

title, see section 1470(w) of Pub. L. 115–254, set out as a note under section 905 of Title 2, The Congress.

#### § 9547. Termination

The provisions of this subchapter shall terminate on the date that is 5 years after August 2, 2017.

(Pub. L. 115–44, title II, §258, Aug. 2, 2017, 131 Stat. 934.)

#### § 9548. Appropriate congressional committees defined

Except as otherwise provided, in this subchapter, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 115–44, title II, §259, Aug. 2, 2017, 131 Stat. 934.)

### SUBCHAPTER III—EUROPEAN ENERGY SECURITY AND DIVERSIFICATION

#### Editorial Notes

##### CODIFICATION

This subchapter was enacted as part of the European Energy Security and Diversification Act of 2019, and also as part of the Further Consolidated Appropriations Act, 2020, and not as part of the Countering Russian Influence in Europe and Eurasia Act of 2017 which comprises this chapter.

#### § 9561. Definitions

In this subchapter:

##### (1) Early-stage project support

The term “early-stage project support” includes—

- (A) feasibility studies;
- (B) resource evaluations;
- (C) project appraisal and costing;
- (D) pilot projects;

(E) commercial support, such as trade missions, reverse trade missions, technical workshops, international buyer programs, and international partner searchers to link suppliers to projects;

(F) technical assistance and other guidance to improve the local regulatory environment and market frameworks to encourage transparent competition and enhance energy security; and

(G) long-term energy sector planning.

##### (2) Late-stage project support

The term “late-stage project support” includes debt financing, insurance, and transaction advisory services.

(Pub. L. 116–94, div. P, title XX, §2002, Dec. 20, 2019, 133 Stat. 3223.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title XX of div. P of Pub. L. 116–94, Dec. 20, 2019, 133 Stat. 3222, which is classified generally to this subchapter. For complete classification of title XX to the Code, see Short Title note set out under section 9501 of this title and Tables.

##### CODIFICATION

Section was enacted as part of the European Energy Security and Diversification Act of 2019, and also as part of the Further Consolidated Appropriations Act, 2020, and not as part of the Countering Russian Influence in Europe and Eurasia Act of 2017 which comprises this chapter.

#### § 9562. Statement of policy

##### (a) Sense of Congress

It is the sense of Congress that the United States has economic and national security interests in assisting European and Eurasian countries achieve energy security through diversification of their energy sources and supply routes.

##### (b) Statement of policy

It is the policy of the United States—

(1) to advance United States foreign policy and development goals by assisting European and Eurasian countries to reduce their dependence on energy resources from countries that use energy dependence for undue political influence, such as the Russian Federation, which has used natural gas to coerce, intimidate, and influence other countries;

(2) to promote the energy security of allies and partners of the United States by encouraging the development of accessible, transparent, and competitive energy markets that provide diversified sources, types, and routes of energy;

(3) to encourage United States public and private sector investment in European energy infrastructure projects to bridge the gap between energy security requirements and commercial demand in a way that is consistent with the region’s absorptive capacity; and

(4) to help facilitate the export of United States energy resources, technology, and expertise to global markets in a way that benefits the energy security of allies and partners of the United States, including in Europe and Eurasia.

(Pub. L. 116–94, div. P, title XX, §2003, Dec. 20, 2019, 133 Stat. 3223.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the European Energy Security and Diversification Act of 2019, and also as part of the Further Consolidated Appropriations Act, 2020, and not as part of the Countering Russian Influence in Europe and Eurasia Act of 2017 which comprises this chapter.

**§ 9563. Prioritization of efforts and assistance for energy infrastructure projects in Europe and Eurasia**

**(a) In general**

In pursuing the policy described in section 9562 of this title, the Secretary of State, in consultation with the Secretary of Energy and the heads of other relevant United States agencies, shall, as appropriate, prioritize and expedite the efforts of the Department of State and those agencies in supporting the efforts of the European Commission and the governments of European and Eurasian countries to increase their energy security, including through—

(1) providing diplomatic and political support to the European Commission and those governments, as necessary—

(A) to facilitate international negotiations concerning cross-border infrastructure;

(B) to enhance Europe's regulatory environment with respect to energy; and

(C) to develop accessible, transparent, and competitive energy markets supplied by diverse sources, types, and routes of energy; and

(2) providing support to improve European and Eurasian energy markets, including early-stage project support and late-stage project support for the construction or improvement of energy and related infrastructure, as necessary—

(A) to diversify the energy sources and supply routes of European and Eurasian countries;

(B) to enhance energy market integration across the region; and

(C) to increase competition within energy markets.

**(b) Project selection**

**(1) In general**

The agencies described in subsection (a) shall identify energy infrastructure projects that would be appropriate for United States assistance under this section.

**(2) Project eligibility**

A project is eligible for United States assistance under this section if the project—

(A)(i) improves electricity transmission infrastructure, power generation through the use of a broad power mix (including fossil fuel and renewable energy), or energy efficiency; or

(ii) advances electricity storage projects, smart grid projects, distributed generation models, or other technological innovations, as appropriate; and

(B) is located in a European or Eurasian country.

**(3) Preference**

In selecting among projects that are eligible under paragraph (2), the agencies described in subsection (a) shall give preference to projects that—

(A) link the energy systems of 2 or more European or Eurasian countries;

(B) have already been identified by the European Commission as being integral for the energy security of European countries;

(C) are expected to enhance energy market integration;

(D) can attract funding from the private sector, an international financial institution, the government of the country in which the project will be carried out, or the European Commission; or

(E) have the potential to use United States goods and services during project implementation.

**(c) Types of assistance**

**(1) Diplomatic and political support**

The Secretary of State shall provide diplomatic and political support to the European Commission and the governments of European and Eurasian countries, as necessary, including by using the diplomatic and political influence and expertise of the Department of State to build the capacity of those countries to resolve any impediments to the development of projects selected under subsection (b).

**(2) Early-stage project support**

The Director of the Trade and Development Agency shall provide early-stage project support with respect to projects selected under subsection (b), as necessary.

**(3) Late-stage project support**

Agencies described in subsection (a) that provide late-stage project support shall do so with respect to projects selected under subsection (b), as necessary.

**(d) Omitted**

**(e) Exception from certain limitation under BUILD Act**

**(1) In general**

For purposes of providing support for projects under this section—

(A) the United States International Development Finance Corporation may provide support for projects in countries with upper-middle-income economies or high-income economies (as those terms are defined by the World Bank);

(B) the restriction under section 9612(c)(2) of this title shall not apply; and

(C) the Corporation shall restrict the provision of such support in a country described in subparagraph (A) unless—

(i) the President certifies to the appropriate congressional committees that such support furthers the national economic or foreign policy interests of the United States; and

(ii) such support is—

(I) designed to produce significant developmental outcomes or provide developmental benefits to the poorest population of that country; or

(II) necessary to preempt or counter efforts by a strategic competitor of the United States to secure significant political or economic leverage or acquire national security-sensitive technologies or infrastructure in a country that is an ally or partner of the United States.

**(2) Definitions**

In this subsection, the terms “appropriate congressional committees” and “less devel-