

.....
(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To prohibit the importation of petroleum products from Venezuela, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DONALDS introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the importation of petroleum products from Venezuela, 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 “Prohibit Venezuelan
5 Oil Importation Act”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) From 1959 to 1999, Venezuela, officially
9 known as the Bolivarian Republic of Venezuela, had

1 a form of government that embraced democratic
2 principles.

3 (2) In 1999, Hugo Chávez was elected as the
4 President of Venezuela, where he maintained power
5 by redistributing the country's vast oil reserves to-
6 wards social welfare programs, suppressing dissent
7 and independent media, and corrupting Venezuela's
8 democratic institutions, while simultaneously nation-
9 alizing the country's private businesses, which he did
10 so until his death on March 5, 2013.

11 (3) On April 24, 2013, Nicolás Maduro became
12 President of Venezuela, notwithstanding multiple
13 claims of election fraud and constitutional violations
14 against Maduro.

15 (4) During this time, Venezuela's economy had
16 become strongly dependent on the exportation of oil,
17 with crude accounting for 86 percent of its exports.

18 (5) However, in 2014, Venezuela entered into
19 an economic recession, which led to the Venezuelan
20 regime's partnership with Petróleos de Venezuela,
21 S.A. (PDVSA), a state oil company, to combat the
22 highly fluctuating price of oil in Venezuela along
23 with the country's overall steep decrease in oil pro-
24 duction.

1 (6) In 2015, Venezuela’s economic struggles
2 continued, with Venezuela having the world’s highest
3 rate of inflation that surpassed 100 percent, result-
4 ing from the Maduro regime’s socialist economic pol-
5 icy that ultimately redistributed the oil-generated
6 wealth to Venezuela’s oligarchs.

7 (7) In January 2016, Maduro declared an “eco-
8 nomic emergency” due to the country’s inability to
9 provide for basic human needs to its citizens, leading
10 to riots in the streets of Venezuela.

11 (8) In 2017, Maduro announced that leading
12 opposition parties would be barred from taking part
13 in the country’s presidential election, which led the
14 United States and other countries formally recog-
15 nizing Juan Guaidó as the President of Venezuela,
16 although countries such as China, Russia, Cuba, and
17 Iran still continued to recognize President Nicolás
18 Maduro.

19 (9) In August 2019, President Donald Trump
20 signed an executive order to impose tough sanctions
21 against Maduro’s totalitarian regime.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that Congress—

1 (1) recognizes that Venezuela has been im-
2 pacted by hyperinflation, rampant crime, and signifi-
3 cant government corruption;

4 (2) condemns the totalitarian Maduro regime
5 and calls for the return of constitutional democratic
6 government to Venezuela similar to the form of gov-
7 ernment that existed in the country from 1959 to
8 1999; and

9 (3) calls on President Joseph Biden to use rel-
10 evant constitutional and statutory authorities that
11 grant emergency powers to waive unnecessary envi-
12 ronmental permitting requirements until the United
13 States can reliably produce enough oil and natural
14 gas to recapture America's global energy dominance.

15 **SEC. 3. STATEMENT OF POLICY.**

16 It shall be the policy of the United States—

17 (1) to support the desire of the people of Ven-
18 ezuela for freedom and democracy;

19 (2) to promote its national security interests by
20 prohibiting the importation of petroleum products
21 from Venezuela in the midst of the ongoing Russian
22 attack on Ukraine;

23 (3) to stress the importance of American energy
24 independence, particularly from countries such as
25 Russia and Venezuela; and

1 (4) to implement American-first energy policies
2 that contradict President Biden's overall energy pol-
3 icy approach.

4 **SEC. 4. PROHIBITION ON IMPORTATION OF PETROLEUM**
5 **PRODUCTS FROM VENEZUELA.**

6 (a) IN GENERAL.—The President shall prohibit the
7 importation of all petroleum products (as such term is de-
8 fined in section 3 of the Energy Policy and Conservation
9 Act (42 U.S.C. 6202)) originating from Venezuela into the
10 customs territory of the United States (as such term is
11 defined in General Note 2 of the Harmonized Tariff
12 Schedule).

13 (b) MODIFICATION OR REMOVAL OF PROHIBITION.—
14 The President may modify or remove the prohibition
15 under subsection (a) with respect to some or all petroleum
16 products described in such subsection only if the Presi-
17 dent—

18 (1) reimplements and maintains the sanctions
19 imposed against *Petróleos de Venezuela, S.A.*
20 (*PDVSA*);

21 (2) directs the Executive Office of the President
22 to conduct and submit to the appropriate congress-
23 sional committees and leadership a study that—

24 (A) outlines the impacts and implications
25 of Executive Order 13990 of January 20, 2021

1 (86 Fed. Reg. 7037; relating to protecting pub-
2 lic health and the environment and restoring
3 science to tackle the climate crisis), specifically
4 pertaining to the decision to revoke—

5 (i) Executive Order 13766 of January
6 24, 2017 (82 Fed. Reg. 8657; relating to
7 expediting environmental review and ap-
8 provals for high priority infrastructure
9 projects);

10 (ii) Executive Order 13778 of Feb-
11 ruary 28, 2017 (82 Fed. Reg. 12497; re-
12 lating to restoring the rule of law, fed-
13 eralism, and economic growth by reviewing
14 the “Waters of the United States” rule);

15 (iii) Executive Order 13783 of March
16 28, 2017 (82 Fed. Reg. 16093; relating to
17 promoting energy independence and eco-
18 nomic growth);

19 (iv) Executive Order 13792 of April
20 26, 2017 (82 Fed. Reg. 20429; relating to
21 review of designations under the Antiq-
22 uities Act);

23 (v) Executive Order 13795 of April
24 28, 2017 (82 Fed. Reg. 20815; relating to

1 implementing an America-first offshore en-
2 ergy strategy);

3 (vi) Executive Order 13868 of April
4 10, 2019 (84 Fed. Reg. 15495; relating to
5 promoting energy infrastructure and eco-
6 nomic growth); and

7 (vii) Executive Order 13807 of Au-
8 gust 15, 2017 (82 Fed. Reg. 40463; relat-
9 ing to establishing discipline and account-
10 ability in the environmental review and
11 permitting process for infrastructure
12 projects);

13 (B) provides the necessary and appropriate
14 recommendations for the President to reimple-
15 ment an America-first offshore energy strategy,
16 as in effect on January 19, 2020;

17 (C) reports on the effects of President
18 Biden's—

19 (i) decision to institute a moratorium
20 on offshore and onshore oil and gas leasing
21 on Federal land, including the directive to
22 the Department of the Interior to pause all
23 oil and gas lease sales on Federal lands;

24 (ii) actions that threaten to raise roy-
25 alty rates for any onshore and offshore

1 projects relating to the oil and gas indus-
2 try;

3 (iii) statements that create significant
4 regulatory uncertainty, including the Presi-
5 dent's threats of implementing new exces-
6 sive and burdensome regulations on the oil
7 and gas industry;

8 (iv) decision to stop the lease sales in
9 the Coastal Plain (as defined in section
10 20001(a)(1) of the Public Law 115-97 (16
11 U.S.C. 668dd note(a)(1))) of the Alaska
12 National Wildlife Refuge and the National
13 Petroleum Reserve-Alaska;

14 (v) directive to the Department of En-
15 ergy to delay the review of certain liquified
16 natural gas export licenses;

17 (vi) allocation of authority to the Fed-
18 eral Energy Regulatory Commission to
19 change its certificate policy statement gov-
20 erning interstate natural gas pipeline re-
21 views;

22 (vii) decision to shut down critical
23 mining projects, such as Twin Metals cop-
24 per-nickel mine in Minnesota;

1 (viii) guidance to the Department of
2 the Treasury that prevents the Depart-
3 ment of Energy, the United States Agency
4 for International Development, and the
5 Department of State from investing in
6 loans or grants for fossil fuel projects
7 abroad;

8 (ix) refusal to permit mining projects,
9 such as Resolution Copper in Arizona;

10 (x) decision to reinstitute National
11 Monuments, including Bears Ears Na-
12 tional Monument and Grand Staircase-
13 Escalante National Monument, to prevent
14 the development of fossil fuel projects; and

15 (xi) response to the Bureau of Land
16 Management's ongoing backlog of pending
17 applications for permits to drill on Federal
18 land;

19 (D) includes supplemental background in-
20 formation pertaining to the President's decision
21 to implement a temporary moratorium on all
22 Federal activities relating to the implementation
23 of the Coastal Plain Oil and Gas Leasing Pro-
24 gram (as established by the Record of Decision

1 signed August 17, 2020) in the Arctic National
2 Wildlife Refuge; and

3 (E) describes the potential impacts of
4 pausing all new discretionary regulatory policy
5 that would negatively impact the oil and gas
6 sector, including—

7 (i) the proposed rule titled “Standards
8 of Performance for New, Reconstructed,
9 and Modified Sources and Emissions
10 Guidelines for Existing Sources: Oil and
11 Natural Gas Sector Climate Review” and
12 published on November 15, 2021 (86 Fed.
13 Reg. 63110);

14 (ii) the Environmental Protection
15 Agency’s decision to reconsider the pre-
16 vious Administration’s decision to retain,
17 without revision, the National Ambient Air
18 Quality Standards for particulate matter
19 and ozone;

20 (iii) the development by the Environ-
21 mental Protection Agency of a new defini-
22 tion of the term “waters of the United
23 States” for any purpose that affects the oil
24 and gas sector; and

1 (iv) the modification by the Corps of
2 Engineers of nationwide permit (NWP)
3 regulations under section 404 of the Fed-
4 eral Water Pollution Control Act (33
5 U.S.C. 1344) and section 10 of the Act of
6 March 3, 1899 (33 U.S.C. 403);

7 (3) renews the authorization of the Keystone
8 XL pipeline for the purpose of importing oil from
9 Canada to the United States, as described in the
10 Presidential permit of March 29, 2019 (84 Fed.
11 Reg. 13101);

12 (4) resumes oil and gas leasing on Federal
13 land; and

14 (5) notifies the appropriate congressional com-
15 mittees and leadership that, in the determination of
16 the President, such modification or removal is ap-
17 propriate given the situation in Ukraine, and in-
18 cludes with such notification—

19 (A) an explanation of the rationale for
20 such modification or removal; and

21 (B) if the modification does not result in
22 the full removal of the prohibition, a description
23 of the criteria to be met by Venezuela for fur-
24 ther modification or removal of remaining ele-
25 ments of the prohibition.

1 (c) PENALTIES.—The President is authorized to use
2 appropriate authorities to impose such civil or criminal
3 penalties as may be necessary to enforce the prohibition
4 under subsection (a).

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 AND LEADERSHIP DEFINED.—For purposes of this sec-
7 tion, the term “appropriate congressional committees and
8 leadership” means—

9 (1) the Speaker of the House of Representa-
10 tives and the President Pro Tempore of the Senate;

11 (2) the Committee on Foreign Affairs, the
12 Committee on Appropriations, the Committee on
13 Energy and Commerce, the Committee on Armed
14 Services, and the Permanent Select Committee on
15 Intelligence of the House of Representatives; and

16 (3) the Committee on Foreign Relations, the
17 Committee on Appropriations, the Committee on
18 Energy and Natural Resources, the Committee on
19 Armed Services, and the Select Committee on Intel-
20 ligence of the Senate.