

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Energy Policy and Conservation Act to prohibit the export or sale of petroleum products from the Strategic Petroleum Reserve to certain entities, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. FETTERMAN (for himself, Mr. CRUZ, and Ms. SLOTKIN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend the Energy Policy and Conservation Act to prohibit the export or sale of petroleum products from the Strategic Petroleum Reserve to certain entities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Banning SPR Oil Ex-  
5 ports to Foreign Adversaries Act”.

1 **SEC. 2. PROHIBITION ON CERTAIN EXPORTS.**

2 (a) IN GENERAL.—The Energy Policy and Conserva-  
3 tion Act is amended by inserting after section 163 (42  
4 U.S.C. 6243) the following:

5 **“SEC. 164. PROHIBITION ON CERTAIN EXPORTS.**

6 “(a) IN GENERAL.—The Secretary shall prohibit the  
7 export or sale of petroleum products drawn down from the  
8 Strategic Petroleum Reserve, under any provision of law,  
9 to—

10 “(1) the People’s Republic of China;

11 “(2) the Democratic People’s Republic of  
12 Korea;

13 “(3) the Russian Federation;

14 “(4) the Islamic Republic of Iran; and

15 “(5) any entity that is under the ownership or  
16 control of—

17 “(A) a country referred to in any of para-  
18 graphs (1) through (4); or

19 “(B) the Chinese Communist Party.

20 “(b) WAIVER.—The Secretary may issue a waiver of  
21 the prohibition described in subsection (a) if the Secretary  
22 certifies that any export or sale authorized pursuant to  
23 the waiver is in the national security interests of the  
24 United States.

25 “(c) RULE.—Not later than 60 days after the date  
26 of enactment of the Banning SPR Oil Exports to Foreign

1 Adversaries Act, the Secretary shall issue a rule to carry  
2 out this section.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) DRAWDOWN AND SALE OF PETROLEUM  
5 PRODUCTS.—Section 161(a) of the Energy Policy  
6 and Conservation Act (42 U.S.C. 6241(a)) is  
7 amended by inserting “and section 164” before the  
8 period at the end.

9 (2) CLERICAL AMENDMENT.—The table of con-  
10 tents for the Energy Policy and Conservation Act is  
11 amended by inserting after the item relating to sec-  
12 tion 163 the following:

“Sec. 164. Prohibition on certain exports.”.

13 (3) NATIONAL POLICY ON OIL EXPORT RE-  
14 STRICTION.—Section 101(b) of the Consolidated Ap-  
15 propriations Act, 2016 (42 U.S.C. 6212a(b)) is  
16 amended by inserting “and section 164 of the En-  
17 ergy Policy and Conservation Act” after “and (d)”.