

116TH CONGRESS
1ST SESSION

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To require reports by the Secretary of State and the Director of National Intelligence relating to construction of the Nord Stream 2 pipeline, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2019

Mr. HECK (for himself, Mr. CONAWAY, Mr. BARR, Mr. CARSON of Indiana, Mr. CHABOT, Ms. CLARKE of New York, Mr. COOK, Mr. DIAZ-BALART, Mr. GALLEGRO, Mr. HARRIS, Mrs. HARTZLER, Mr. HIMES, Mr. HUDSON, Mr. HUFFMAN, Mr. HURD of Texas, Ms. KAPTUR, Mr. KILMER, Mr. KRISHNAMOORTHY, Mrs. RODGERS of Washington, Mr. MEADOWS, Mr. OLSON, Mr. QUIGLEY, Mr. ROONEY of Florida, Mr. TURNER, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Permanent Select Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require reports by the Secretary of State and the Director of National Intelligence relating to construction of the Nord Stream 2 pipeline, 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 “Protect European En-
5 ergy Security Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Russian Federation is constructing a
4 gas pipeline from Russia to Germany, named the
5 Nord Stream 2 pipeline, the completion of which
6 could address potential increases in European en-
7 ergy consumption but also increase European de-
8 pendence on Russian energy and have destabilizing
9 effects on the Government of Ukraine if Ukraine
10 loses energy transit fees as a result of construction
11 of the Nord Stream 2 pipeline.

12 (2) According to experts, the Nord Stream 2
13 pipeline would transport 80 percent of Russia’s cur-
14 rent gas exports to Europe through one single pipe-
15 line system, which would run counter to the Euro-
16 pean Union energy policy of energy security and di-
17 versification of supply.

18 (3) Section 257(a) of the Countering America’s
19 Adversaries through Sanctions Act of 2017 (Public
20 Law 115–44; 22 U.S.C. 9546(a)) states in part that
21 it is the policy of the United States—

22 (A) “to work with European Union mem-
23 ber states and European Union institutions to
24 promote energy security through developing di-
25 versified and liberalized energy markets that

1 provide diversified sources, suppliers, and
2 routes”; and

3 (B) “to continue to oppose [the Nord
4 Stream 2 pipeline] given its detrimental im-
5 pacts on the European Union’s energy security,
6 gas market development in Central and Eastern
7 Europe, and energy reforms in Ukraine”.

8 (4) On January 27, 2018, then-Secretary of
9 State Rex Tillerson stated, “[T]he United States op-
10 poses the Nord Stream 2 pipeline. We see it as un-
11 dermining Europe’s overall energy security and sta-
12 bility . . .”. Tillerson further stated that the pipe-
13 line would allow Putin to use energy as a “political
14 tool”.

15 (5) On March 11, 2018, German chancellor An-
16 gela Merkel acknowledged “political” and “stra-
17 tegic” concerns regarding the Nord Stream 2 pipe-
18 line and stated that the pipeline “is not just an eco-
19 nomic project, but that, of course, political factors
20 must also be taken into account”.

21 (6) Gazprom, a Russian energy company, is
22 controlled by the Government of the Russian Fed-
23 eration, which, according to the European Commis-
24 sion’s Statement of Objections to Gazprom dated

1 April 22, 2015, has undertaken efforts to use gas as
2 a weapon of coercion.

3 (7) The Department of State, led by the Bu-
4 reau of Energy of Resources, has worked extensively
5 with allies, including Denmark, to thwart such Rus-
6 sian efforts.

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the sense of Congress that the United States
9 should—

10 (1) continue to oppose construction of the Nord
11 Stream 2 pipeline and other Russian Federation gas
12 pipelines in northern Europe; and

13 (2) take affirmative diplomatic steps to halt the
14 construction of such pipelines.

15 **SEC. 4. REPORTING REQUIREMENTS.**

16 (a) REPORT BY SECRETARY OF STATE.—

17 (1) IN GENERAL.—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary
19 of State shall submit to the appropriate congres-
20 sional committees a report on actions the Depart-
21 ment of State is taking to implement section 257 of
22 the Countering America’s Adversaries through Sanc-
23 tions Act of 2017 (Public Law 115–44; 22 U.S.C.
24 9546).

1 (2) ELEMENTS.—The report shall include de-
2 tails on the following:

3 (A) Efforts by the Department of State
4 since August 3, 2017, to work with European
5 Union member states and institutions to pro-
6 mote energy security and decrease their depend-
7 ence on Russian sources of energy, including
8 use of the Countering Russian Influence Fund
9 authorized pursuant to section 254 of the
10 Countering America’s Adversaries through
11 Sanctions Act of 2017 (Public Law 115–44; 22
12 U.S.C. 9543).

13 (B) Diplomatic efforts undertaken by the
14 Department of State to oppose directly the
15 Nord Stream 2 pipeline and the Turk Stream
16 pipeline.

17 (C) An estimation of European natural gas
18 supply demand from 2019 through 2023.

19 (b) REPORT BY DIRECTOR OF NATIONAL INTEL-
20 LIGENCE.—Not later than 90 days after the date of the
21 enactment of this Act, the Director of National Intel-
22 ligence shall submit to the appropriate congressional com-
23 mittees a report on the impact of the Nord Stream 2 pipe-
24 line on—

1 (1) United States interests and security objec-
2 tives;

3 (2) European energy security and defense pos-
4 ture;

5 (3) Russian influence in Europe; and

6 (4) Ukraine, including the implications of re-
7 ductions in transit fees as a result of Nord Stream
8 2 pipeline.

9 (c) FORM.—The reports required by this section shall
10 be submitted in unclassified form, but may contain a clas-
11 sified annex.

12 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—In this section, the term “appropriate con-
14 gressional committees” means—

15 (1) in the House of Representatives—

16 (A) the Committee on Armed Services;

17 (B) the Committee on Foreign Affairs;

18 (C) the Committee on Energy and Com-
19 merce; and

20 (D) the Permanent Select Committee on
21 Intelligence; and

22 (2) in the Senate—

23 (A) the Committee on Armed Services;

24 (B) the Committee on Foreign Relations;

25 and

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(C) the Select Committee on Intelligence.

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