

AMENDMENT TO H.R. 8038
OFFERED BY MR. CLYDE OF GEORGIA

At the appropriate place, insert the following:

1 **SEC. ____ . UNLOCKING OUR DOMESTIC LNG POTENTIAL.**

2 Section 3 of the Natural Gas Act (15 U.S.C. 717b)
3 is amended—

4 (1) by striking subsections (a) through (c);

5 (2) by redesignating subsections (e) and (f) as
6 subsections (a) and (b), respectively;

7 (3) by redesignating subsection (d) as sub-
8 section (c), and moving such subsection after sub-
9 section (b), as so redesignated;

10 (4) in subsection (a), as so redesignated, by
11 amending paragraph (1) to read as follows: “(1) The
12 Federal Energy Regulatory Commission (in this sub-
13 section referred to as the ‘Commission’) shall have
14 the exclusive authority to approve or deny an appli-
15 cation for authorization for the siting, construction,
16 expansion, or operation of a facility to export nat-
17 ural gas from the United States to a foreign country
18 or import natural gas from a foreign country, in-
19 cluding an LNG terminal. In determining whether to
20 approve or deny an application under this para-

1 graph, the Commission shall deem the exportation or
2 importation of natural gas to be consistent with the
3 public interest. Except as specifically provided in
4 this Act, nothing in this Act is intended to affect
5 otherwise applicable law related to any Federal
6 agency’s authorities or responsibilities related to fa-
7 cilities to import or export natural gas, including
8 LNG terminals.”; and

9 (5) by adding at the end the following new sub-
10 section:

11 “(d)(1) Nothing in this Act limits the authority of
12 the President under the Constitution, the International
13 Emergency Economic Powers Act (50 U.S.C. 1701 et
14 seq.), the National Emergencies Act (50 U.S.C. 1601 et
15 seq.), part B of title II of the Energy Policy and Conserva-
16 tion Act (42 U.S.C. 6271 et seq.), the Trading With the
17 Enemy Act (50 U.S.C. 4301 et seq.), or any other provi-
18 sion of law that imposes sanctions on a foreign person or
19 foreign government (including any provision of law that
20 prohibits or restricts United States persons from engaging
21 in a transaction with a sanctioned person or government),
22 including a country that is designated as a state sponsor
23 of terrorism, to prohibit imports or exports.

24 “(2) In this subsection, the term ‘state sponsor of ter-
25 rorism’ means a country the government of which the Sec-

1 retary of State determines has repeatedly provided sup-
2 port for international terrorism pursuant to—

3 “(A) section 1754(c)(1)(A) of the Export Con-
4 trol Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

5 “(B) section 620A of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2371);

7 “(C) section 40 of the Arms Export Control Act
8 (22 U.S.C. 2780); or

9 “(D) any other provision of law.”.

