

**AMENDMENT TO H.R. 4365, AS REPORTED
OFFERED BY MRS. MILLER OF WEST VIRGINIA**

At the end of the bill (before the short title), insert
the following:

1 **TITLE ____.—ENERGY SECURITY**
2 **COOPERATION WITH ALLIED**
3 **PARTNERS IN EUROPE ACT**
4 **OF 2023**

5 **SEC. ____. SHORT TITLE.**

6 This Act may be cited as the “Energy Security Co-
7 operation with Allied Partners in Europe Act of 2023”.

8 **SEC. ____. STATEMENT OF POLICY.**

9 It is the policy of the United States—

10 (1) to reduce the dependency of allies and part-
11 ners of the United States on Russian energy re-
12 sources, especially natural gas, in order for those
13 countries to achieve lasting and dependable energy
14 security;

15 (2) to condemn the Government of the Russian
16 Federation for, and to deter that government from,
17 using its energy resources as a geopolitical weapon
18 to coerce, intimidate, and influence other countries;

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

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, sup-
8 pliers, 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
17 of energy resources from the United States.

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

19 The President should direct the United States Per-
20 manent Representative on the Council of the North Atlan-
21 tic Treaty Organization (in this Act referred to as
22 “NATO”) to use the voice and influence of the United
23 States to encourage NATO member countries to work to-
24 gether to achieve energy security for those countries and

1 countries in Europe and Eurasia that are partners of
2 NATO.

3 **SEC. ____ . TRANSATLANTIC ENERGY STRATEGY.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States and other NATO member
6 countries should explore ways to ensure that NATO mem-
7 ber countries diversify their energy supplies and routes in
8 order to enhance their energy security, including through
9 the development of a transatlantic energy strategy.

10 (b) TRANSATLANTIC ENERGY STRATEGY.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of State, in coordination with the Adminis-
14 trator of the United States Agency for International
15 Development and the Secretary of Energy, shall sub-
16 mit to the appropriate congressional committees a
17 transatlantic energy strategy for the United
18 States—

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

22 (B) to increase exports of energy, energy
23 technologies, and energy development services
24 from the United States to such countries.

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

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

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

8 **SEC. ____ . EXPEDITED APPROVAL OF EXPORTATION OF**
9 **NATURAL GAS TO UNITED STATES ALLIES.**

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

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

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

17 (3) by adding at the end the following:

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

20 “(A) a nation with which there is in effect a
21 free trade agreement requiring national treatment
22 for trade in natural gas;

23 “(B) a member country of the North Atlantic
24 Treaty Organization;

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

1 “(D) any other foreign country if the Secretary
2 of Energy, in consultation with the Secretary of
3 State and Secretary of Defense, determines that ex-
4 portation of natural gas to that foreign country
5 would promote the national security interests of the
6 United States.

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

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to applications for the
18 authorization to export natural gas under section 3 of the
19 Natural Gas Act (15 U.S.C. 717b) that are pending on,
20 or filed on or after, the date of the enactment of this Act.

21 **SEC. ____. MANDATORY SANCTIONS WITH RESPECT TO THE**
22 **DEVELOPMENT OF PIPELINES IN THE RUS-**
23 **SIAN FEDERATION.**

24 (a) IN GENERAL.—The President shall impose five
25 or more of the sanctions described in section 235 of the

1 Countering America’s Adversaries Through Sanctions Act
2 (22 U.S.C. 9529) with respect to a person if the President
3 determines that the person knowingly, on or after the date
4 of the enactment of this Act, makes an investment de-
5 scribed in subsection (b) or sells, leases, or provides to
6 the Government of the Russian Federation, or to any enti-
7 ty owned or controlled by that government, for the con-
8 struction of Russian energy export pipelines, goods, serv-
9 ices, technology, information, or support described in sub-
10 section (c)—

11 (1) any of which has a fair market value of
12 \$1,000,000 or more; or

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

15 (b) INVESTMENT DESCRIBED.—An investment de-
16 scribed in this subsection is any contribution of assets, in-
17 cluding a loan guarantee or any other transfer of value,
18 that directly and significantly contributes to the enhance-
19 ment of the ability of the Government of the Russian Fed-
20 eration, or any entity owned or controlled by that govern-
21 ment, to construct energy export pipelines.

22 (c) GOODS, SERVICES, TECHNOLOGY, INFORMATION,
23 OR SUPPORT DESCRIBED.—Goods, services, technology,
24 information, or support described in this subsection are
25 goods, services, technology, information, or support that

1 could directly and significantly facilitate the maintenance
2 or expansion of the construction, modernization, or repair
3 of energy export pipelines by the Government of the Rus-
4 sian Federation or any entity owned or controlled by that
5 government.

6 (d) PRESIDENTIAL WAIVER AUTHORITY AND NOTICE
7 TO CONGRESS.—

8 (1) PRESIDENTIAL WAIVER AUTHORITY.—The
9 President may waive the application of sanctions
10 under this section if the President determines that
11 it is in the national security interests of the United
12 States to waive such sanctions.

13 (2) NOTICE TO CONGRESS.—Not less than 15
14 days before taking action to waive the application of
15 sanctions under paragraph (1), the President shall
16 submit to the Committee on Foreign Relations of
17 the Senate and the Committee on Foreign Affairs of
18 the House of Representatives a notification of, and
19 written justification for, the action.

20 (e) EXCEPTION FOR IMPORTATION OF GOODS.—

21 (1) IN GENERAL.—The authority to impose
22 sanctions under subsection (a) shall not include the
23 authority to impose sanctions with respect to the im-
24 portation of goods.

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

