

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To approve certain proposals relating to export activities of liquefied natural gas terminals.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**(no.)** \_\_\_\_\_

To provide for the modernization of the energy policy of the United States, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. KING (for himself, Ms. STABENOW, and Mr. FRANKEN)

Viz:

1 At the end of subtitle B of title III, add the following:

2 **SEC. 3102. LIMITATION ON AUTHORITY OF SECRETARY OF**

3 **ENERGY TO APPROVE CERTAIN LNG TER-**

4 **MINAL PROPOSALS.**

5 (a) IN GENERAL.—Section 3(e) of the Natural Gas

6 Act (15 U.S.C. 717b(e)) is amended by adding at the end

7 the following:

8 “(5) AUTHORITY OF SECRETARY OF ENERGY

9 OVER CERTAIN PROPOSALS.—

10 “(A) DEFINITIONS.—In this paragraph:

1                   “(i) ADDITIONAL EXPORT PRO-  
2                   POSAL.—The term ‘additional export pro-  
3                   posal’ means any proposal submitted to the  
4                   Secretary by a new or existing LNG ter-  
5                   minal—

6                   “(I) to initiate the export of nat-  
7                   ural gas to a foreign country, with re-  
8                   spect to a LNG terminal that does  
9                   not so export natural gas as of the  
10                  date of submission of the proposal; or

11                  “(II) to increase the quantity of  
12                  natural gas exported to a foreign  
13                  country by the LNG terminal, with  
14                  respect to a LNG terminal that ex-  
15                  ports natural gas as of the date of  
16                  submission of the proposal.

17                  “(ii) FOREIGN COUNTRY.—The term  
18                  ‘foreign country’ means a nation in which  
19                  there is not in effect a free trade agree-  
20                  ment requiring national treatment for  
21                  trade in natural gas.

22                  “(iii) SECRETARY.—The term ‘Sec-  
23                  retary’ means the Secretary of Energy,  
24                  acting pursuant to sections 301(b) and

1 402(f) of the Department of Energy Orga-  
2 nization Act (42 U.S.C. 7151(b), 7172(f)).

3 “(B) LIMITATION.—

4 “(i) IN GENERAL.—Notwithstanding  
5 part 590 of title 10, Code of Federal Regu-  
6 lations (or successor regulations), or any  
7 other provision of law (including regula-  
8 tions), the Secretary may not take into  
9 consideration or approve any additional ex-  
10 port proposal if approving the additional  
11 export proposal would raise the total quan-  
12 tity of natural gas cumulatively approved  
13 for export to foreign countries from United  
14 States facilities above a level included in a  
15 study conducted under clause (ii).

16 “(ii) STUDY.—The Secretary shall  
17 conduct an economic impact study that in-  
18 cludes an analysis of the impact of export-  
19 ing natural gas on—

20 “(I) domestic natural gas prices;

21 “(II) regional domestic natural  
22 gas prices;

23 “(III) natural gas prices for do-  
24 mestic consumers, manufacturers, and  
25 other industries; and

1                                   “(IV) the global economic com-  
2                                   petitiveness of domestic manufactur-  
3                                   ers and other domestic industries.”.

4           (b) APPLICABILITY.—The amendment made by sub-  
5 section (a) shall not apply to any export proposal that re-  
6 ceived final approval from the Secretary before or on the  
7 date of enactment of this Act.