

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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April 23, 2024

The Honorable Jennifer Granholm
Secretary
U.S. Department of Energy
1000 Independence Ave. SW
Washington, D.C. 20585

Dear Secretary Granholm:

In February, the Committee on Science, Space, and Technology (Committee) sent a letter to your office containing questions and requesting a briefing regarding the Biden Administration's January announcement of a pause on pending approvals of United States Liquefied Natural Gas (LNG) exports. In response, on April 11, the Committee received a briefing from Department of Energy (Department) representatives, however, key questions posed in our letter were either only partially answered or completely avoided. The Committee lacks crucial information and remains concerned with the process that the Department's National Laboratories are being asked to undertake in support of the Administration's pause of LNG exports. For this reason, in addition to new questions that have presented themselves since our last letter, we request answers to questions that the Department has so far failed to answer as well as documents and communications regarding the ongoing process.

On January 26, 2024, the Department paused all pending applications for the export of LNG to non-free-trade agreement countries in order to update the economic and environmental analyses that inform whether applications are in the public interest.¹ To date, the Department has been unable to provide scientific justification as to why a pause in approvals is necessary, despite having commissioned five studies since 2012, which have each found that exports would create net public benefits and have limited impact on domestic natural gas prices. The only justification the Department has provided was pointing to a pause in 2012, a markedly different period for U.S. LNG exports as demonstrated by the fact the Department had only granted one long-term application to export LNG prior to 2013 as compared to 41 as of July 2023.²

¹ The White House, *Fact Sheet: Biden-Harris Administration Announces Temporary Pause on Pending Approvals of Liquefied Natural Gas Exports*, WHITEHOUSE.GOV (Jan. 26, 2024), <https://www.whitehouse.gov/briefingroom/statements-releases/2024/01/26/fact-sheet-biden-harris-administration-announces-temporary-pause-on-pending-approvals-of-liquefied-natural-gas-exports/>.

² Ben Cahill and Sophie Coste, *Subtle Shift in U.S. LNG Export Authorizations*, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES (Jul. 28, 2023), <https://www.csis.org/analysis/subtle-shift-us-lng-export-authorizations>

On February 7, 2024, the Committee sent a letter addressed to you posing questions, as well as requesting documents and a briefing to better understand the economic and environmental analyses process.³ The Committee received a response letter on April 8 and the requested briefing on April 11, but has yet to receive any of the requested documents or records to support the Department's answers to 14 questions posed by the Committee. Instead, the Department cites its own broad announcement that the update to the economic and environmental analyses will be "informed by analysis from experts at [the Department's] National Laboratories."⁴ Specifically, the Department has stated the National Laboratories' work will include an independent assessment of domestic and international supply and demand conditions across a variety of scenarios, as well as environmental and life cycle analysis.⁵ Unfortunately, this does not provide any real or relevant information for the Committee to consider moving forward.

Additionally, the Department has yet to answer two critical questions from the February 2024 letter: 1) "what is the scope of topics to be considered under the update to economic and environmental analyses;" and 2) "who will determine the scope of topics?"⁶ Without knowing the full scope of what environmental and life cycle analyses will be required and who within the Department has given direction to the National Laboratories on matters such as what demand conditions can or cannot be evaluated, it is impossible to label this effort as independent technical information.

The Department claims it is a data driven agency and the updated analyses need to incorporate the latest market information, analytical approaches, and best available science based on a transparent process open to input from all stakeholders.⁷ Yet, the Department has had ample opportunity to provide the information, approaches, and science that will be considered by the National Laboratories but has failed to do so.

Despite a promise that the analyses will be made available for public comment, ensuring a robust opportunity to review the underlying work, the Department has made no mention as to the specific process, such as timeline, outreach, or posting location it will use in completing this task.⁸ As the Committee with sole jurisdiction over the National Laboratories and authorizer of research and development activities at DOE, it is imperative for the Department to provide the Committee the opportunity to review the underlying work immediately.

³ Committee on Science, Space, and Technology, Letter to the Honorable Jennifer Granholm (Feb. 7, 2024), https://republicans-science.house.gov/_cache/files/a/0/a0cf493d-e6eb-4cc9-be42-ad4eb6d69022/EF47E76EA6E1BA19C1AAE6EE71CFE29D.sst---doe-Ing-export-letter.pdf

⁴ Department of Energy, Letter to Committee on Science, Space, and Technology (Apr. 8, 2024)

⁵ *Ibid.*

⁶ Committee on Science, Space, and Technology, *supra* note 3.

⁷ Department of Energy, *supra* note 4.

⁸ *Ibid.*

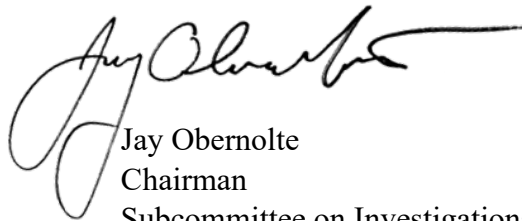
Therefore, the Committee requests that the Department be fully transparent and provide the previously requested documentation and communications regarding the scope and direction given to the National Laboratories undertaking the economic and environmental analyses. Specifically, the Committee requests the Department provide the following materials as well as responsive and complete answers to all pending questions by May 8, 2024:

1. All documents and communication between or among Department of Energy staff and representatives or employees of the 17 National Labs referring or relating to economic and environmental analyses of liquified natural gas export projects.
2. All documents and communication between or among Department of Energy staff referring or relating to economic and environmental analyses of liquified natural gas export projects.
3. All documents and communication between or among Department of Energy staff referring or relating to a pause in authorization of liquified natural gas export projects to include the legal and scientific justification for the pause and why it was needed.

Sincerely,



Frank D. Lucas
Chairman
House Committee on Science,
Space, and Technology



Jay Obernolte
Chairman
Subcommittee on Investigations
& Oversight



Brandon Williams
Chairman
Subcommittee on Energy



Max Miller
Chairman
Subcommittee on Environment

cc: Ranking Member Zoe Lofgren