

117TH CONGRESS
1ST SESSION

S. 819

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

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2021

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

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 2021”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It is the policy of the United States—

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

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

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

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

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

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

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

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

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 10 TEES DEFINED.—In this subsection, the term “ap-
 11 propriate congressional committees” means—

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

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

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

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

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

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

25 (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.—

15 (1) PRESIDENTIAL WAIVER AUTHORITY.—The
16 President may waive the application of sanctions
17 under this section if the President determines that
18 it is in the national security interests of the United
19 States to waive such sanctions.

20 (2) NOTICE TO CONGRESS.—Not less than 15
21 days before taking action to waive the application of
22 sanctions under paragraph (1), the President shall
23 submit to the Committee on Foreign Relations of
24 the Senate and the Committee on Foreign Affairs of

1 the House of Representatives a notification of, and
2 written justification for, the action.

3 (e) EXCEPTION FOR IMPORTATION OF GOODS.—

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

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

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