

118TH CONGRESS
2D SESSION

S. 4020

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.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2024

Mr. FETTERMAN (for himself, Ms. ERNST, Mr. CASEY, Mr. BROWN, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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 Oil Exports
5 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;

15 “(5) the Bolivarian Republic of Venezuela;

16 “(6) the Syrian Arab Republic;

17 “(7) the Republic of Cuba; and

18 “(8) any entity owned, controlled, or influenced
19 by—

20 “(A) a country referred to in any of para-
21 graphs (1) through (7); or

22 “(B) the Chinese Communist Party.

23 “(b) WAIVER.—The Secretary may issue a waiver of
24 the prohibition described in subsection (a) if the Secretary
25 certifies that any export or sale authorized pursuant to

1 the waiver is in the national security interests of the
2 United States.

3 “(c) RULE.—Not later than 60 days after the date
4 of enactment of the Banning Oil Exports to Foreign Ad-
5 versaries Act, the Secretary shall issue a rule to carry out
6 this section.”.

7 (b) CONFORMING AMENDMENTS.—

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

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

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

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