

118TH CONGRESS
1ST SESSION

S. 190

To amend the Energy Policy and Conservation Act to prohibit exports of crude and refined oil and certain petroleum products to the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2023

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the Energy Policy and Conservation Act to prohibit exports of crude and refined oil and certain petroleum products to the People's Republic of China.

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 “China Oil Export Pro-
5 hibition Act of 2023”.

1 **SEC. 2. PROHIBITION ON EXPORT OF CRUDE AND REFINED**
 2 **OIL AND CERTAIN PETROLEUM PRODUCTS**
 3 **TO THE PEOPLE'S REPUBLIC OF CHINA.**

4 (a) IN GENERAL.—The Energy Policy and Conserva-
 5 tion Act (42 U.S.C. 6201 et seq.) is amended by inserting
 6 after section 101 the following:

7 **“SEC. 102. PROHIBITION ON EXPORT OF CERTAIN PETRO-**
 8 **LEUM PRODUCTS TO THE PEOPLE'S REPUB-**
 9 **LIC OF CHINA.**

10 “(a) IN GENERAL.—Notwithstanding any other pro-
 11 vision of law, no petroleum product described in subsection
 12 (b) that is produced in the United States may be exported
 13 from the United States to the People's Republic of China.

14 “(b) PETROLEUM PRODUCT DESCRIBED.—A petro-
 15 leum product referred to in subsection (a) is—

16 “(1) crude oil;

17 “(2) refined oil or a refined oil product;

18 “(3) residual fuel oil; or

19 “(4) any other petroleum product (other than
 20 natural gas or any natural gas liquid product).

21 “(c) APPLICABILITY.—

22 “(1) PETROLEUM PRODUCTS IN TRANSPORT.—
 23 Subsection (a) shall not apply to any petroleum
 24 product described in subsection (b) that is in the
 25 process of being transported from the United States
 26 to the People's Republic of China as of the date on

1 which the prohibition under that subsection takes ef-
2 fect pursuant to subsection (d).

3 “(2) NATURAL GAS.—Subsection (a) does not
4 apply to natural gas or any natural gas liquid prod-
5 uct.

6 “(d) EFFECTIVE DATE.—The prohibition described
7 in subsection (a) shall take effect on the date that is 10
8 days after the date of enactment of the China Oil Export
9 Prohibition Act of 2023.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 for the Energy Policy and Conservation Act (Public Law
12 94–163; 89 Stat. 871; 114 Stat. 2034) is amended by in-
13 serting after the item relating to section 101 the following:

 “Sec. 102. Prohibition on export of certain petroleum products to the People’s
 Republic of China.”.

14 (c) CONFORMING AMENDMENT.—Section 101(b) of
15 division O of the Consolidated Appropriations Act, 2016
16 (42 U.S.C. 6212a(b)) is amended by inserting “and sec-
17 tion 102 of the Energy Policy and Conservation Act” after
18 “subsections (c) and (d)”.

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