

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**H. R. 4350**

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. RISCH (for himself, Mr. PORTMAN, Mr. CRUZ, Mr. BARRASSO, Mr. JOHNSON, and Mr. COTTON) to the amendment (No. 3867) proposed by Mr. REED

Viz:

1 At the end of subtitle D of title XII, add the fol-  
2 lowing:

3 **SEC. 1237. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
4 **NORD STREAM 2.**

5 (a) IMPOSITION OF SANCTIONS.—

6 (1) IN GENERAL.—Not later than 15 days after  
7 the date of the enactment of this Act, the President  
8 shall—

1 (A) impose sanctions under paragraph (2)  
2 with respect to—

3 (i) any entity responsible for planning,  
4 construction, or operation of the Nord  
5 Stream 2 pipeline or a successor entity;  
6 and

7 (ii) any other corporate officer of or  
8 principal shareholder with a controlling in-  
9 terest in an entity described in clause (i);  
10 and

11 (B) impose sanctions under paragraph (3)  
12 with respect to any entity responsible for plan-  
13 ning, construction, or operation of the Nord  
14 Stream 2 pipeline or a successor entity.

15 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
16 PAROLE OF IDENTIFIED PERSONS AND CORPORATE  
17 OFFICERS.—

18 (A) IN GENERAL.—

19 (i) VISAS, ADMISSION, OR PAROLE.—  
20 An alien described in paragraph (1)(A)  
21 is—

22 (I) inadmissible to the United  
23 States;

1 (II) ineligible to receive a visa or  
2 other documentation to enter the  
3 United States; and

4 (III) otherwise ineligible to be  
5 admitted or paroled into the United  
6 States or to receive any other benefit  
7 under the Immigration and Nation-  
8 ality Act (8 U.S.C. 1101 et seq.).

9 (ii) CURRENT VISAS REVOKED.—

10 (I) IN GENERAL.—The visa or  
11 other entry documentation of an alien  
12 described in paragraph (1)(A) shall be  
13 revoked, regardless of when such visa  
14 or other entry documentation is or  
15 was issued.

16 (II) IMMEDIATE EFFECT.—A rev-  
17 ocation under subclause (I) shall—

18 (aa) take effect immediately;

19 and

20 (bb) automatically cancel  
21 any other valid visa or entry doc-  
22 umentation that is in the alien's  
23 possession.

24 (3) BLOCKING OF PROPERTY OF IDENTIFIED  
25 PERSONS.—The President shall exercise all powers

1 granted to the President by the International Emer-  
2 gency Economic Powers Act (50 U.S.C. 1701 et  
3 seq.) to the extent necessary to block and prohibit  
4 all transactions in all property and interests in prop-  
5 erty of an entity described in paragraph (1)(B) if  
6 such property and interests in property are in the  
7 United States, come within the United States, or are  
8 or come within the possession or control of a United  
9 States person.

10 (4) IMPLEMENTATION; PENALTIES.—

11 (A) IMPLEMENTATION.—The President  
12 may exercise all authorities provided to the  
13 President under sections 203 and 205 of the  
14 International Emergency Economic Powers Act  
15 (50 U.S.C. 1702 and 1704) to carry out this  
16 subsection.

17 (B) PENALTIES.—A person that violates,  
18 attempts to violate, conspires to violate, or  
19 causes a violation of this subsection or any reg-  
20 ulation, license, or order issued to carry out this  
21 subsection shall be subject to the penalties set  
22 forth in subsections (b) and (c) of section 206  
23 of the International Emergency Economic Pow-  
24 ers Act (50 U.S.C. 1705) to the same extent as

1 a person that commits an unlawful act de-  
2 scribed in subsection (a) of that section.

3 (5) EXCEPTIONS.—

4 (A) EXCEPTION FOR INTELLIGENCE, LAW  
5 ENFORCEMENT, AND NATIONAL SECURITY AC-  
6 TIVITIES.—Sanctions under this subsection  
7 shall not apply to any authorized intelligence,  
8 law enforcement, or national security activities  
9 of the United States.

10 (B) EXCEPTION TO COMPLY WITH UNITED  
11 NATIONS HEADQUARTERS AGREEMENT.—San-  
12 tions under this subsection shall not apply with  
13 respect to the admission of an alien to the  
14 United States if the admission of the alien is  
15 necessary to permit the United States to com-  
16 ply with the Agreement regarding the Head-  
17 quarters of the United Nations, signed at Lake  
18 Success June 26, 1947, and entered into force  
19 November 21, 1947, between the United Na-  
20 tions and the United States, the Convention on  
21 Consular Relations, done at Vienna April 24,  
22 1963, and entered into force March 19, 1967,  
23 or other applicable international obligations.

24 (C) EXCEPTION RELATING TO IMPORTA-  
25 TION OF GOODS.—

1 (i) IN GENERAL.—Notwithstanding  
2 any other provision of this subsection, the  
3 authorities and requirements to impose  
4 sanctions under this subsection shall not  
5 include the authority or a requirement to  
6 impose sanctions on the importation of  
7 goods.

8 (ii) GOOD DEFINED.—In this subpara-  
9 graph, the term “good” means any article,  
10 natural or man-made substance, material,  
11 supply or manufactured product, including  
12 inspection and test equipment, and exclud-  
13 ing technical data.

14 (6) SUNSET.—The authority to impose sanc-  
15 tions under this subsection shall terminate on the  
16 date that is 5 years after the date of the enactment  
17 of this Act.

18 (7) DEFINITIONS.—In this subsection:

19 (A) ADMISSION; ADMITTED; ALIEN.—The  
20 terms “admission”, “admitted”, and “alien”  
21 have the meanings given those terms in section  
22 101 of the Immigration and Nationality Act (8  
23 U.S.C. 1101).

24 (B) UNITED STATES PERSON.—The term  
25 “United States person” means—

1 (i) a United States citizen or an alien  
2 lawfully admitted for permanent residence  
3 to the United States;

4 (ii) an entity organized under the laws  
5 of the United States or any jurisdiction  
6 within the United States, including a for-  
7 eign branch of such an entity; or

8 (iii) any person within the United  
9 States.

10 (b) REPEAL OF NATIONAL INTEREST WAIVER  
11 UNDER PROTECTING EUROPE’S ENERGY SECURITY ACT  
12 OF 2019.—Section 7503 of the Protecting Europe’s En-  
13 ergy Security Act of 2019 (title LXXV of Public Law  
14 116–92; 22 U.S.C. 9526 note) is amended—

15 (1) in subsection (a)(1)(C), by striking “sub-  
16 section (i)” and inserting “subsection (h)”;

17 (2) by striking subsection (f);

18 (3) by redesignating subsections (g) through (k)  
19 as subsections (f) through (j), respectively; and

20 (4) in subsection (i), as redesignated by para-  
21 graph (3), by striking “subsection (h)” and inserting  
22 “subsection (g)”.