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**Congress of the United States**  
**House of Representatives**  
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**CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS**

**JUDICIARY COMMITTEE  
MARKUP STATEMENT**

**IN SUPPORT OF  
H.R. 948, THE "NO OIL PRODUCING AND EXPORTING  
CARTELS ACT OF 2019"**



**FEBRUARY 6, 2019**

- Mr. Chairman, I wish to express my support for H.R. 948, the "No Oil Producing and Exporting Cartels Act of 2018."
- H.R. 948 or "NOPEC", amends the Sherman Antitrust Act by adding a new section 7A that makes it illegal for foreign states, and their agents and instrumentalities, to engage in collusive behavior with any other foreign state, agent or instrumentality, to limit the production or distribution, set or maintain the price, or otherwise act in restraint of trade with regard to oil or petroleum products.

- It also makes specific changes to procedural law to facilitate enforcement, by:
- (1) amending the Foreign Sovereign Immunities Act to subject nations to U.S. jurisdiction for violations of new section 7A;
- (2) clarifying that the “act of state doctrine” shall not be a basis for the U.S. courts to refrain from considering cases brought under new section 7A; and
- (3) authorizing the Department of Justice to prosecute OPEC nations for entering into such collusive agreements.
- The distinguished Chairman introduced me as the gentlewoman from Texas.
- I represent what is known as the energy capital of the world, and for that, I have voted differently from many in this House in support of initiatives to help us enhance the capacity of our particular energy companies, especially those situated in Houston.
- Many of us have friends that are from these particular OPEC nations.
- We are supportive of the engagement of these particular nations in the Mideast and in the U.S. to a certain degree.
- We work with them. We have traveled there.
- We encourage engagement on the State Department level.
- We also encourage the Justice Department to keep an eye on the level of undisclosed involved these nations may have with the presidency and the administration.

- Though we encourage international partnerships, the rule of law must be followed at all times, especially when the democratic process is in question.
- We want to be friends, but there has to be a question of whether or not OPEC provides itself insulated against antitrust violations such that they can gouge or raise prices without any recrimination.
- This is a thoughtful legislative initiative that gives the Attorney General of the United States the ability to review whether or not OPEC violates U.S. antitrust laws.
- When the oil is exported to the United States, OPEC sets the prices, and therefore, OPEC looks at the marketplace to determine how much they can profit.
- One of our trade deficit partners, China, is consuming more oil than one might imagine. That bumps the price up.
- And who is the victim? The hardworking citizens in this country, whether they live in Houston, Detroit, or New York, or whether they are simply trying to get little ones to soccer teams, to after-school programs or to their religious institution.
- So I would ask my colleagues from all parts of the country to be sympathetic to vacationers, people trying to get to hospitals, mothers and fathers taking children to various places, elderly trying to get to the places of worship.
- I close simply by an oral letter to my constituents.
- You might think that you can ride this out, those of you who are the named and successful operators of our energy industry in the United States.

- We encourage you, you are American, you provide jobs, you are the engine of the economy.
- We are not your enemy. We are your supporters, but we have to work for the consumers who are also our constituents.
- Come out in the open, engage in roundtable discussion.
- Let the CEOs of the major companies convene in a roundtable discussion with the American people and figure out why we have this burdensome cost of gasoline when world markets are still replete with supply.
- I ask my colleagues to support this particular legislation, H.R. 948, that, in fact, is an answer to this constant question, what are we going to do about gasoline prices and energy independence?
- As Members of the United States Congress, it is imperative that we act.
- May I add that to truly achieve energy independence, the United States must increase its presence in the renewable fuels industry and I commend the large oil companies who are starting to engage in that initiative.
- China is a world leader in the solar panel industry and the U.S. is still entertaining the fake news headlines of “clean coal is coming back.”
- Though I do not deny the current importance of fossil fuels for the manufacturing industry in general, the future of energy independence lies in renewable fuels.
- I urge my colleagues to join me in supporting H.R. 948.
- Thank you. I yield back my time.