

118TH CONGRESS
1ST SESSION

S. 337

To amend the Energy Policy and Conservation Act to require that the Strategic Petroleum Reserve contain petroleum products produced or refined in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2023

Mr. SULLIVAN 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 require that the Strategic Petroleum Reserve contain petroleum products produced or refined in the United States, 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 “Replenishing Our
5 American Reserves Act” or the “ROAR Act”.

1 **SEC. 2. PRIORITIZING DOMESTIC PETROLEUM PRODUCTS**
2 **FOR REFILL OF THE STRATEGIC PETROLEUM**
3 **RESERVE.**

4 (a) IN GENERAL.—Section 160(c) of the Energy Pol-
5 icy and Conservation Act (42 U.S.C. 6240(c)) is amend-
6 ed—

7 (1) in the first sentence of the matter preceding
8 paragraph (1), by inserting “products” after “petro-
9 leum”;

10 (2) in paragraph (5), by striking “and” after
11 the semicolon;

12 (3) by redesignating paragraph (6) as para-
13 graph (7); and

14 (4) by inserting after paragraph (5) the fol-
15 lowing:

16 “(6) effective on the date of enactment of the
17 ROAR Act, ensure that only petroleum products
18 that have been produced or refined in the United
19 States are acquired and injected into the Reserve;
20 and”.

21 (b) REGULATION UPDATES.—Not later than 180
22 days after the date of enactment of this Act, the Secretary
23 of Energy shall promulgate appropriate regulations to up-
24 date procedures for the acquisition of petroleum products
25 for the Strategic Petroleum Reserve in accordance with
26 the amendments made by this section.

1 **SEC. 3. LIMITATION ON THE IMPORT OF PETROLEUM**
 2 **PRODUCTS FROM CERTAIN COUNTRIES.**

3 (a) IN GENERAL.—Section 160 of the Energy Policy
 4 and Conservation Act (42 U.S.C. 6240) is amended—

5 (1) by redesignating subsections (f) and (h) as
 6 subsections (d) and (e), respectively; and

7 (2) by adding at the end the following:

8 “(f) LIMITATION ON FILLING THE STRATEGIC PE-
 9 TROLEUM RESERVE.—

10 “(1) DEFINITIONS.—In this subsection:

11 “(A) COVERED COUNTRY.—The term ‘cov-
 12 ered country’ means—

13 “(i) Algeria;

14 “(ii) Angola;

15 “(iii) The Democratic Republic of the
 16 Congo;

17 “(iv) Equatorial Guinea;

18 “(v) Gabon;

19 “(vi) Iran;

20 “(vii) Iraq;

21 “(viii) Kuwait;

22 “(ix) Libya;

23 “(x) Nigeria;

24 “(xi) The People’s Republic of China;

25 “(xii) The Russian Federation;

26 “(xiii) Saudi Arabia;

1 “(xiv) United Arab Emirates; and

2 “(xv) Venezuela.

3 “(B) PRODUCTION.—The term ‘produc-
4 tion’, with respect to a petroleum product, does
5 not include the refining of that petroleum prod-
6 uct.

7 “(2) LIMITATION.—The Strategic Petroleum
8 Reserve may not be filled with a petroleum product
9 imported from—

10 “(A) a covered country; or

11 “(B) a foreign country other than a cov-
12 ered country, unless the Secretary submits to
13 Congress a certification that all means of in-
14 creasing production of petroleum products in
15 the United States has been exhausted, includ-
16 ing—

17 “(i) increasing the availability of Fed-
18 eral land for leasing; and

19 “(ii) increasing the number of applica-
20 tions for permits to drill; and

21 “(3) CONSULTATION.—In carrying out para-
22 graph (2), the Secretary shall consult with—

23 “(A) the Secretary of Agriculture;

24 “(B) the Secretary of the Interior; and

25 “(C) the Secretary of Defense.”.

1 (b) CONFORMING AMENDMENTS.—Section 167 of the
 2 Energy Policy and Conservation Act (42 U.S.C. 6247) is
 3 amended—

4 (1) in subsection (b)(3), by striking “section
 5 160(f)” and inserting “section 160(d)”; and

6 (2) in subsection (d), in the matter preceding
 7 paragraph (1), by striking “section 160(f)” and in-
 8 serting “section 160(d)”.

9 **SEC. 4. PROHIBITION ON EXPORT AND SALE OF STRATEGIC**
 10 **PETROLEUM RESERVE PRODUCTS.**

11 Section 161(i) of the Energy Policy and Conservation
 12 Act (42 U.S.C. 6241(i)) is amended—

13 (1) by striking “(i) Notwithstanding any other
 14 law” and inserting the following:

15 “(i) REFINER OR EXCHANGER OUTSIDE THE UNITED
 16 STATES.—

17 “(1) IN GENERAL.—Notwithstanding any other
 18 provision of law and subject to paragraphs (2) and
 19 (3)”; and

20 (2) by inserting after paragraph (1) (as so des-
 21 ignated) the following:

22 “(2) PROHIBITION ON EXPORT OF STRATEGIC
 23 PETROLEUM RESERVE PETROLEUM PRODUCTS.—
 24 Notwithstanding any other provision of law, with re-
 25 spect to the drawdown and sale at auction of petro-

1 leum products from the Strategic Petroleum Reserve
2 under this section after the date of enactment of this
3 paragraph, the Secretary shall require as a condition
4 of the sale that the petroleum products shall not be
5 exported to a country that is designated as a coun-
6 try of particular concern for religious freedom under
7 section 402(b)(1)(A)(ii) of the International Reli-
8 gious Freedom Act of 1998 (22 U.S.C.
9 6442(b)(1)(A)(ii)).

10 “(3) REQUIREMENTS APPLICABLE TO CERTAIN
11 STATE-OWNED ENTITIES.—Notwithstanding any
12 other provision of law, with respect to the drawdown
13 and sale at auction of petroleum products from the
14 Strategic Petroleum Reserve under this section after
15 the date of enactment of this paragraph, if the Sec-
16 retary determines that there is in effect a United
17 States ban on, or the imposition of sanctions by the
18 United States with respect to, the purchase of crude
19 oil from 1 or more countries, the Secretary shall not
20 sell petroleum products to a State-owned entity par-
21 ticipating in the auction unless that State-owned en-
22 tity submits to the Secretary a certification that the
23 State-owned entity has not purchased any petroleum
24 products from a country subject to such a ban or

1 sanctions after the date that is 15 days after the
2 date on which the ban or sanctions took effect.”.

3 **SEC. 5. STUDY ON REMOTE CRUDE OIL AND NATURAL GAS**
4 **RESERVE.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Secretary of Energy
7 shall prepare and submit to Congress a report regarding
8 the feasibility of establishing a reserve, to be known as
9 the “Remote Crude Oil and Natural Gas Reserve”, subject
10 to subsections (b) and (c), consisting of crude oil and nat-
11 ural gas to be acquired and stored by the United States,
12 in place, pursuant to a contract or other agreement or ar-
13 rangement between the United States and an individual
14 or entity that discovered the oil or gas in a remote area
15 described in subsection (c).

16 (b) PURPOSE.—The purpose of the Remote Crude Oil
17 and Natural Gas Reserve shall be—

18 (1) consistent with the purposes described in
19 section 2 of the Energy Policy and Conservation Act
20 (42 U.S.C. 6201); and

21 (2) to ensure—

22 (A) the long-term capability to increase the
23 energy supply of the United States and allies of
24 the United States; and

1 (B) to the maximum extent practicable,
2 that energy costs remain affordable for United
3 States consumers.

4 (c) LOCATIONS.—The Remote Crude Oil and Natural
5 Gas Reserve shall include facilities located in, as applica-
6 ble—

7 (1) the State of Alaska; and
8 (2) any other area of the United States in close
9 proximity to a qualified opportunity zone designated
10 under section 1400Z–1 of the Internal Revenue
11 Code of 1986.

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