



April 20, 2026

Presidential Determination
No. 2026-11

MEMORANDUM FOR THE SECRETARY OF ENERGY

SUBJECT: Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Domestic Petroleum Production, Refining, and Logistics Capacity

On January 20, 2025, I issued Executive Order 14156 (Declaring a National Energy Emergency), under the National Emergencies Act. That order found that America's inadequate energy production, transportation, refining, and generation capacity constitutes an unusual and extraordinary threat to the Nation's economy, national security, and foreign policy. It emphasized that our Nation's current inadequate and intermittent energy supply leaves us vulnerable to hostile foreign actors and poses an imminent and growing threat to the United States' prosperity and national security.

Consistent with that declaration, I find that ensuring resilient domestic petroleum production, refining, and logistics capacity is central to United States defense readiness. Petroleum fuels the Nation's Armed Forces, industrial base, and crucial infrastructure. Without immediate Federal action, United States defense capabilities will remain vulnerable to disruption.

Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the "Act") (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that:

- (1) domestic petroleum production, refining, and logistics capacity, including exploration and production, gathering and transmission pipelines, storage, and marine terminals,

are industrial resources, materials, or critical technology items essential to the national defense;

(2) without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide these capabilities for the needed industrial resource, material, or critical technology item in a timely manner due to constrained financing, long lead times, permitting and infrastructure bottlenecks, and supply chain limitations; and

(3) purchases, purchase commitments, financial support for the development of production capabilities, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative methods for meeting this need.

I have declared a national emergency under Executive Order 14156, and I further determine that action to expand the domestic petroleum production, refining, and logistics capacity is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability. Therefore, pursuant to section 303(a)(7) of the Act, I waive the requirements of section 303(a)(1)-(a)(6) of the Act for the purpose of expanding such capability.

You are authorized and directed to implement this determination, including making necessary purchases, commitments, and financial instruments to enable these projects, and to publish this determination in the *Federal Register*.

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