

113TH CONGRESS
2D SESSION

S. 2096

To amend the Alaska Natural Gas Pipeline Act of 2004 to provide for the authorization of liquified natural gas terminals and related facilities necessary for the export of Alaska natural gas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2014

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska Natural Gas Pipeline Act of 2004 to provide for the authorization of liquified natural gas terminals and related facilities necessary for the export of Alaska natural gas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Freedom Through Energy Export Act”.

6 (b) REFERENCES.—Except as otherwise expressly
7 provided, wherever in this Act an amendment is expressed
8 in terms of an amendment to a section or other provision,

1 the reference shall be considered to be made to a section
 2 or other provision of the Alaska Natural Gas Pipeline Act
 3 of 2004 (15 U.S.C. 720 et seq.).

4 **SEC. 2. DEFINITION OF ALASKA NATURAL GAS TRANSPOR-**
 5 **TATION PROJECT.**

6 Section 102(2) (15 U.S.C. 720(2)) is amended—

7 (1) by striking subparagraphs (A) and (B);

8 (2) by inserting “any of the following projects
 9 authorized under the Alaska Natural Gas Transpor-
 10 tation Act of 1976 (15 U.S.C. 719 et seq.) or sec-
 11 tion 103:” after “means”;

12 (3) by striking “any natural gas pipeline sys-
 13 tem” and inserting the following:

14 “(A) Any natural gas pipeline system”;

15 (4) in subparagraph (A) (as so designated) by
 16 striking “that is authorized under—” and inserting
 17 a period at the end; and

18 (5) by adding at the end the following:

19 “(B) Except with respect to projects de-
 20 scribed in section 116, any liquified natural gas
 21 terminal and any facilities necessary or required
 22 for the export of Alaska natural gas (including
 23 related facilities subject to the jurisdiction of
 24 the Commission).”.

1 **SEC. 3. ISSUANCE OF CERTIFICATE OF PUBLIC CONVEN-**
 2 **IENCE AND NECESSITY.**

3 Section 103 (15 U.S.C. 720a) is amended—

4 (1) in the heading, by inserting “**OR OTHER**
 5 **COMMISSION AUTHORIZATION**” after “**NECES-**
 6 **SITY**”;

7 (2) in subsection (a)—

8 (A) by striking “may, in accordance” and
 9 inserting “may—

10 “(1) in accordance”;

11 (B) in paragraph (1) (as so designated), by
 12 striking the period at the end and inserting “;
 13 or”; and

14 (C) by adding at the end the following:

15 “(2) in accordance with section 3 of the Nat-
 16 ural Gas Act (15 U.S.C. 717b), consider and act on
 17 an application for authorization for a liquefied nat-
 18 ural gas terminal and any related facilities deter-
 19 mined necessary or required for the export of Alaska
 20 natural gas other than the Alaska natural gas trans-
 21 portation system.”;

22 (3) in subsection (b)—

23 (A) in the heading, by inserting “**OR**
 24 **OTHER AUTHORIZATION**” after “**CERTIFI-**
 25 **CATE**”; and

26 (B) in paragraph (1)—

1 (i) by striking “shall issue a certifi-
 2 cate” and inserting “shall issue—

3 “(A) a certificate”;

4 (ii) in subparagraph (A) (as so des-
 5 ignated), by striking the period at the end
 6 and inserting “; or”; and

7 (iii) by adding at the end the fol-
 8 lowing:

9 “(B) an authorization for the siting, con-
 10 struction, and operation of an Alaska natural
 11 gas transportation project, if the applicant has
 12 satisfied the requirements of section 3 of the
 13 Natural Gas Act (15 U.S.C. 717b) for a lique-
 14 fied natural gas terminal and any related facili-
 15 ties determined necessary or required for the
 16 export of Alaska natural gas.”;

17 (4) in subsection (c), by striking “for the
 18 project under section 7(c))” and all that follows
 19 through the period at the end and inserting “for the
 20 projects under—

21 “(1) section 3 of the Natural Gas Act (15
 22 U.S.C. 717b);

23 “(2) section 7(c) of the Natural Gas Act (15
 24 U.S.C. 717f(c)); and

25 “(3) this section.”; and

1 (5) in subsection (g), by striking “The holder of
2 the certificate” and inserting “The holder of a cer-
3 tificate”.

4 **SEC. 4. ENVIRONMENTAL REVIEWS.**

5 Section 104(a) (15 U.S.C. 720b(a)) is amended by
6 inserting “under section 7 of the Natural Gas Act (15
7 U.S.C. 717f) or the issuance of an authorization under
8 section 3 of that Act (15 U.S.C. 717b)” after “certificate
9 of public convenience and necessity”.

10 **SEC. 5. FEDERAL COORDINATOR.**

11 Section 106(c) (15 U.S.C. 720d(c)) is amended—

12 (1) in paragraph (1), by inserting “or a pipeline
13 project that carries natural gas from the Alaska
14 North Slope to market south of 68 degrees north
15 latitude” after “Alaska natural gas transportation
16 project”;

17 (2) in paragraph (2), by striking the period at
18 the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(3) to ensure that Federal agencies are fully
21 informed in carrying out an Alaska natural gas
22 transportation project, providing Federal agencies
23 with information about—

24 “(A) the Alaska natural gas transportation
25 project; and

1 “(B) any commercial, technological, or reg-
 2 ulatory issues that could affect the project.”.

3 **SEC. 6. CLARIFICATION OF ANGTA STATUS AND AUTHORI-**
 4 **TIES.**

5 Section 110(b) (15 U.S.C. 720h(b)) is amended—

6 (1) by redesignating paragraphs (1) and (2) as
 7 subparagraphs (A) and (B), respectively, and indent-
 8 ing appropriately;

9 (2) by striking “Any Federal agency” and in-
 10 serting the following:

11 “(1) IN GENERAL.—Any Federal agency”; and

12 (3) by adding at the end the following:

13 “(2) EFFECT.—Nothing in this Act or the Alas-
 14 ka Natural Gas Transportation Act of 1976 (15
 15 U.S.C. 719 et seq.) shall preclude the construction
 16 of a gas liquefaction terminal or any other facilities
 17 determined necessary or required for the transpor-
 18 tation and export of natural gas from the Alaska
 19 North Slope.”.

20 **SEC. 7. ALASKA PIPELINE CONSTRUCTION TRAINING PRO-**
 21 **GRAM.**

22 Section 113 (15 U.S.C. 720k) is amended—

23 (1) in subsection (a)(1)—

1 (A) in subparagraph (A), by striking “gas
 2 pipeline system” and inserting “natural gas
 3 transportation project”; and

4 (B) in subparagraph (B), by striking “gas
 5 pipeline” and inserting “natural gas transpor-
 6 tation project”; and

7 (2) in subsection (b)(1), by striking “pipeline
 8 system” and inserting “transportation project”.

9 **SEC. 8. SENSE OF CONGRESS CONCERNING ALASKAN OWN-**
 10 **ERSHIP.**

11 Section 115(1) (15 U.S.C. 720m(1)) is amended by
 12 striking “pipeline” and inserting “transportation project”.

13 **SEC. 9. LOAN GUARANTEES.**

14 Section 116(a)(1) (15 U.S.C. 720n(a)(1)) is amended
 15 by inserting “that includes a pipeline to the border be-
 16 tween Alaska and Canada approved pursuant to section
 17 7(c) of the Natural Gas Act (15 U.S.C. 717f(c))” after
 18 “qualified infrastructure project”.

19 **SEC. 10. EXPEDITED APPROVAL OF EXPORTATION OF NAT-**
 20 **URAL GAS TO UNITED STATES ALLIES.**

21 (a) IN GENERAL.—Section 3(c) of the Natural Gas
 22 Act (15 U.S.C. 717b(c)) is amended—

23 (1) by striking “(c) For purposes” and insert-
 24 ing the following:

1 “(c) EXPEDITED APPLICATION AND APPROVAL
2 PROCESS.—

3 “(1) IN GENERAL.—For purposes.”;

4 (2) in paragraph (1) (as so designated), by
5 striking “nation with which there is in effect a free
6 trade agreement requiring national treatment for
7 trade in natural gas” and inserting “foreign country
8 described in paragraph (2)”; and

9 (3) by adding at the end the following:

10 “(2) FOREIGN COUNTRY DESCRIBED.—A for-
11 eign country described in this paragraph is—

12 “(A) a country with which the United
13 States has in effect a free trade agreement re-
14 quiring national treatment for trade in natural
15 gas;

16 “(B) a member country of the North At-
17 lantic Treaty Organization;

18 “(C) subject to paragraph (3), Japan; and

19 “(D) any other foreign country if the Sec-
20 retary of State, in consultation with the Sec-
21 retary of Defense, determines that exportation
22 of natural gas to that foreign country would
23 promote the national security interests of the
24 United States.

1 “(3) EXPORTATION OF NATURAL GAS TO
2 JAPAN.—The exportation of natural gas to Japan
3 shall be deemed to be consistent with the public in-
4 terest pursuant to paragraph (1), and applications
5 for such exportation shall be granted without modi-
6 fication or delay under that paragraph, during only
7 such period as the Treaty of Mutual Cooperation
8 and Security, signed at Washington January 19,
9 1960, and entered into force June 23, 1960 (11
10 UST 1632; TIAS 4509), between the United States
11 and Japan, remains in effect.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 subsection (a) shall apply to applications for the author-
14 ization to export natural gas under section 3 of the Nat-
15 ural Gas Act (15 U.S.C. 717b) that are pending on, or
16 filed on or after, the date of enactment of this Act.

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