

Calendar No. 334

116TH CONGRESS
1ST SESSION**S. 1830**

To enhance the security of the United States and its allies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. BARRASSO (for himself, Mr. GARDNER, Mr. DAINES, Mr. PERDUE, Mr. COTTON, Mrs. CAPITO, Mr. TILLIS, Mrs. BLACKBURN, Mr. ROBERTS, Mr. KENNEDY, Mr. CORNYN, Mr. CRAMER, Mr. BRAUN, Mr. ENZI, Mr. HOEVEN, Mr. ISAKSON, Mr. SCOTT of Florida, Mr. BOOZMAN, Mr. SULLIVAN, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

DECEMBER 17, 2019

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To enhance the security of the United States and its allies,
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 “Energy Security Co-
5 operation with Allied Partners in Europe Act of 2019”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It is the policy of the United States—

3 (1) to reduce the dependency of allies and part-
4 ners of the United States on Russian energy re-
5 sources, especially natural gas, in order for those
6 countries to achieve lasting and dependable energy
7 security;

8 (2) to condemn the Government of the Russian
9 Federation for, and to deter that government from,
10 using its energy resources as a geopolitical weapon
11 to coerce, intimidate, and influence other countries;

12 (3) to improve energy security in Europe by in-
13 creasing access to diverse, reliable, and affordable
14 energy;

15 (4) to promote energy security in Europe by
16 working with the European Union and other allies of
17 the United States to develop liberalized energy mar-
18 kets that provide diversified energy sources, sup-
19 pliers, and routes;

20 (5) to continue to strongly oppose the Nord
21 Stream 2 pipeline based on its detrimental effects on
22 the energy security of the European Union and the
23 economy of Ukraine and other countries in Central
24 Europe through which natural gas is transported;
25 and

1 (6) to support countries that are allies or part-
 2 ners of the United States by expediting the export
 3 of energy resources from the United States.

4 **SEC. 3. NORTH ATLANTIC TREATY ORGANIZATION.**

5 The President should direct the United States Per-
 6 manent Representative on the Council of the North Atlan-
 7 tic Treaty Organization (in this Act referred to as
 8 “NATO”) to use the voice and influence of the United
 9 States to encourage NATO member countries to work to-
 10 gether to achieve energy security for those countries and
 11 countries in Europe and Eurasia that are partners of
 12 NATO.

13 **SEC. 4. TRANSATLANTIC ENERGY STRATEGY.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
 15 gress that the United States and other NATO member
 16 countries should explore ways to ensure that NATO mem-
 17 ber countries diversify their energy supplies and routes in
 18 order to enhance their energy security, including through
 19 the development of a transatlantic energy strategy.

20 (b) TRANSATLANTIC ENERGY STRATEGY.—

21 (1) IN GENERAL.—Not later than 180 days
 22 after the date of the enactment of this Act, the Sec-
 23 retary of State, in coordination with the Adminis-
 24 trator of the United States Agency for International
 25 Development and the Secretary of Energy, shall sub-

mit to the appropriate congressional committees a transatlantic energy strategy for the United States—

(A) to enhance the energy security of NATO member countries and countries that are partners of NATO; and

(B) to increase exports of energy from the United States to such countries.

(2) ~~APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.~~—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

SEC. 5. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO UNITED STATES ALLIES.

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

(1) by inserting “(1)” before “For purposes”;

(2) by striking “nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas” and inserting “foreign country described in paragraph (2)”; and

(3) by adding at the end the following:

1 “(2) A foreign country described in this paragraph
2 is—

3 “(A) a nation with which there is in effect a
4 free trade agreement requiring national treatment
5 for trade in natural gas;

6 “(B) a member country of the North Atlantic
7 Treaty Organization;

8 “(C) subject to paragraph (3), Japan; and

9 “(D) any other foreign country if the Secretary
10 of State, in consultation with the Secretary of De-
11 fense, determines that exportation of natural gas to
12 that foreign country would promote the national se-
13 curity interests of the United States.

14 “(3) The exportation of natural gas to Japan shall
15 be deemed to be consistent with the public interest pursu-
16 ant to paragraph (1), and applications for such expor-
17 tation shall be granted without modification or delay
18 under that paragraph, during only such period as the
19 Treaty of Mutual Cooperation and Security, signed at
20 Washington January 19, 1960, and entered into force
21 June 23, 1960 (11 UST 1632; TIAS 4509), between the
22 United States and Japan, remains in effect.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall apply with respect to applications for the
25 authorization to export natural gas under section 3 of the

1 Natural Gas Act (15 U.S.C. 717b) that are pending on,
 2 or filed on or after, the date of the enactment of this Act.

3 **SEC. 6. MANDATORY SANCTIONS WITH RESPECT TO THE**
 4 **DEVELOPMENT OF PIPELINES IN THE RUS-**
 5 **SIAN FEDERATION.**

6 (a) ~~IN GENERAL.~~—The President shall impose five
 7 or more of the sanctions described in section 235 of the
 8 Countering America’s Adversaries Through Sanctions Act
 9 (22 U.S.C. 9529) with respect to a person if the President
 10 determines that the person knowingly, on or after the date
 11 of the enactment of this Act, makes an investment de-
 12 scribed in subsection (b) or sells, leases, or provides to
 13 the Government of the Russian Federation, or to any enti-
 14 ty owned or controlled by that government, for the con-
 15 struction of Russian energy export pipelines, goods, serv-
 16 ices, technology, information, or support described in sub-
 17 section (c)—

18 (1) any of which has a fair market value of
 19 \$1,000,000 or more; or

20 (2) that, during a 12-month period, have an ag-
 21 gregate fair market value of \$5,000,000 or more.

22 (b) ~~INVESTMENT DESCRIBED.~~—An investment de-
 23 scribed in this subsection is any contribution of assets, in-
 24 cluding a loan guarantee or any other transfer of value,
 25 that directly and significantly contributes to the enhance-

1 ment of the ability of the Government of the Russian Fed-
2 eration, or any entity owned or controlled by that govern-
3 ment, to construct energy export pipelines.

4 (c) GOODS, SERVICES, TECHNOLOGY, INFORMATION,
5 OR SUPPORT DESCRIBED.—Goods, services, technology,
6 information, or support described in this subsection are
7 goods, services, technology, information, or support that
8 could directly and significantly facilitate the maintenance
9 or expansion of the construction, modernization, or repair
10 of energy export pipelines by the Government of the Rus-
11 sian Federation or any entity owned or controlled by that
12 government.

13 (d) PRESIDENTIAL WAIVER AUTHORITY AND NOTICE
14 TO CONGRESS.—The President may waive the application
15 of sanctions under this section for a period of not more
16 than 90 days, and may renew such a waiver for additional
17 periods of not more than 90 days each, if, not less than
18 15 days before the waiver or the renewal of the waiver
19 takes effect, the President—

20 (1) determines that the waiver is in the national
21 security interests of the United States; and

22 (2) submits to the Committee on Foreign Rela-
23 tions of the Senate and the Committee on Foreign
24 Affairs of the House of Representatives a notifica-
25 tion of, and written justification for, the waiver.

1 ~~(e) EXCEPTION FOR IMPORTATION OF GOODS.—~~

2 ~~(1) IN GENERAL.—The authority to impose~~
 3 ~~sanctions under subsection (a) shall not include the~~
 4 ~~authority to impose sanctions with respect to the im-~~
 5 ~~portation of goods.~~

6 ~~(2) GOOD DEFINED.—In this subsection, the~~
 7 ~~term “good” means any article, natural or manmade~~
 8 ~~substance, material, supply or manufactured prod-~~
 9 ~~uct, including inspection and test equipment, and ex-~~
 10 ~~cluding technical data.~~

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Energy Security Co-*
 13 *operation with Allied Partners in Europe Act of 2019”.*

14 **SEC. 2. STATEMENT OF POLICY.**

15 *It is the policy of the United States—*

16 *(1) to reduce the dependency of allies and part-*
 17 *ners of the United States on Russian energy resources,*
 18 *especially natural gas, in order for those countries to*
 19 *achieve lasting and dependable energy security;*

20 *(2) to condemn the Government of the Russian*
 21 *Federation for, and to deter that government from,*
 22 *using its energy resources as a geopolitical weapon to*
 23 *coerce, intimidate, and influence other countries;*

1 (3) to improve energy security in Europe by in-
 2 creasing access to diverse, reliable, and affordable en-
 3 ergy;

4 (4) to promote energy security in Europe by
 5 working with the European Union and other allies of
 6 the United States to develop liberalized energy mar-
 7 kets that provide diversified energy sources, suppliers,
 8 and routes;

9 (5) to continue to strongly oppose the Nord
 10 Stream 2 pipeline based on its detrimental effects on
 11 the energy security of the European Union and the
 12 economy of Ukraine and other countries in Central
 13 Europe through which natural gas is transported;
 14 and

15 (6) to support countries that are allies or part-
 16 ners of the United States by expediting the export of
 17 energy resources from the United States.

18 **SEC. 3. NORTH ATLANTIC TREATY ORGANIZATION.**

19 The President should direct the United States Perma-
 20 nent Representative on the Council of the North Atlantic
 21 Treaty Organization (in this Act referred to as “NATO”)
 22 to use the voice and influence of the United States to encour-
 23 age NATO member countries to work together to achieve en-
 24 ergy security for those countries and countries in Europe
 25 and Eurasia that are partners of NATO.

1 **SEC. 4. TRANSATLANTIC ENERGY STRATEGY.**

2 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 3 *that the United States and other NATO member countries*
 4 *should explore ways to ensure that NATO member countries*
 5 *diversify their energy supplies and routes in order to en-*
 6 *hance their energy security, including through the develop-*
 7 *ment of a transatlantic energy strategy.*

8 (b) *TRANSATLANTIC ENERGY STRATEGY.*—

9 (1) *IN GENERAL.*—*Not later than 180 days after*
 10 *the date of the enactment of this Act, the Secretary of*
 11 *State, in coordination with the Administrator of the*
 12 *United States Agency for International Development*
 13 *and the Secretary of Energy, shall submit to the ap-*
 14 *propriate congressional committees a transatlantic*
 15 *energy strategy for the United States—*

16 (A) *to enhance the energy security of NATO*
 17 *member countries and countries that are part-*
 18 *ners of NATO; and*

19 (B) *to increase exports of energy, energy*
 20 *technologies, and energy development services*
 21 *from the United States to such countries.*

22 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 23 *DEFINED.*—*In this subsection, the term “appropriate*
 24 *congressional committees” means—*

25 (A) *the Committee on Foreign Relations of*
 26 *the Senate; and*

1 *(B) the Committee on Foreign Affairs of the*
 2 *House of Representatives.*

3 **SEC. 5. EXPEDITED APPROVAL OF EXPORTATION OF NAT-**
 4 **URAL GAS TO UNITED STATES ALLIES.**

5 *(a) IN GENERAL.—Section 3(c) of the Natural Gas Act*
 6 *(15 U.S.C. 717b(c)) is amended—*

7 *(1) by inserting “(1)” before “For purposes”;*

8 *(2) by striking “nation with which there is in ef-*
 9 *fect a free trade agreement requiring national treat-*
 10 *ment for trade in natural gas” and inserting “foreign*
 11 *country described in paragraph (2)”;* and

12 *(3) by adding at the end the following:*

13 *“(2) A foreign country described in this paragraph*
 14 *is—*

15 *“(A) a nation with which there is in effect a free*
 16 *trade agreement requiring national treatment for*
 17 *trade in natural gas;*

18 *“(B) a member country of the North Atlantic*
 19 *Treaty Organization;*

20 *“(C) subject to paragraph (3), Japan; and*

21 *“(D) any other foreign country if the Secretary*
 22 *of State, in consultation with the Secretary of De-*
 23 *fense, determines that exportation of natural gas to*
 24 *that foreign country would promote the national secu-*
 25 *urity interests of the United States.*

1 “(3) *The exportation of natural gas to Japan shall be*
 2 *deemed to be consistent with the public interest pursuant*
 3 *to paragraph (1), and applications for such exportation*
 4 *shall be granted without modification or delay under that*
 5 *paragraph, during only such period as the Treaty of Mu-*
 6 *tual Cooperation and Security, signed at Washington Jan-*
 7 *uary 19, 1960, and entered into force June 23, 1960 (11*
 8 *UST 1632; TIAS 4509), between the United States and*
 9 *Japan, remains in effect.*

10 “(4) *Nothing in this section may be construed—*

11 “(A) *to authorize the use of eminent domain to*
 12 *seize land or land rights; or*

13 “(B) *to waive any requirement under—*

14 “(i) *the Endangered Species Act of 1973 (16*
 15 *U.S.C. 1531 et seq.);*

16 “(ii) *the Federal Water Pollution Control*
 17 *Act (33 U.S.C. 1251 et seq.);*

18 “(iii) *the National Environmental Policy*
 19 *Act of 1969 (42 U.S.C. 4321 et seq.); or*

20 “(iv) *the Clean Air Act (42 U.S.C. 7401 et*
 21 *seq.).”.*

22 (b) *EFFECTIVE DATE.—The amendments made by this*
 23 *section shall apply with respect to applications for the au-*
 24 *thorization to export natural gas under section 3 of the Nat-*

- 1 *ural Gas Act (15 U.S.C. 717b) that are pending on, or filed*
- 2 *on or after, the date of the enactment of this Act.*

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