

Dianne Feinstein

PENDING

AMENDMENT NO. _____

Calendar No. _____

Purpose: To prohibit the Commission from approving an application for the authorization of the siting, construction, expansion, or operation of facilities located onshore or in State waters for the import of natural gas from a foreign country or the export of natural gas to a foreign country without the approval of the Governor of the State in which the facility would be located.

IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.

H.R. 6

To **AMENDMENT No. 0841** and

By *Feinstein - Others*

To: *H.R. 6*

Refer

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Page(s)

GPC: 2004 97-250(Mac)

ORDERED TO BE PRINTED BY THE SENATE

AMENDMENTS intended to be proposed by Mrs. FEINSTEIN (for herself, Ms. SNOWE, Mr. REED, Mr. SESSIONS, Mr. KENNEDY, Ms. COLLINS, Mr. DODD, Mrs. BOXER, Mrs. CLINTON, and Mr. LIEBERMAN) *Cantwell, Kerry, Schumer and murray*

Viz:

- 1 On page 311, after line 24, add the following:
- 2 “(3)(A) The Commission shall not approve an appli-
- 3 cation for the authorization under this section of the
- 4 siting, construction, expansion, or operation of facilities lo-
- 5 cated onshore or in State waters for the import of natural

1 gas from a foreign country or the export of natural gas
2 to a foreign country without the approval of the Governor
3 of the State in which the facility would be located. Subject
4 to subparagraph (B), if the Governor fails to submit to
5 the Commission an approval or disapproval not later than
6 45 days after the issuance of the final environmental im-
7 pact statement on the proposed project, the approval shall
8 be conclusively presumed. If the Governor notifies the
9 Commission that an application, which would otherwise be
10 approved under this paragraph, is inconsistent with State
11 programs relating to environmental protection, land and
12 water use, public health and safety, and coastal zone man-
13 agement, the Commission shall condition the license grant-
14 ed so as to make the license consistent with the State pro-
15 grams.

16 “(B) In the case of a project not approved before
17 June 22, 2005, and for which the final environmental im-
18 pact statement was issued more than 15 days before the
19 date of enactment of this subsection, this paragraph shall
20 apply, except that the Governor of the State shall submit
21 the approval or disapproval of the Governor not later than
22 30 days after the date of enactment of this subsection,
23 or approval shall be conclusively presumed. If the Gov-
24 ernor disapproves the project within that period, neither
25 the Commission nor any other Federal agency shall take

1 any further action to approve the project or the construc-
2 tion or operation of the project.”.

3 On page 312, line 1, strike “(3)” and insert “(4)”.

4 On page 312, line 24, strike “(4)” and insert “(5)”.