

§ 2008. Procedures for waiver of Federal law

(a) Waiver of provisions of Federal law

The President may identify those provisions of Federal law (including any law or laws regarding the location of a crude oil transportation system but not including any provision of the antitrust laws) which, in the national interest, as determined by the President, should be waived in whole or in part to facilitate construction or operation of any such system approved under section 2007 of this title or of the Long Beach-Midland project, and he shall submit any such proposed waiver to both Houses of the Congress. The provisions so identified shall be waived with respect to actions to be taken to construct or operate such system or project only upon enactment of a joint resolution within the first period of 60 calendar days of continuous session of Congress beginning on the date of receipt by the House of Representatives and the Senate of such proposal.

(b) Joint resolution

The resolving clause of the joint resolution referred to in subsection (a) is as follows: "That the House of Representatives and Senate approve the waiver of the provisions of law () as proposed by the President, submitted to the Congress on , 19 .". The first blank space therein being filled with the citation to the provisions of law proposed to be waived by the President and the second blank space therein being filled with the date on which the President submits his decision to waive¹ such provisions of law to the House of Representatives and the Senate. Rules and procedures for consideration of any such joint resolution shall be governed by section 719f(c) and (d) of title 15, other than paragraph (2) of section 719f(d) of title 15, except that for the purposes of this subsection, the phrase "a waiver of provisions of law" shall be substituted in section 719f(d) of title 15 each place where the phrase "an Alaska natural gas transportation system" appears.

(Pub. L. 95-617, title V, § 508, Nov. 9, 1978, 92 Stat. 3162.)

DEFINITIONS

The definition of "antitrust laws" in section 2602 of Title 16, Conservation, applies to this section.

§ 2009. Expedited procedures for issuance of permits: enforcement of rights-of-way

(a) Expedited procedures for approved systems

After issuance of a decision by the President approving any crude oil transportation system, all Federal officers and agencies shall expedite, to the maximum extent practicable, consistent with applicable provisions of law, all actions necessary to determine whether to issue, administer, or enforce rights-of-way across Federal lands and to issue Federal permits in connection with, or otherwise to authorize, construction and operation of such system. Any such action shall be consistent with applicable provisions of law. After taking any such action, such officer or agency shall publish notification of the taking of such action in the Federal Register.

¹ So in original. Probably should be "waive".

(b) Expedited procedures for Long Beach-Midland project

All decisions regarding issuance of Federal permits, rights-of-way, and leases and other Federal authorizations necessary for construction and operation of the Long Beach-Midland project shall be consistent with applicable provisions of Federal law, except that such decisions shall be made within 30 days after the date this chapter becomes effective. The President may extend the date by which such decisions, under the preceding sentence, are to be made to a date not later than 90 days after the effective date of this chapter. Notification of the making of such decisions shall be published in the Federal Register. Nothing in this section affects any decision made before November 9, 1978.

(c) Law governing rights-of-way

Rights-of-way over any Federal land with respect to an approved crude oil transportation system or the Long Beach-Midland project shall be governed by the provisions of section 185 of title 30, other than subsection (w)(2) of such section.

(Pub. L. 95-617, title V, § 509, Nov. 9, 1978, 92 Stat. 3162.)

REFERENCES IN TEXT

The date this chapter becomes effective and the effective date of this chapter, referred to in subsec. (b), mean the date of enactment of title V of Pub. L. 95-617, which was approved Nov. 9, 1978.

§ 2010. Negotiations with Government of Canada

With respect to any crude oil transportation system approved under section 2007(a) of this title all or any part of which is to be located in Canada, the President of the United States is authorized and requested to enter into negotiations with the Government of Canada to determine what measures can be taken to expedite the granting of approvals by the Government of Canada for construction or operation of such system, and he is authorized and requested to explore the possibility of further exchanges of crude oil supplies between the United States and Canada.

(Pub. L. 95-617, title V, § 510, Nov. 9, 1978, 92 Stat. 3163.)

§ 2011. Judicial review

(a) Notice

The President or any other Federal officer shall cause notice to be published in the Federal Register and in newspapers of general circulation in the areas affected whenever he makes any decision described in subsection (b).

(b) Review of certain Federal actions

Any action seeking judicial review of an action or decision of the President or any other Federal officer taken or made after November 9, 1978, concerning the approval or disapproval of a crude oil transportation system or the issuance of necessary rights-of-way, permits, leases, and other authorizations for the construction, operation, and maintenance of the Long Beach-Midland project or a crude oil transportation system approved under section 2007(a) of this title