

AMENDMENT NO. _____ Calendar No. _____

Purpose: To clarify export licensing requirements of crude oil.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To provide for reforms of the administration of the Outer Continental Shelf of the United States, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Beginning on page 46, strike line 3 and all that fol-
2 lows through page 47, line 16, and insert the following:
3 of the Fund not more than \$200,000,000 for fiscal
4 year 2027 and each fiscal year thereafter.

5 (2) RECEIPTS UNDER OUTER CONTINENTAL
6 SHELF LANDS ACT.—To the extent that amounts ap-
7 propriated under paragraph (1) and deposited under
8 subsection (b) are not sufficient to make the total
9 annual income of the Fund equivalent to the
10 amounts provided in paragraph (1), an amount suf-
11 ficient to cover the remainder shall be credited to

1 the Fund from revenues due and payable to the
2 United States for deposit in the Treasury as mis-
3 cellaneous receipts under the Outer Continental
4 Shelf Lands Act (43 U.S.C. 1331 et seq.).

5 (3) AVAILABILITY OF DEPOSITS.—

6 (A) IN GENERAL.—Amounts deposited in
7 the Fund under this subsection shall remain
8 available until expended, without fiscal year
9 limitation.

10 (B) USE.—Amounts deposited in the Fund
11 under this subsection and made available for
12 obligation or expenditure from the Fund may
13 be obligated or expended only to carry out the
14 Tribal Resilience Program under section 401.

15 **TITLE V—MISCELLANEOUS**

16 **SEC. 501. ACCESS TO MARKETS.**

17 (a) IN GENERAL.—Notwithstanding any other provi-
18 sion of law, to promote the efficient exploration, produc-
19 tion, storage, supply, and distribution of energy resources,
20 any domestic crude oil or condensate (other than crude
21 oil stored in the Strategic Petroleum Reserve) may be ex-
22 ported without a Federal license to countries not subject
23 to sanctions by the United States.

24 (b) SAVINGS CLAUSE.—Nothing in this section limits
25 the authority of the President under the Constitution, the

1 International Emergency Economic Powers Act (50
2 U.S.C. 1701 et seq.), the National Emergencies Act (50
3 U.S.C. 1601 et seq.), or part B of title II of the Energy
4 Policy and Conservation Act (42 U.S.C. 6271 et seq.) to
5 prohibit exports.

6 (c) FINDINGS.—Congress finds that—

7 (1) the United States has enjoyed a renaissance
8 in energy production—

9 (A) increasing domestic investment and
10 jobs; and

11 (B) establishing the United States as a
12 world leader in crude oil production;

13 (2) the United States upholds a commitment to
14 free trade and open markets and has consistently
15 opposed attempts by other nations to restrict the
16 free flow of energy;

17 (3) independent studies have concluded that al-
18 lowing the export of domestically produced crude
19 oil—

20 (A) will increase the globally available sup-
21 ply of crude oil; and

22 (B) will tend to reduce domestic prices for
23 gasoline and other refined petroleum products
24 in the United States;

1 (4) gasoline and other refined petroleum prod-
2 ucts are already eligible for export from the United
3 States without restriction;

4 (5) gasoline prices in the United States reflect
5 the price paid on the global market for crude oil and
6 not a separate crude oil price in the United States;

7 (6) exports of crude oil produced in the United
8 States would provide an alternative stable supplier
9 for crude oil to allies of the United States around
10 the world—

11 (A) allowing United States crude oil ex-
12 ports to compete on equal footing with other
13 international crudes;

14 (B) allowing United States crude oil ex-
15 ports to compete with and potentially displace
16 crude oil exports from Iran, as potential easing
17 of sanctions could lead to Iran regaining mar-
18 ket share;

19 (C) facilitating assistance to the countries
20 of Europe and Eurasia to diversify their energy
21 sources and achieve energy security by pro-
22 viding another option to protect against possible
23 unstable supply flows; and

1 (D) allowing the United States to use na-
2 tional energy policy to further United States in-
3 terests abroad; and

4 (7) the United States should remove all restric-
5 tions on the export of domestically produced crude
6 oil or crude oil of any origin, which will increase eco-
7 nomic benefits, enhance energy security, improve the
8 trade deficit, and promote key national security in-
9 terests of the United States domestically and around
10 the world.

11 (d) EXCEPTIONS AND PRESIDENTIAL AUTHORITY.—

12 (1) IN GENERAL.—The President may impose
13 export licensing requirements or other restrictions
14 on the export of crude oil from the United States for
15 a period of not more than 1 year, if—

16 (A) the President declares a national emer-
17 gency and formally notices the declaration of a
18 national emergency in the Federal Register;

19 (B) the export licensing requirements or
20 other restrictions on the export of crude oil
21 from the United States under this section apply
22 to 1 or more countries, persons, or organiza-
23 tions in the context of sanctions or trade re-
24 strictions imposed by the United States for rea-

1 sons of national security by the Executive au-
2 thority of the President or by Congress; or

3 (C) the Secretary of Commerce, in con-
4 sultation with the Secretary of Energy, finds
5 and reports to the President that—

6 (i) the export of crude oil pursuant to
7 this section has caused sustained material
8 oil supply shortages or sustained oil prices
9 significantly above world market levels that
10 are directly attributable to the export of
11 crude oil produced in the United States;
12 and

13 (ii) those supply shortages or price in-
14 creases have caused or are likely to cause
15 sustained material adverse employment ef-
16 fects in the United States.

17 (2) RENEWAL.—Any requirement or restriction
18 imposed pursuant to paragraph (1) may be renewed
19 for 1 or more additional periods of not more than
20 1 year each.

21 (e) GAO REVIEW AND REPORT.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, and annually
24 thereafter for 2 years, the Comptroller General of
25 the United States shall conduct a review of—

1 (A) energy production in the United
2 States; and

3 (B) the effects, if any, of crude oil exports
4 from the United States on consumers, inde-
5 pendent refiners, and shipbuilding and ship re-
6 pair yards.

7 (2) CONTENTS OF REPORT.—Not later than 1
8 year after commencing each review under paragraph
9 (1), the Comptroller General of the United States
10 shall submit to the Committees on Energy and Nat-
11 ural Resources, Banking, Housing, and Urban Af-
12 fairs, Commerce, Science, and Transportation, and
13 Foreign Relations of the Senate and the Committees
14 on Natural Resources, Energy and Commerce, Fi-
15 nancial Services, and Foreign Affairs of the House
16 of Representatives a report that includes—

17 (A) a statement of the principal findings of
18 the review; and

19 (B) recommendations for Congress and the
20 President to address any job loss in the ship-
21 building and ship repair industry or adverse im-
22 pacts on consumers and refiners that the
23 Comptroller General of the United States at-
24 tributes to unencumbered crude oil exports in
25 the United States.