

Chronology of controls on U.S. oil exports

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Aug 1917: [Food and Fuel Control Act](#) (Lever Act) grants president emergency wartime powers to assure an adequate supply and distribution of foods, feeds, fuel, fertilizer and machinery, mostly to deter hoarding, monopolisation and profiteering. President is granted broad powers to make regulations and orders needed to carry out the purposes of the law.

Federal Fuel Administration established by [Executive Order 2690](#) to enforce controls on the distribution and prices of oil and especially coal to ensure adequate supplies for the armed forces and industries essential to the war effort.

Jun 1919: Federal Fuel Administration wound up only to briefly revived during a coal miners' strike later in the year.

Mar 1921: Congress declares wartime emergency over in a joint resolution which among other things repeals the Food and Fuel Control Act.

Jun 1933: [National Industrial Recovery Act](#) authorises the president to prohibit interstate shipments and exports of petroleum produced in excess of state limits designed to control excess production ("hot oil") as part of the New Deal Petroleum Code.

Jul 1933: Transportation of petroleum produced in excess of state limits prohibited in interstate and foreign commerce by [Executive Order 6199](#) and [Executive Order 6204](#).

Jan 1935: Supreme Court grants permanent injunction preventing enforcement of export restrictions under the New Deal Petroleum Code in [Panama Refining Co v Ryan](#).

Feb 1935: [Connally Hot Oil Act](#) (15 USC 715d(b)) reinstates president's authority to prohibit excess "contraband" petroleum and refined products being shipped in interstate or foreign commerce. President is given power to require "certificates of clearance" prior to any interstate or foreign oil shipment.

May 1941: Unlimited national emergency announced by the president in [Proclamation 2487](#) (May 27). Harold Ickes appointed as Petroleum Coordinator for National Defense in [letter](#) from the president (May 28) with powers to coordinate oil supply issues across the federal government.

Jun 1941: All petroleum products placed under export control (Jun 23). Oil sales outside the western hemisphere, British Empire and Egypt banned to meet threatened shortage in the eastern United States and to keep U.S. petroleum out of the hands of the Axis.

Jul 1941: Embargo on oil exports to Japan implemented through [Executive Order 8832](#) which brings all financial and import and export transactions with Japan under the control of the government.

Dec 1942: Petroleum Administration for War created by [Executive Order 9276](#) to coordinate and centralise the wartime energy policies and actions of the federal government to ensure adequate supplies for the military and other essential purposes, with broad powers to direct production and distribution of crude oil and refined products.

Aug 1945: Most petroleum distribution and marketing regulations rescinded (Aug 23).

Oct 1945: All remaining orders relating to domestic petroleum production, distribution and marketing terminated (Oct 15).

Nov 1945: All remaining orders relating to foreign operations terminated (Nov 1). Export licenses for shipments over \$1,000 continue.

May 1946: Petroleum Administration for War terminated by [Executive Order 9718](#) (May 3).

Jul 1950: Export license threshold for oil shipments reduced from \$1,000 to \$25 in response to conflict on Korean peninsula.

Oct 1950: Petroleum Administration for Defense created within the Department of the Interior in response to the Korean War (Oct 3). Shipments to Far East halted to prevent oil reaching North Korea's allies.

Jul/Aug 1953: Korean wartime controls relaxed to pre-conflict levels.

Dec 1969: [Export Administration Act](#) (PL 91-184), replacing Export Control Act of 1949, gives president broad authority to restrict exports of "any articles, materials or supplies, including technical data" in the interest of "national security, the foreign policy of the United States, or the need to protect the domestic economy from the excessive drain of scarce materials" (Dec 30).

Aug 1971: President Nixon announces [New Economic Policy](#) targeting "unemployment, inflation and international speculation" including a 90-day "freeze on all prices and wages throughout the United States" and establishing a Cost of Living Council. Price freeze and Cost of Living Council given effect through [Executive Order 11615](#) (Aug 15).

Nov 1973: [Trans-Alaska Pipeline Authorization Act](#) of 1973 (PL 93-153) amends Section 28 of the Mineral Leasing Act of 1920 to stipulate "any domestically produced crude transported over rights-of-way granted pursuant to section 28 of the Mineral Leasing Act of 1920" is subject to all the provisions and limitations of the Export Administration Act of 1969 and cannot be exported unless the president makes and publishes "an express finding that such exports will not diminish the total quantity or quality of petroleum available to the United States and are in national interest and in accordance with the Export Administration Act of 1969" (Nov 16).

[Emergency Petroleum Allocation Act](#) (PL 93-159) is approved by Congress in response to the Arab oil embargo on the United States. President is given authority to establish regulations providing for the comprehensive mandatory allocation of crude oil and refined products (Nov 27).

Dec 1973: [Federal Energy Office](#) established within the Executive Office of the President through [Executive Order 11748](#) to coordinate energy policy across the federal government in the wake of the oil embargo and administer controls under the Emergency Petroleum Allocation Act (Dec 4).

Crude, refined products and natural gas liquids placed on the short supply section of the Commerce Control List maintained under the Export Administration Act 1969. Valid licenses required for the export of crude petroleum, gasoline, kerosene, jet fuel, distillate and residual fuel oil, butane, propane and natural gas liquids (Dec 13).

Jan 1974: Quarterly export quotas start to be fixed based on amounts shipped prior to the enactment of the Emergency Petroleum Allocation Act. Licensing requirements extended to carbon black feedstock (Jan 23).

Sep 1975: [Emergency Petroleum Allocation Act of 1973](#) [extended](#) (PL 94-99) for a further three months to give the president and Congress “adequate time and opportunity to reach mutual agreement on a long-term petroleum pricing policy”.

Dec 1975: [Energy Policy and Conservation Act](#) (PL 94-163) directs the president to prohibit the export of crude oil and natural gas produced in the United States unless the president determines that the export is “consistent with the national interest” and other purposes of the act with some exceptions for exchanges in similar quantity for convenience, temporary exports for convenience and historical trading relations with Canada and Mexico (Dec 22).

Apr 1976: [Naval Petroleum Reserves Production Act](#) of 1976 (PL 94-258) stipulated that any petroleum produced from the naval petroleum reserves is subject to the Export Administration Act of 1969 and can only be exported “the president shall make and publish an express finding that such exports will not increase reliance on imported oil or gas, are in the national interest, and are in accord with the provisions of the Export Administration Act of 1969” with the usual quality, quantity and convenience waivers (Apr 5).

Jun 1977: [Export Administration Amendments Act](#) of 1977 (PL 95-52) amends the Export Administration Act of 1969 and stiffens the requirements set out in the Trans-Alaska Pipeline Authorisation Act of 1973 and Mineral Leasing Act of 1920 for the president to permit exports of domestically produced crude oil transported over federal lands (Jun 22).

Dec 1977: [International Emergency Economic Powers Act](#) (Title II of PL 95-223) grants the president exceptionally wide power to regulate financial transactions and other foreign commerce “to deal with an unusual and extraordinary threat with respect to which a national emergency has been declared” (Dec 28).

Sep 1978: [Outer Continental Shelf Lands Act Amendments of 1978](#) (PL 95-372) stipulates oil and gas produced from the outer continental shelf can only be exported if “the president shall make and publish an express finding that such exports will not increase reliance on imported oil or gas, are in the national interest, and are in accord with the provisions of the Export Administration Act of 1969.” Law contains usual convenience and quantity waivers, and a requirement to submit proposed findings to Congress giving lawmakers 60 days to disapprove them by concurrent resolution (Sep 18).

Sep 1979: [Export Administration Act of 1979](#) (PL 96-72) replaces the Export Administration Act of 1969. Reaffirms ban on exports of crude oil transported by pipeline on rights of way over federal lands subject to the usual conditions and with extra details about exchanges for convenience with 60-day congressional disapproval period. Permits exports under the International Emergency Oil Sharing Plan of the International Energy Agency. Requires prior license approval and congressional notification for all exports of refined products (Sep 29).

Jan 1981: [Executive Order 12287](#) terminates all price and allocation controls on crude oil and refined products enforced under the Emergency Petroleum Allocation Act of 1973 (as amended) (Jan 28).

Oct 1981: [U.S. Department of Commerce](#) announces elimination of all quantitative restrictions on exports of refined petroleum products. Officials determine removal of controls would not have serious inflationary impact and quantitative restrictions no longer needed to protect domestic supplies from excessive drain of materials. Quantitative controls removed from: aviation gasoline, gasoline, jet fuel, kerosene, distillate fuel oil, residual fuel oil, butane, propane, butane-propane mix and naphthas. Validated licenses continue to be required.

June 1985: [Presidential Findings on United States-Canada Crude Oil Transfers](#) permit “domestic crude oil may be exported to Canada for consumption or use therein” after determining that exports are in the national interest; will not diminish the total quantity or quality of crude available; will not increase reliance

on imported oil; are in accord with the Export Administration Act of 1979; and are consistent with the purposes of the Energy Policy and Conservation Act of 1975 (Jun 14).

Nov 1985: Secretaries of Commerce, State, Energy and Treasury determine that permitting the export of crude oil from Alaska's Cook Inlet in the national interest and consistent with the purposes of the Energy Policy and Conservation Act of 1975.

Jun 1986: Exports of crude oil from Alaska's Cook Inlet removed from the Commerce Control List's section on short supply controls (Jun 4).

Aug 1988: [Omnibus Trade and Competitiveness Act of 1988](#) (PL 100-418) directs Secretaries of Commerce and Energy to "undertake a comprehensive review to assess whether existing statutory restrictions on the export of crude oil" from the Lower 48 states are adequate to protect energy and national security interests taking into account exports already licensed since 1983 and the potential for heavy oil exports from California.

Dec 1988: [Presidential Findings on the United States-Canada Free Agreement Regarding Certain Alaska Crude Oil and Naval Petroleum Reserves Petroleum](#) permits the export to Canada of up to 50,000 barrels per day transported over pipeline rights of way granted under the Trans-Alaska Pipeline Authorization Act of 1973 and contains all the necessary findings under the Energy Policy and Conservation Act, Mineral Leasing Act, Trans-Alaska Pipeline Authorization Act, Outer Continental Shelf Lands Act and Naval Petroleum Reserves Production Act (Dec 31).

Jan 1989: [Department of Commerce](#) issues implementing regulations permitting extra crude oil exports to Canada in line with the presidential determination of Dec 31, 1988.

Feb 1991: [National Energy Strategy](#) recommends permitting California heavy crude oil exports to avoid premature abandonment of wells (Feb 20).

Oct 1992: Presidential Memorandum finds that exports of California heavy crude oil (API < 20 degrees) are in the national interest, with appropriate findings under the Export Administration Act of 1979; Energy Policy and Conservation Act of 1975; and will not diminish total quantity and quality of oil available in the United States. Memorandum directs Secretary of Commerce to permit exports up to 25,000 barrels per day (Oct 22).

Aug 1994: Export Administration Act of 1979 expires but implementation of export controls is continued by [Executive Order 12924](#). President declares the expiration of the Export Administration Act constitutes "an unusual and extraordinary threat to the national security, foreign policy and economy of the United States" and extends the regulations for one-year under the authority granted by the International Emergency Economic Powers Act of 1977. Thus begins a series of annual executive orders extending the export regulations under the expired Export Administration Act by utilising the powers under the International Emergency Economic Powers Act.

Mar 1995: [Department of Commerce](#) finalises regulations to allow up to 25,000 barrels per day of heavy crude oil exports from California (Mar 27).

Nov 1995: [Exports of Alaskan North Slope Oil](#) (Title II of PL 104-58) amends section 28 of the Mineral Leasing Act of 1920 to permit oil exports transported by pipeline over rights of way across federal lands "unless the president finds that exportation of this oil is not in the national interest" (reversing the burden of proof). Determination required within five months of enactment and subject to three part test: (1) diminish quantity or quality of petroleum available to the United States; (2) environmental review; and (3) whether exports are likely to cause "sustained material supply shortages or sustained oil prices significantly above

world market levels that would cause sustained material adverse employment effects or substantial harms to consumers (Nov 28).

Apr 1996: [Presidential Memorandum on Exports of Alaskan North Slope \(ANS\) Crude Oil](#) makes necessary findings under PL 104-58 (Nov 1995) that exports will not diminish quantity or quality of crude oil available in the United States or cause shortages of price increases, or a risk to the environment, subject to certain conditions on shipping. Secretary of Commerce is direct to issue a general license or exception permitting the export of crude oil from Alaska's North Slope.

May 1996: Department of Commerce finalises rules for Alaskan North Slope (ANS) exports (May 28).

Aug 2015: Department of Commerce announces it would "act favourably" on a small number of applications for limited swaps of crude oil between the United States and Mexico under existing regulations (Aug 14).

Oct 2015: Department of Commerce issues first [license](#) to export U.S. crude oil to Mexico in exchange for an equal quantity of Mexican crude oil to be imported into the United States (Oct 22).

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