

113TH CONGRESS
2D SESSION

H. R. 4349

To repeal the crude oil export ban under the Energy Policy and Conservation Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2014

Mr. McCAUL (for himself and Mr. CULBERSON) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Natural Resources, Energy and Commerce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To repeal the crude oil export ban under the Energy Policy and Conservation Act, 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 “Crude Oil Export Act”.

5 **SEC. 2. CRUDE OIL EXPORTS.**

6 (a) REPEAL OF PRESIDENTIAL AUTHORITY TO RE-
7 STRICT OIL EXPORTS.—

1 (1) IN GENERAL.—Section 103 of the Energy
2 Policy and Conservation Act (42 U.S.C. 6212) is re-
3 pealed.

4 (2) CONFORMING AMENDMENTS.—

5 (A) Section 12 of the Alaska Natural Gas
6 Transportation Act of 1976 (15 U.S.C. 719j) is
7 amended—

8 (i) by striking “and section 103 of the
9 Energy Policy and Conservation Act”; and

10 (ii) by striking “such Acts” and in-
11 serting “that Act”.

12 (B) The Energy Policy and Conservation
13 Act is amended—

14 (i) in section 251 (42 U.S.C. 6271)—

15 (I) by striking subsection (d);

16 and

17 (II) by redesignating subsection

18 (e) as subsection (d); and

19 (ii) in section 523(a)(1) (42 U.S.C.
20 6393(a)(1)), by striking “(other than sec-
21 tion 103 thereof)”.

22 (b) REPEAL OF LIMITATIONS ON EXPORTS OF OIL.—

23 (1) IN GENERAL.—Section 28 of the Mineral
24 Leasing Act (30 U.S.C. 185) is amended—

25 (A) by striking subsection (u); and

1 (B) by redesignating subsections (v)
 2 through (y) as subsections (u) through (x), re-
 3 spectively.

4 (2) CONFORMING AMENDMENTS.—

5 (A) Section 1107(c) of the Alaska National
 6 Interest Lands Conservation Act (16 U.S.C.
 7 3167(c)) is amended by striking “(u) through
 8 (y)” and inserting “(u) through (x)”.

9 (B) Section 23 of the Deep Water Port
 10 Act of 1974 (33 U.S.C. 1522) is repealed.

11 (C) Section 203(c) of the Trans-Alaska
 12 Pipeline Authorization Act (43 U.S.C. 1652(c))
 13 is amended in the first sentence by striking
 14 “(w)(2), and (x))” and inserting “(v)(2), and
 15 (w))”.

16 (D) Section 509(c) of the Public Utility
 17 Regulatory Policies Act of 1978 (43 U.S.C.
 18 2009(c)) is amended by striking “subsection
 19 (w)(2)” and inserting “subsection (v)(2)”.

20 (c) REPEAL OF LIMITATIONS ON EXPORT OF OCS
 21 OIL OR GAS.—Section 28 of the Outer Continental Shelf
 22 Lands Act (43 U.S.C. 1354) is repealed.

23 (d) TERMINATION OF LIMITATION ON EXPORTATION
 24 OF CRUDE OIL.—Section 7(d) of the Export Administra-
 25 tion Act of 1979 (50 U.S.C. App. 2406(d)) (as in effect

1 pursuant to the International Emergency Economic Pow-
2 ers Act (50 U.S.C. 1701 et seq.)) shall have no force or
3 effect.

4 (e) CLARIFICATION OF CRUDE OIL REGULATION.—

5 (1) IN GENERAL.—Section 754.2 of title 15,
6 Code of Federal Regulations (relating to crude oil)
7 shall have no force or effect.

8 (2) CRUDE OIL LICENSE REQUIREMENTS.—The
9 Bureau of Industry and Security of the Department
10 of Commerce shall grant licenses to export to a
11 country crude oil (as the term is defined in sub-
12 section (a) of the regulation referred to in paragraph
13 (1)) (as in effect on the date that is 1 day before
14 the date of enactment of this Act) unless—

15 (A) the country is subject to sanctions or
16 trade restrictions imposed by the United States;
17 or

18 (B) the President or Congress has des-
19 ignated the country as subject to exclusion for
20 reasons of national security.

21 (f) PRESIDENTIAL BAN.—

22 (1) AUTHORITY.—The President may, subject
23 to paragraph (2), impose a ban on the export of
24 crude oil from the United States for a period of not
25 more than 90 days during a period of national emer-

1 gency. Such ban may be renewed for additional peri-
2 ods during the period of national emergency.

3 (2) CONGRESSIONAL REVIEW ACT.—The act of
4 imposing or renewing a ban under paragraph (1)
5 shall be considered a major rule subject to a resolu-
6 tion of disapproval under chapter 8 of title 5, United
7 States Code (commonly referred to as the “Congres-
8 sional Review Act”).

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