

115TH CONGRESS
1ST SESSION

H. R. 3367

To terminate the prohibitions on the exportation and importation of natural gas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2017

Mr. HIGGINS of Louisiana 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 terminate the prohibitions on the exportation and importation of 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.**

4 This Act may be cited as the “License Natural Gas
5 Now Act of 2017” or the “LNG Now Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the exportation of natural gas produced in
 2 the United States is in the interest of the United
 3 States; and

4 (2) because natural gas produced in the United
 5 States has a lower greenhouse gas emissions profile
 6 than other energy sources used in high volumes in
 7 other countries, the exportation of natural gas from
 8 the United States may help lower global emissions of
 9 carbon dioxide.

10 **SEC. 3. EXPORTATION OR IMPORTATION OF NATURAL GAS.**

11 (a) IN GENERAL.—Section 3 of the Natural Gas Act
 12 (15 U.S.C. 717b) is amended—

13 (1) by striking the section heading and all that
 14 follows through “(a) After” and inserting the fol-
 15 lowing:

16 **“SEC. 3. EXPORTATION OR IMPORTATION OF NATURAL**
 17 **GAS; LNG TERMINALS.**

18 **“(a) AUTHORIZATION TO EXPORT OR IMPORT NAT-**
 19 **URAL GAS.—**

20 **“(1) IN GENERAL.—After”;**

21 **(2) in subsection (a)—**

22 **(A) in paragraph (1) (as so designated)—**

23 **(i) in the second sentence, by striking**

24 **“, unless,” and all that follows through the**

25 **period at the end of the sentence and in-**

1 serting “without modification or delay.”;
2 and

3 (ii) in the third sentence, by striking
4 “by its order” and all that follows through
5 the period at the end of the sentence and
6 inserting “condition the order on a require-
7 ment that the applicant, on request, pro-
8 vide relevant data to the Commission to fa-
9 cilitate the information collection and sta-
10 tistical activities of the Commission.”; and
11 (B) by adding at the end the following:

12 “(2) AUTHORITY TO LIMIT EXPORTATION OF
13 NATURAL GAS.—

14 “(A) MAJOR DISASTER OR EMERGENCY IN
15 UNITED STATES.—If the President declares a
16 major disaster or emergency under the Robert
17 T. Stafford Disaster Relief and Emergency As-
18 sistance Act (42 U.S.C. 5121 et seq.), the
19 President may limit the volume of natural gas
20 exported from the United States during the 90-
21 day period beginning on the date on which the
22 President declares the major disaster or emer-
23 gency.

24 “(B) NATIONAL EMERGENCY UNDER
25 INTERNATIONAL EMERGENCY ECONOMIC POW-

1 ERS ACT.—If the President declares a national
2 emergency under section 202 of the Inter-
3 national Emergency Economic Powers Act (50
4 U.S.C. 1701) with respect to a country, the
5 President may limit the volume of natural gas
6 exported from the United States to that coun-
7 try.

8 “(3) PROHIBITIONS.—

9 “(A) PROHIBITION ON RESTRICTING NAT-
10 URAL GAS IMPORTATION OR EXPORTATION.—
11 Except as provided in paragraphs (1) and (2)
12 or in any Federal authorization to export nat-
13 ural gas from the United States to a foreign
14 country or to import natural gas into the
15 United States from a foreign country in effect
16 on the date of enactment of the LNG Now Act
17 of 2017, to promote the efficient exploration,
18 production, storage, supply, marketing, pricing,
19 and regulation of energy resources, including
20 fossil fuels, no employee of the Federal Govern-
21 ment shall impose or enforce any restriction or
22 condition on—

23 “(i) the exportation of natural gas
24 from the United States to a foreign coun-
25 try; or

1 “(ii) the importation of natural gas
2 into the United States from a foreign
3 country.

4 “(B) SECRETARY OF ENERGY PROHIBI-
5 TION.—The Secretary of Energy shall not treat,
6 on the basis of national origin, any imported
7 natural gas on an unjust, unreasonable, unduly
8 discriminatory, or preferential basis.

9 “(4) CONSIDERATION OF IMPORTED NATURAL
10 GAS AS A FIRST SALE.—The importation of natural
11 gas into the United States from a foreign country
12 shall be considered to be a first sale (as defined in
13 section 2 of the Natural Gas Policy Act of 1978 (15
14 U.S.C. 3301)).”;

15 (3) by striking subsections (b) and (c); and
16 (4) by redesignating subsections (d) through (f)
17 as subsections (b) through (d), respectively.

18 (b) EFFECT.—The amendments made by subsection
19 (a) shall not affect any Federal authorization to export
20 natural gas from the United States to a foreign country
21 or to import natural gas into the United States from a
22 foreign country in effect on the date of enactment of the
23 LNG Now Act of 2017.

1 **SEC. 4. REPORT ON FOSTERING NATURAL GAS EXPORTS.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary of Energy shall submit
4 to Congress a report describing actions taken by the
5 United States Government, and actions that could be
6 taken by the United States Government, to foster the ex-
7 portation of natural gas from the United States to foreign
8 countries.

9 **SEC. 5. REPORT ON EXISTING REGULATIONS.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Secretary of Energy shall submit
12 to Congress a report that identifies regulations in effect
13 as of such date of enactment that inhibit the growth of
14 the market for natural gas exported from the United
15 States.

16 **SEC. 6. RULE OF CONSTRUCTION.**

17 (a) IN GENERAL.—Nothing in this Act or an amend-
18 ment made by this Act shall be construed to limit the au-
19 thority of the President under—

20 (1) the Constitution of the United States;

21 (2) the International Emergency Economic
22 Powers Act (50 U.S.C. 1701 et seq.) or regulations
23 issued under that Act;

24 (3) the National Emergencies Act (50 U.S.C.
25 1601 et seq.);

1 (4) the Trading With the Enemy Act (50
2 U.S.C. 4301 et seq.); or

3 (5) any other provision of law that imposes
4 sanctions with respect to a foreign person or foreign
5 government (including any provision of law that pro-
6 hibits or restricts a United States person from en-
7 gaging in a transaction with a sanctioned person or
8 government), including a foreign government that is
9 designated as a state sponsor of terrorism.

10 (b) STATE SPONSOR OF TERRORISM DEFINED.—In
11 this section, the term “state sponsor of terrorism” means
12 a country the government of which the Secretary of State
13 has determined to be a government that has repeatedly
14 provided support for acts of international terrorism for
15 purposes of—

16 (1) section 6(j)(1)(A) of the Export Administra-
17 tion Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as con-
18 tinued in effect pursuant to the International Emer-
19 gency Economic Powers Act (50 U.S.C. 1701 et
20 seq.));

21 (2) section 620A(a) of the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2371(a));

23 (3) section 40(d) of the Arms Export Control
24 Act (22 U.S.C. 2780(d)); or

1 (4) any other provision of law.

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