

114TH CONGRESS
1ST SESSION

H. R. 3306

To authorize the export of energy resources, energy technologies, and related services to Cuba, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. RUSH introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the export of energy resources, energy technologies, and related services to Cuba, 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.**

4 This Act may be cited as the “Promote Opportunities
5 With Energy Resources for Cuba Act” or “POWER Cuba
6 Act”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

1 (1) Cuba produced an estimated 49,000 barrels
2 per day of petroleum and other liquid fuels for pro-
3 duction of energy in 2014 and consumed 171,000
4 barrels per day of petroleum and other liquids.

5 (2) Cuba imports most of its oil supply from
6 Venezuela, which provides crude oil at a heavily sub-
7 sidized rate under a 2000 energy agreement.

8 (3) As of January 2015, Cuba had 124,000,000
9 barrels of proven crude oil reserves, according to Oil
10 and Gas Journal (OGJ). The prospects of finding oil
11 in the deep waters off the northern coast of Cuba at-
12 tracted many oil and gas companies from around the
13 world. However, due to geological and technological
14 challenges, offshore deep water exploration activity
15 has so far yielded no results. Exploration in Cuba
16 has now shifted onshore, to areas along Cuba's
17 northern coast.

18 (4) Cuba has four refineries, all of which are
19 owned by Cuba Petroleos, the state-owned oil and
20 natural gas company. Total crude oil refining capac-
21 ity was 301,400 barrels per day in January 2015,
22 according to Oil and Gas Journal.

23 (5) In an effort to diversify its energy portfolio,
24 Cuba has set a goal of producing 24 percent of its
25 electricity from renewable sources by 2030. Cuba's

1 current renewable energy output accounts for only
2 4.3 percent of its total electricity production. To
3 meet this goal, Unión Eléctrica, the state-owned
4 power company, is planning 13 wind projects with a
5 total capacity of 633 megawatts. In addition, Cuba
6 plans to add 755 megawatts of biomass-fired capac-
7 ity, 700 megawatts of solar capacity, and 56
8 megawatts of hydroelectric power.

9 (6) The end of trade restrictions could generate
10 a new market for many types of supplies and serv-
11 ices from the United States energy industry.

12 **SEC. 3. OIL AND GAS EXPORTS.**

13 (a) ENERGY POLICY AND CONSERVATION ACT.—Sec-
14 tion 103 of the Energy Policy and Conservation Act (42
15 U.S.C. 6212) is amended by adding at the end the fol-
16 lowing:

17 “(g) This section shall not apply to the export of oil
18 to Cuba.”.

19 (b) NATURAL GAS ACT.—Section 3 of the Natural
20 Gas Act (15 U.S.C. 717b) is amended by adding at the
21 end the following:

22 “(g) This section shall not apply to the export of
23 LNG to Cuba.”.

1 **SEC. 4. EXPORT OF ENERGY RESOURCES, ENERGY TECH-**
2 **NOLOGIES, AND RELATED SERVICES TO**
3 **CUBA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, the President is authorized to permit any per-
6 son subject to the jurisdiction of the United States—

7 (1) to export energy resources and energy tech-
8 nologies to Cuba;

9 (2) to export services related to energy re-
10 sources and energy technologies described in para-
11 graph (1);

12 (3) to establish facilities related to energy re-
13 sources and energy technologies described in para-
14 graph (1) and services described in paragraph (2);

15 (4) to conduct any transaction incident to car-
16 rying out an activity described in any of paragraphs
17 (1) through (3); and

18 (5) to enter into, perform, and make and re-
19 ceive payments under a contract with any individual
20 or entity in Cuba with respect to the provision of en-
21 ergy resources and energy technologies described in
22 paragraph (1) and services described in paragraph
23 (2).

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, and not less frequently than
26 annually thereafter for 4 years, the President shall submit

1 to the relevant committees of Congress a report on the
2 implementation of this section.

3 (c) DEFINITIONS.—In this section:

4 (1) ENERGY RESOURCES.—The term “energy
5 resources” means conventional sources of energy, in-
6 cluding oil, gas, coal, petrochemicals, and nuclear
7 energy.

8 (2) ENERGY TECHNOLOGIES.—The term “en-
9 ergy technologies” means equipment and expertise to
10 enable the production of energy, including renewable
11 sources of energy such as wind, solar, hydro-power,
12 geothermal, and bio-fuels.

13 (3) PERSON SUBJECT TO THE JURISDICTION OF
14 THE UNITED STATES.—The term “person subject to
15 the jurisdiction of the United States” means—

16 (A) any individual, wherever located, who
17 is a citizen or resident of the United States;

18 (B) any person located in the United
19 States;

20 (C) any corporation, partnership, associa-
21 tion, or other organization organized under the
22 laws of the United States or of any State, terri-
23 tory, possession, or district of the United
24 States; and

1 (D) any corporation, partnership, associa-
2 tion, or other organization, wherever organized
3 or doing business, that is owned or controlled
4 by a person or organization described in sub-
5 paragraph (A), (B), or (C).

6 (4) RELEVANT COMMITTEES OF CONGRESS.—

7 The term “relevant committees of Congress”
8 means—

9 (A) the Committee on Foreign Affairs, the
10 Committee on Energy and Commerce, and the
11 Committee on Appropriations of the House of
12 Representatives; and

13 (B) the Committee on Foreign Relations,
14 the Committee on Energy and Natural Re-
15 sources, and the Committee on Appropriations
16 of the Senate.

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