

Imposing Tariffs on Countries Importing Venezuelan Oil

THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE Imposing Tariffs on Countries Importing Venezuelan Oil

DATE March 24, 2025

AGENCY Trump Administration; Department of State; Department of Commerce; Department of Homeland Security; United States Trade Representative

EFFECTIVE DATE 12:01 am E.T. on April 2, 2025

BACKGROUND The United States has imposed a variety of list-based, blocking, debt, sectoral, and other sanctions on Venezuela since 2015, culminating in the blocking of the government of Venezuela in [August 2019](#). The Venezuelan government of Nicolas Maduro has continued to derive significant revenue from the sale of oil abroad. In response, this action imposes tariffs on all goods from countries identified as buying Venezuelan oil.

On March 24, the Trump administration announced it may impose 25% tariffs on all goods imported into the United States from any country that the Secretary of State and Secretary of Commerce determine are importing Venezuelan oil* (either directly from Venezuela or indirectly** through third parties) on or after April 2, 2025. This action is in essence a coercive measure, borne by U.S. importers of non-Venezuelan merchandise imported into the United States, that is designed to prompt Venezuela into taking actions to combat the immigration crisis and Tren de Aragua gang.

The Executive Order leaves several major questions unanswered.

DETAILS

- **No list of countries that might be affected by the Order.** According to a 2024 analysis by the U.S. Energy Information Administration, China purchased 68% of the oil exported by Venezuela, making it the most likely country to be affected by these measures. Spain, India, Russia, Singapore, and Vietnam are also significant known recipients of Venezuelan oil. See [Trump says countries that buy Venezuelan oil face 25% tariff](#).
- **Dual delegations to Secretaries of State and Commerce.** The Order authorizes the Secretary of State to determine whether the tariff will apply to imports from any country and to “impose” the tariffs established by the Order, but the Secretary of Commerce is authorized to “determine whether a country has imported Venezuelan oil” and “issue regulations, guidance, and determinations as necessary to implement the order.” It is unclear whether both Commerce and State must separately publish their determinations.
- **No indication of effect on other tariff relief measures (e.g. Chapters 98/99), exclusions, duty drawback, FTZs and FTAs.** The Order states the 25% duties will supplement other tariffs including IEEPA, Section 232, and Section 301 tariffs. But the Order does not address whether tariff relief measures or exclusions, for example those contained in Chapter 98 or Chapter 99 of the HTSUS or free trade agreements such as the USMCA, would apply to provide relief related to these additional 25% duties. These questions may be answered in a subsequent implementation publication or CSMS notice.

The tariffs will expire one year after the last date the country imported Venezuelan oil, or at an earlier date if the Secretary of Commerce, Secretary of State, Secretary of Treasury, Secretary of Homeland Security, and the USTR determine the tariffs imposed

on a particular country should expire earlier. Prior Presidential Proclamations, EOs, or other Presidential directives inconsistent with this Order are terminated, suspended, or modified to give full effect to this Order. If the Secretary of State decides to impose a tariff under this Order on China, that tariff shall also apply to the Hong Kong Special Administrative Region and the Macau Special Administrative Region, as a measure to reduce the risk of transshipment and evasion.

BASIS

International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), Executive Order 13692 of March 8, 2015 (Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela), as continued most recently in the notice of February 27, 2025 (Continuation of the National Emergency with Respect to Venezuela), and Section 301 of title 3, United States Code

CITE

[IMPOSING TARIFFS ON COUNTRIES IMPORTING VENEZUELAN OIL - The White House](#)

*"Venezuelan oil" means crude oil or petroleum products extracted, refined, or exported from Venezuela, regardless of the nationality of the entity involved in the production or sale of such crude oil or petroleum products.

**"Indirectly" includes purchases of Venezuelan oil through intermediaries or third countries where the origin of the oil can reasonably be traced to Venezuela, as determined by the Secretary of Commerce.

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