

118TH CONGRESS
1ST SESSION

S. 3467

To require a certain percentage of natural gas and crude oil exports be transported on United States-built and United States-flag vessels, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2023

Mr. WICKER (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require a certain percentage of natural gas and crude oil exports be transported on United States-built and United States-flag vessels, 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 “Energizing American
5 Shipbuilding Act of 2023”.

6 **SEC. 2. NATIONAL POLICY ON STRATEGIC ENERGY ASSET**

7 **EXPORT TRANSPORTATION.**

8 (a) LNG EXPORTS.—

1 (1) REQUIREMENT FOR TRANSPORTATION OF
2 EXPORTS OF NATURAL GAS ON VESSELS DOCU-
3 MENTED UNDER LAWS OF THE UNITED STATES.—

4 Section 3 of the Natural Gas Act (15 U.S.C. 717b)
5 is amended by adding at the end the following:

6 “(g) TRANSPORTATION OF EXPORTS OF NATURAL
7 GAS ON VESSELS DOCUMENTED UNDER LAWS OF THE
8 UNITED STATES.—

9 “(1) CONDITION FOR APPROVAL.—Except as
10 provided in paragraph (7), with respect to an appli-
11 cation to export natural gas under subsection (a),
12 the Commission shall include in the order issued for
13 that application the condition that the person trans-
14 port the natural gas on a vessel that meets the re-
15 quirements described in paragraph (3).

16 “(2) PURPOSE.—The purpose of the require-
17 ment under paragraph (1) is to ensure that, of all
18 natural gas exported by vessel in a calendar year,
19 the following percentage is exported by a vessel that
20 meets the requirements described in paragraph (3):

21 “(A) In each of the 7 calendar years fol-
22 lowing the calendar year in which this sub-
23 section is enacted, not less than 2 percent.

1 “(B) In each of the 8th and 9th calendar
2 years following the calendar year in which this
3 subsection is enacted, not less than 3 percent.

4 “(C) In each of the 10th and 11th cal-
5 endar years following the calendar year in
6 which this subsection is enacted, not less than
7 4 percent.

8 “(D) In each of the 12th and 13th cal-
9 endar years following the calendar year in
10 which this subsection is enacted, not less than
11 6 percent.

12 “(E) In each of the 14th and 15th cal-
13 endar years following the calendar year in
14 which this subsection is enacted, not less than
15 7 percent.

16 “(F) In each of the 16th and 17th cal-
17 endar years following the calendar year in
18 which this subsection is enacted, not less than
19 9 percent.

20 “(G) In each of the 18th and 19th cal-
21 endar years following the calendar year in
22 which this subsection is enacted, not less than
23 11 percent.

24 “(H) In each of the 20th and 21st cal-
25 endar years following the calendar year in

1 which this subsection is enacted, not less than
2 13 percent.

3 “(I) In the 22nd calendar year after the
4 calendar year in which this subsection is en-
5 acted and each calendar year thereafter, not
6 less than 15 percent.

7 “(3) REQUIREMENTS FOR VESSELS.—A vessel
8 meets the requirements described in this para-
9 graph—

10 “(A) with respect to each of the 5 calendar
11 years following the calendar year in which this
12 subsection is enacted—

13 “(i) if—

14 “(I) the vessel is documented
15 under the laws of the United States;
16 and

17 “(II) with respect to any retrofit
18 work necessary for the vessel to ex-
19 port natural gas—

20 “(aa) such work is done in a
21 shipyard in the United States;
22 and

23 “(bb) any component of the
24 vessel listed in paragraph (4)
25 that is installed during the

1 course of such work is manufac-
2 tured in the United States; or

3 “(ii) if—

4 “(I) the vessel is built in the
5 United States;

6 “(II) the vessel is documented
7 under the laws of the United States;

8 “(III) all major components of
9 the hull or superstructure of the ves-
10 sel are manufactured (including all
11 manufacturing processes from the ini-
12 tial melting stage through the applica-
13 tion of coatings for iron or steel prod-
14 ucts) in the United States; and

15 “(IV) the components of the ves-
16 sel listed in paragraph (4) are manu-
17 factured in the United States; and

18 “(B) with respect to the 6th calendar year
19 following the calendar year in which this sub-
20 section is enacted, and each calendar year
21 thereafter, if the vessel meets the requirements
22 of subparagraph (A)(ii).

23 “(4) COMPONENTS.—The components of a ves-
24 sel listed in this paragraph are the following:

25 “(A) Air circuit breakers.

1 “(B) Welded shipboard anchor and moor-
2 ing chain.

3 “(C) Powered and non-powered valves in
4 Federal Supply Classes 4810 and 4820 used in
5 piping.

6 “(D) Machine tools in the Federal Supply
7 Classes for metal-working machinery numbered
8 3405, 3408, 3410 through 3419, 3426, 3433,
9 3438, 3441 through 3443, 3445, 3446, 3448,
10 3449, 3460, and 3461.

11 “(E) Auxiliary equipment for shipboard
12 services, including pumps.

13 “(F) Propulsion equipment, including en-
14 gines, propulsion motors, reduction gears, and
15 propellers.

16 “(G) Shipboard cranes.

17 “(H) Spreaders for shipboard cranes.

18 “(I) Rotating electrical equipment, includ-
19 ing electrical alternators and motors.

20 “(J) Compressors, pumps, and heat ex-
21 changers used in managing and re-liquefying
22 boil-off gas from liquefied natural gas.

23 “(5) WAIVER AUTHORITY.—The Commission
24 may waive the requirement under clause (i)(II)(bb)
25 or (ii)(IV), as applicable, of paragraph (3)(A) with

1 respect to a component of a vessel if the Maritime
2 Administrator determines that—

3 “(A) application of the requirement
4 would—

5 “(i) result in an increase of 25 per-
6 cent or more in the cost of the component
7 of the vessel; or

8 “(ii) cause unreasonable delays to be
9 incurred in building or retrofitting the ves-
10 sel; or

11 “(B) such component is not manufactured
12 in the United States in sufficient and reason-
13 ably available quantities of a satisfactory qual-
14 ity.

15 “(6) OPPORTUNITIES FOR LICENSED AND UNLI-
16 CENSED MARINERS.—Except as provided in para-
17 graph (7), the Commission shall include, in any
18 order issued under subsection (a) that authorizes a
19 person to export natural gas, a condition that the
20 person provide opportunities for United States li-
21 censed and unlicensed mariners to receive experience
22 and training necessary to become credentialed in
23 working on a vessel transporting natural gas.

24 “(7) EXCEPTION.—The Commission may not
25 include in any order issued under subsection (a) au-

1 thorizing a person to export natural gas to a nation
2 with which there is in effect a free trade agreement
3 requiring national treatment for trade in natural gas
4 a condition described in paragraph (1), or a condi-
5 tion described in paragraph (6), if the United States
6 Trade Representative certifies to the Commission, in
7 writing, that such condition would violate obligations
8 of the United States under such free trade agree-
9 ment.

10 “(8) USE OF FEDERAL INFORMATION.—In car-
11 rying out paragraph (1), the Commission—

12 “(A) shall use information made available
13 by—

14 “(i) the Energy Information Adminis-
15 tration; or

16 “(ii) any other Federal agency or enti-
17 ty the Commission determines appropriate;
18 and

19 “(B) may use information made available
20 by a private entity only if applicable informa-
21 tion described in subparagraph (A) is not avail-
22 able.”.

23 (2) CONFORMING AMENDMENT.—Section 3(c)
24 of the Natural Gas Act (15 U.S.C. 717b(c)) is
25 amended by striking “or the exportation of natural

1 gas” and inserting “or, subject to subsection (g), the
2 exportation of natural gas”.

3 (b) CRUDE OIL.—Section 101 of title I of division
4 O of the Consolidated Appropriations Act, 2016 (42
5 U.S.C. 6212a) is amended—

6 (1) in subsection (b), by striking “subsections
7 (c) and (d)” and inserting “subsections (c), (d), and
8 (f)”; and

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

10 “(f) TRANSPORTATION OF EXPORTS OF CRUDE OIL
11 ON VESSELS DOCUMENTED UNDER LAWS OF THE
12 UNITED STATES.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (6), as a condition to export crude oil, the
15 President shall require that a person exporting crude
16 oil transport the crude oil on a vessel that meets the
17 requirements described in paragraph (3).

18 “(2) PURPOSE.—The purpose of the require-
19 ment under paragraph (1) is to ensure that, of all
20 crude oil exported by vessel in a calendar year, the
21 following percentage is exported by a vessel that
22 meets the requirements described in paragraph (3):

23 “(A) In each of the 7 calendar years fol-
24 lowing the calendar year in which this sub-
25 section is enacted, not less than 3 percent.

1 “(B) In each of the 8th, 9th, and 10th cal-
2 endar years following the calendar year in
3 which this subsection is enacted, not less than
4 6 percent.

5 “(C) In each of the 11th, 12th, and 13th
6 calendar years following the calendar year in
7 which this subsection is enacted, not less than
8 8 percent.

9 “(D) In the 14th calendar year following
10 the calendar year in which this subsection is en-
11 acted and each calendar year thereafter, not
12 less than 10 percent.

13 “(3) REQUIREMENTS FOR VESSELS.—A vessel
14 meets the requirements described in this para-
15 graph—

16 “(A) with respect to each of the 4 calendar
17 years following the calendar year in which this
18 subsection is enacted—

19 “(i) if—

20 “(I) the vessel is documented
21 under the laws of the United States;
22 and

23 “(II) with respect to any retrofit
24 work necessary for the vessel to ex-
25 port crude oil—

1 “(aa) such work is done in a
2 shipyard in the United States;
3 and

4 “(bb) any component of the
5 vessel listed in paragraph (4)
6 that is installed during the
7 course of such work is manufac-
8 tured in the United States; or

9 “(ii) if—

10 “(I) the vessel is built in the
11 United States;

12 “(II) the vessel is documented
13 under the laws of the United States;

14 “(III) all major components of
15 the hull or superstructure of the ves-
16 sel are manufactured (including all
17 manufacturing processes from the ini-
18 tial melting stage through the applica-
19 tion of coatings for iron or steel prod-
20 ucts) in the United States; and

21 “(IV) the components of the ves-
22 sel listed in paragraph (4) are manu-
23 factured in the United States; and

24 “(B) with respect to the 5th calendar year
25 following the calendar year in which this sub-

1 section is enacted and each calendar year there-
2 after, if the vessel meets the requirements of
3 subparagraph (A)(ii).

4 “(4) COMPONENTS.—The components of a ves-
5 sel listed in this paragraph are the following:

6 “(A) Air circuit breakers.

7 “(B) Welded shipboard anchor and moor-
8 ing chain.

9 “(C) Powered and non-powered valves in
10 Federal Supply Classes 4810 and 4820 used in
11 piping.

12 “(D) Machine tools in the Federal Supply
13 Classes for metal-working machinery numbered
14 3405, 3408, 3410 through 3419, 3426, 3433,
15 3438, 3441 through 3443, 3445, 3446, 3448,
16 3449, 3460, and 3461.

17 “(E) Auxiliary equipment for shipboard
18 services, including pumps.

19 “(F) Propulsion equipment, including en-
20 gines, propulsion motors, reduction gears, and
21 propellers.

22 “(G) Shipboard cranes.

23 “(H) Spreaders for shipboard cranes.

24 “(I) Rotating electrical equipment, includ-
25 ing electrical alternators and motors.

1 “(5) WAIVER AUTHORITY.—The President may
2 waive the requirement under clause (i)(II)(bb) or
3 clause (ii)(IV), as applicable, of paragraph (3)(A)
4 with respect to a component of a vessel if the Mari-
5 time Administrator determines that—

6 “(A) application of the requirement
7 would—

8 “(i) result in an increase of 25 per-
9 cent or more in the cost of the component
10 of the vessel; or

11 “(ii) cause unreasonable delays to be
12 incurred in building or retrofitting the ves-
13 sel; or

14 “(B) such component is not manufactured
15 in the United States in sufficient and reason-
16 ably available quantities of a satisfactory qual-
17 ity.

18 “(6) EXCEPTION.—The President may not,
19 under paragraph (1), condition the export of crude
20 oil to a nation with which there is in effect a free
21 trade agreement requiring national treatment for
22 trade in crude oil if the United States Trade Rep-
23 resentative certifies to the President, in writing, that
24 such condition would violate obligations of the
25 United States under such free trade agreement.

1 “(7) OPPORTUNITIES FOR LICENSED AND UNLI-
2 CENSED MARINERS.—The Maritime Administrator
3 shall ensure that each exporter of crude oil by vessel
4 provides opportunities for United States licensed and
5 unlicensed mariners to receive experience and train-
6 ing necessary to become credentialed in working on
7 such vessels.

8 “(8) USE OF FEDERAL INFORMATION.—In car-
9 rying out paragraph (1), the President—

10 “(A) shall use information made available
11 by—

12 “(i) the Energy Information Adminis-
13 tration; or

14 “(ii) any other Federal agency or enti-
15 ty the Commission determines appropriate;
16 and

17 “(B) may use information made available
18 by a private entity only if applicable informa-
19 tion described in subparagraph (A) is not avail-
20 able.”.

21 **SEC. 3. ENERGY INFORMATION ADMINISTRATION INFOR-**
22 **MATION.**

23 The Secretary of Energy, acting through the Admin-
24 istrator of the Energy Information Administration (re-
25 ferred to in this section as the “Secretary”), shall collect,

1 and make readily available to the public on the internet
2 website of the Energy Information Administration, infor-
3 mation on exports by vessel of natural gas and crude oil,
4 including—

5 (1) forecasts for, and data on, those exports for
6 the calendar year following the calendar year in
7 which this Act is enacted and each calendar year
8 thereafter; and

9 (2) forecasts for those exports for multiyear pe-
10 riods after the date of enactment of this Act, as de-
11 termined appropriate by the Secretary.

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