

119TH CONGRESS
2D SESSION

S. 4735

To establish procedures for determining the public interest with respect to greenhouse gas emissions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2026

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

A BILL

To establish procedures for determining the public interest with respect to greenhouse gas emissions, 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 “Protecting Americans
5 from High Electricity Prices Act of 2026”.

6 **SEC. 2. PUBLIC INTEREST CRITERIA UNDER THE NATURAL**
7 **GAS ACT.**

8 (a) PUBLIC INTEREST CRITERIA.—Section 3 of the
9 Natural Gas Act (15 U.S.C. 717b) is amended—

10 (1) in subsection (a)—

1 (A) in the third sentence, by striking “The
2 Commission may” and inserting the following:

3 “(3) AUTHORITY.—The Commission may”;

4 (B) in the second sentence—

5 (i) by inserting “, subject to sub-
6 section (c)” after “public interest”; and

7 (ii) by striking “The Commission
8 shall” and all that follows through “will
9 not be” and inserting the following:

10 “(2) PUBLIC INTEREST.—The Commission may
11 issue such order upon application, after an oppor-
12 tunity for hearing, if the Commission finds that the
13 proposed exportation or importation is”; and

14 (C) by striking “(a) After six months” and
15 inserting the following:

16 “(a) AUTHORIZATION ORDER.—

17 “(1) IN GENERAL.—After 6 months”; and

18 (2) by striking subsection (c) and inserting the
19 following:

20 “(c) PUBLIC INTEREST CRITERIA.—

21 “(1) DEFINITIONS.—In this subsection:

22 “(A) COUNTRY OF CONCERN.—The term
23 ‘country of concern’ means—

24 “(i) Russia;

25 “(ii) China;

1 “(iii) North Korea;

2 “(iv) Iran; and

3 “(v) any other country that, after
4 public notice and comment, the Secretary
5 of Energy, in consultation with the Sec-
6 retary of Defense, the Secretary of State,
7 and the Director of National Intelligence,
8 determines to be engaged in conduct that
9 is detrimental to the national security or
10 foreign policy of the United States.

11 “(B) SCOPE 1 EMISSIONS.—The term
12 ‘scope 1 emissions’ means direct emissions that
13 occur from sources that are controlled or owned
14 by an organization.

15 “(C) SCOPE 2 EMISSIONS.—The term
16 ‘scope 2 emissions’ means indirect greenhouse
17 gas emissions associated with the purchase of
18 electricity, steam, heat, or cooling.

19 “(D) SCOPE 3 EMISSIONS.—The term
20 ‘scope 3 emissions’ means all indirect green-
21 house gases produced in a value chain of a com-
22 pany, excluding purchased electricity.

23 “(2) PUBLIC INTEREST ACTIVITIES AND OUT-
24 COMES.—

1 “(A) IN GENERAL.—For the purposes of
2 subsection (a)(2), with respect to the import or
3 export of natural gas—

4 “(i) the Commission shall consider the
5 public interest broadly, including environ-
6 mental impacts and affordability; and

7 “(ii) the activities and outcomes de-
8 scribed in subparagraph (B) are not con-
9 sistent with the public interest.

10 “(B) ACTIVITIES AND OUTCOMES.—The
11 activities and outcomes referred to in subpara-
12 graph (A) are:

13 “(i) Increasing the price of natural
14 gas for households or industries in the
15 United States.

16 “(ii) Increasing greenhouse gas emis-
17 sions, including the consideration of all
18 scope 1 emissions, scope 2 emissions, and
19 scope 3 emissions.

20 “(iii) Supplying energy to a country of
21 concern.

22 “(3) RULEMAKING.—Not later than 30 days
23 after the date of enactment of the Protecting Ameri-
24 cans from High Electricity Prices Act of 2026, the
25 Commission shall promulgate regulations estab-

1 lishing the procedures and criteria to be used for de-
2 termining whether an import or export of natural
3 gas is consistent with the public interest under sub-
4 section (a)(2), including consideration of the matters
5 described in paragraph (2), and, with respect to
6 greenhouse gas emissions, the consideration of all
7 scope 1 emissions, scope 2 emissions, and scope 3
8 emissions.”.

9 (b) SAVINGS CLAUSE.—Nothing in this Act or the
10 amendments made by this Act—

11 (1) is intended as a statement of congressional
12 intent with respect to the authority of the Federal
13 Energy Regulatory Commission or the Secretary of
14 Energy under the Natural Gas Act (15 U.S.C. 717
15 et seq.);

16 (2) precludes the Federal Energy Regulatory
17 Commission or the Secretary of Energy from consid-
18 ering the impact of export of natural gas on house-
19 holds, businesses, or natural gas-dependent indus-
20 tries in the United States when carrying out the
21 Natural Gas Act (15 U.S.C. 717 et seq.) or any
22 other applicable law;

23 (3) precludes the Secretary of Energy from de-
24 termining that the export of natural gas is not con-

1 sistent with the public interest pursuant to section
2 3 of the Natural Gas Act (15 U.S.C. 717b); or

3 (4) precludes the Federal Energy Regulatory
4 Commission from determining that the export of
5 natural gas is not in service of public convenience or
6 necessity pursuant to section 7 of the Natural Gas
7 Act (15 U.S.C. 717f) because it raises prices on
8 households, businesses, or natural gas-dependent in-
9 dustries in the United States.

10 (c) CONFORMING AMENDMENTS.—Section 3 of the
11 Natural Gas Act (15 U.S.C. 717b) is amended—

12 (1) in subsection (b), by striking “(b) With re-
13 spect to” and inserting the following:

14 “(b) FREE TRADE AGREEMENT.—With respect to”;

15 (2) in subsection (d), by striking “(d) Except
16 as” and inserting the following:

17 “(d) CONSTRUCTION WITH OTHER LAWS.—Except
18 as”;

19 (3) in subsection (e)—

20 (A) by striking “(e) (1) The Commission”
21 and inserting the following:

22 “(e) LNG TERMINALS.—

23 “(1) AUTHORITY.—The Commission”;

24 (B) in paragraph (2)—

1 (i) by striking “(2) Upon the filing”
 2 and inserting the following:

3 “(2) FILING.—On the filing”; and

4 (ii) by indenting subparagraphs (A)
 5 through (D) appropriately;
 6 (C) in paragraph (3)—

7 (i) by striking “(3) (A) Except as pro-
 8 vided” and inserting the following:

9 “(3) DISCRETION.—

10 “(A) IN GENERAL.—Except as provided”;

11 (ii) by indenting subparagraphs (B)
 12 and (C) appropriately;

13 (iii) in subparagraph (B)—

14 (I) by striking “(B) Before Janu-
 15 ary” and inserting the following:

16 “(B) LIMITATIONS.—Before January”;

17 (II) by indenting clauses (i) and

18 (ii) appropriately; and

19 (III) in clause (ii), by indenting
 20 subclauses (I) through (III) appro-
 21 priately; and

22 (iv) in subparagraph (C), by striking
 23 “(C) Subparagraph (B) shall” and insert-
 24 ing the following:

1 “(C) SUNSET.—Subparagraph (B) shall”;

2 and

3 (D) in paragraph (4), by striking “(4) An
4 order” and inserting the following:

5 “(4) LIMITATIONS.—An order”; and

6 (4) in subsection (f)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A), by striking “;
9 and” and inserting a period; and

10 (ii) in subparagraph (B), by striking
11 “(B) does not include” and inserting the
12 following:

13 “(B) EXCLUSION.—The term ‘military in-
14 stallation’ does not include”;

15 (B) by striking the subsection designation
16 and all that follows through “means a base” in
17 paragraph (1)(A) and inserting the following:

18 “(f) MILITARY INSTALLATIONS.—

19 “(1) DEFINITION OF MILITARY INSTALLA-
20 TION.—

21 “(A) IN GENERAL.—In this subsection, the
22 term ‘military installation’ means a base”;

23 (C) in paragraph (2), by striking “(2) The
24 Commission shall” and inserting the following:

1 “(2) MEMORANDUM OF UNDERSTANDING.—The
2 Commission shall”; and

3 (D) in paragraph (3), by striking “(3) The
4 Commission shall” and inserting the following:

5 “(3) CONCURRENCE.—The Commission shall”.

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