

115TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. CASSIDY introduced the following bill; which was read twice and referred to the Committee on _____

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—

8 (1) the exportation of natural gas produced in
9 the United States is in the interest of the United
10 States; and

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

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

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

10 (1) by striking the section heading and all that
11 follows through “(a) After” and inserting the fol-
12 lowing:

13 **“SEC. 3. EXPORTATION OR IMPORTATION OF NATURAL**
14 **GAS; LNG TERMINALS.**

15 “(a) AUTHORIZATION TO EXPORT OR IMPORT NAT-
16 URAL GAS.—

17 “(1) IN GENERAL.—After”;

18 (2) in subsection (a)—

19 (A) in paragraph (1) (as so designated)—

20 (i) in the second sentence, by striking

21 “, unless,” and all that follows through the

22 period at the end of the sentence and in-

23 serting “without modification or delay.”;

24 and

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

10 “(2) AUTHORITY TO LIMIT EXPORTATION OF
11 NATURAL GAS.—

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

22 “(B) NATIONAL EMERGENCY UNDER
23 INTERNATIONAL EMERGENCY ECONOMIC POW-
24 ERS ACT.—If the President declares a national
25 emergency under section 202 of the Inter-

1 national Emergency Economic Powers Act (50
2 U.S.C. 1701) with respect to a country, the
3 President may limit the volume of natural gas
4 exported from the United States to that coun-
5 try.

6 “(3) PROHIBITIONS.—

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

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

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

4 “(B) FERC **[/ SECRETARY OF ENERGY?]**
5 PROHIBITION.—The **[Federal Energy Regu-**
6 **latory Commission]** **[the Secretary of Energy?]**
7 shall not treat, on the basis of national origin,
8 any imported natural gas on an unjust, unrea-
9 sonable, unduly discriminatory, or preferential
10 basis.

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

17 (3) by striking subsections (b) and (c); and

18 (4) by redesignating subsections (d) through (f)
19 as subsections (b) through (d), respectively.

20 (b) EFFECT.—The amendments made by subsection
21 (a) shall not affect any Federal authorization to export
22 natural gas from the United States to a foreign country
23 or to import natural gas into the United States from a
24 foreign country in effect on the date of enactment of the
25 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—

20 (1) under—

21 [(A) the Constitution of the United
22 States;]

23 (B) the International Emergency Economic
24 Powers Act (50 U.S.C. 1701 et seq.) or regula-
25 tions issued under that Act;

1 (C) the National Emergencies Act (50
2 U.S.C. 1601 et seq.);

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

5 (E) any other provision of law that im-
6 poses sanctions with respect to a foreign person
7 or foreign government (including any provision
8 of law that prohibits or restricts a United
9 States person from engaging in a transaction
10 with a sanctioned person or government), in-
11 cluding a foreign government that is designated
12 as a state sponsor of terrorism; or

13 **[(2) except as provided in _____,**
14 **to prohibit exports.]**

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

21 (1) section 6(j)(1)(A) of the Export Administra-
22 tion Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as con-
23 tinued in effect pursuant to the International Emer-
24 gency Economic Powers Act (50 U.S.C. 1701 et
25 seq.));

- 1 (2) section 620A(a) of the Foreign Assistance
- 2 Act of 1961 (22 U.S.C. 2371(a));
- 3 (3) section 40(d) of the Arms Export Control
- 4 Act (22 U.S.C. 2780(d)); or
- 5 (4) any other provision of law.