

117TH CONGRESS
2D SESSION

S. _____

To require the Secretary of Energy to stipulate, as a condition on the sale at auction of any crude oil from the Strategic Petroleum Reserve, that the crude oil not be exported to certain countries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself, Mrs. BLACKBURN, Mr. HAWLEY, Ms. ERNST, Mr. LANKFORD, Mr. KENNEDY, Mr. MARSHALL, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Energy to stipulate, as a condition on the sale at auction of any crude oil from the Strategic Petroleum Reserve, that the crude oil not be exported to certain countries, 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 “No Emergency Crude
5 Oil for Foreign Adversaries Act”.

1 **SEC. 2. CONDITION ON AUCTION OF CRUDE OIL FROM THE**
2 **STRATEGIC PETROLEUM RESERVE.**

3 (a) DEFINITIONS.—In this section:

4 (1) BIDDER.—The term “bidder” means an in-
5 dividual or entity bidding or intending to bid at an
6 auction of crude oil from the Strategic Petroleum
7 Reserve.

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of Energy.

10 (3) STRATEGIC PETROLEUM RESERVE.—The
11 term “Strategic Petroleum Reserve” means the
12 Strategic Petroleum Reserve established under part
13 B of title I of the Energy Policy and Conservation
14 Act (42 U.S.C. 6231 et seq.).

15 (b) PROHIBITION ON EXPORT OF SPR CRUDE OIL
16 TO CERTAIN COUNTRIES.—

17 (1) IN GENERAL.—Notwithstanding any other
18 provision of law, including section 161 of the Energy
19 Policy and Conservation Act (42 U.S.C. 6241), and
20 subject to paragraph (2), with respect to the draw-
21 down and sale at auction of any crude oil from the
22 Strategic Petroleum Reserve after the date of enact-
23 ment of this Act, the Secretary shall require, as a
24 condition of any such sale, that the crude oil not be
25 exported to—

26 (A) the People’s Republic of China;

1 (B) the Russian Federation;

2 (C) the Democratic People's Republic of
3 Korea; or

4 (D) the Islamic Republic of Iran.

5 (2) WAIVER.—

6 (A) IN GENERAL.—On application by a
7 bidder, the Secretary may waive, prior to the
8 date of the applicable auction, the condition de-
9 scribed in paragraph (1) with respect to the
10 sale of crude oil to that bidder at that auction.

11 (B) REQUIREMENT.—The Secretary may
12 issue a waiver under subparagraph (A) only if
13 the Secretary determines that the waiver is in
14 the interest of the national security of the
15 United States.

16 (C) APPLICATIONS.—

17 (i) IN GENERAL.—A bidder desiring a
18 waiver under subparagraph (A) shall sub-
19 mit to the Secretary an application—

20 (I) not later than the date that is
21 30 days before the date of the applica-
22 ble auction; and

23 (II) in such form and containing
24 such information as the Secretary
25 may require.

1 (ii) DEADLINE FOR DECISION.—The
2 Secretary shall determine whether to ap-
3 prove or deny an application submitted
4 under clause (i) by the date that is 30
5 days after the date on which the applica-
6 tion is submitted.

7 (c) REPORT.—Not later than 180 days after the date
8 of enactment of this Act, the Secretary shall submit to
9 the Committee on Energy and Natural Resources of the
10 Senate and the Committees on Energy and Commerce and
11 Natural Resources of the House of Representatives a re-
12 port describing—

13 (1) the route to destination and place of refine-
14 ment of all crude oil sold at auction from the Stra-
15 tegic Petroleum Reserve since November 23, 2021;
16 and

17 (2) the ownership of the refinement facilities at
18 which crude oil described in paragraph (1) was re-
19 fined.