words "be delivered to the United States, or shall be paid for in money" are substituted for the words "be paid for in money or be paid in kind" for clarity. Neither gas, oil, gasoline, nor hydrocarbon can be "paid", but any one of them may be delivered.

In subsection (b) the words "except as otherwise provided in this section" are omitted as surplusage. There is no exception within the chapter to the rule stated in subsection (b). The word "paid" is substituted for the words "which may accrue" for clarity. The words "under this chapter" are substituted for the words "under the provisions of this section or of sections * * * on account of the petroleum products extracted therefrom" for brevity. The two terms are coextensive. The sections of 30 U.S.C. that are cited in 34 U.S.C. 524 (10th par.) comprise the entire Act of Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended. The application of that Act to the Navy is covered in §7427 of this title. The words "as miscellaneous receipts" are omitted as surplusage.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-258, §201(14), struck out "of the Navy" after "Secretary".

Subsec. (b). Pub. L. 94-258, §201(15), struck out "and oil shale" after "petroleum".

1962—Subsec. (a). Pub. L. 87-796 substituted "or other substance" for "or other hydrocarbon substance".

Subsec. (b). Pub. L. 87-796 substituted "All money accruing to the United States from lands in the naval petroleum and oil shale reserves" for "Money paid to the United States for petroleum products under this chapter".

[§ 7434. Repealed. Pub. L. 104-66, title I, § 1051(g), Dec. 21, 1995, 109 Stat. 716]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 461; Sept. 2, 1958, Pub. L. 85-861, §33(a)(35), 72 Stat. 1566; Oct.

11, 1962, Pub. L. 87-796, §1(10), 76 Stat. 906; Apr. 5, 1976, Pub. L. 94-258, title II, §201(16), 90 Stat. 313; Dec. 12, 1980, Pub. L. 96-513, title V, §513(36), 94 Stat. 2934; Nov. 5, 1990, Pub. L. 101-510, div. A, title XIII, §1311(7), 104 Stat. 1670, directed Secretary to submit annual report to Congress on production from naval petroleum reserves during the preceding year. Pub. L. 104-106, div. A, title XV, §1502(a)(28)(A), Feb. 10, 1996, 110 Stat. 506, which directed the general amendment of this section, could not be executed because of prior repeal by Pub. L. 104-66.

§ 7435. Foreign interest

(a) If the laws, customs, or regulations of any foreign country deny the privilege of leasing public lands to citizens or corporations of the United States, citizens of that foreign country, or corporations controlled by citizens of that country, may not, by contract made after July 1, 1937, or by stock ownership, holding, or control, acquire or own any interest in, or right to any benefit from, any lease of land in the naval petroleum, naval oil shale, or other naval fuel reserves made under sections 181-184, 185-188, 189-194, 201, 202-209, 211-214, 223, 224-226, 226d, 226e, 227-229a, 241, 251, and 261-263 of title 30, or under this chapter.

(b) The Secretary may cancel any lease for any violation of this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 461; Pub. L. 87-796, §1(11), Oct. 11, 1962, 76 Stat. 906; Pub. L. 94-258, title II, §201(17), Apr. 5, 1976, 90 Stat. 313.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7435	34 U.S.C. 524 (8th par.).	June 4, 1920, ch. 228 (8th par. of amended 3d and 4th provisos), 41 Stat. 813; June 30, 1938, ch. 851, § 1, 52 Stat. 1254; June 17, 1944, ch. 262, 58 Stat. 281.

In subsection (a) the words "foreign country" are substituted for the words "another country" for clarity.

In subsection (b) the word "for" is substituted for the words "in the event of" for brevity.

REFERENCES IN TEXT

Section 194 of title 30, referred to in subsec. (a), was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 644.

Section 204 of title 30, referred to in subsec. (a), was repealed by Pub. L. 94-377, §13(a), Aug. 4, 1976, 90 Stat. 1090, subject to valid existing rights.

Sections 226d and 226e of title 30, referred to in subsec. (a), were omitted from the Code. See section 226 of Title 30, Mineral Lands and Mining.

Section 227 of title 30, referred to in subsec. (a), was omitted from the Code.

AMENDMENTS

1976—Subsec. (b). Pub. L. 94-258 struck out "of the Navy" after "Secretary".

1962—Subsec. (a). Pub. L. 87-796 substituted "land in the naval petroleum, naval oil shale, or other naval fuel reserves" for "land in the naval petroleum or other naval fuel reserves".

§ 7436. Regulations

(a) The Secretary may prescribe regulations and take any proper action to accomplish the purposes of this chapter.

(b) All statements, reports, and representations required by the regulations shall be under