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 ENERGY TO APPROVE CERTAIN LNG TERMINAL PROPOSALS.

3 (a) In general.—Section 3(e) of the Natural Gas Act (15 U.S.C. 717b(e)) is amended by adding at the end the following:

4 “(5) AUTHORITY OF SECRETARY OF ENERGY OVER CERTAIN PROPOSALS.—

5 “(A) DEFINITIONS.—In this paragraph:
``(i) ADDITIONAL EXPORT PROPOSAL.—The term ‘additional export proposal’ means any proposal submitted to the Secretary by a new or existing LNG terminal—

``(I) to initiate the export of natural gas to a foreign country, with respect to a LNG terminal that does not so export natural gas as of the date of submission of the proposal; or

``(II) to increase the quantity of natural gas exported to a foreign country by the LNG terminal, with respect to a LNG terminal that exports natural gas as of the date of submission of the proposal.

``(ii) FOREIGN COUNTRY.—The term ‘foreign country’ means a nation in which there is not in effect a free trade agreement requiring national treatment for trade in natural gas.

``(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy, acting pursuant to sections 301(b) and
402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)).

“(B) LIMITATION.—

“(i) IN GENERAL.—Notwithstanding part 590 of title 10, Code of Federal Regulations (or successor regulations), or any other provision of law (including regulations), the Secretary may not take into consideration or approve any additional export proposal if approving the additional export proposal would raise the total quantity of natural gas cumulatively approved for export to foreign countries from United States facilities above a level included in a study conducted under clause (ii).

“(ii) STUDY.—The Secretary shall conduct an economic impact study that includes an analysis of the impact of exporting natural gas on—

“(I) domestic natural gas prices;

“(II) regional domestic natural gas prices;

“(III) natural gas prices for domestic consumers, manufacturers, and other industries; and
“(IV) the global economic competitiveness of domestic manufacturers and other domestic industries.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall not apply to any export proposal that received final approval from the Secretary before or on the date of enactment of this Act.