

BLOCKING OF PROPERTY WITH RESPECT TO
CERTAIN RUSSIAN ENERGY EXPORT PIPELINES

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AN EXECUTIVE ORDER THAT TAKES ADDITIONAL STEPS REGARD-
ING CERTAIN RUSSIAN ENERGY EXPORT PIPELINE TO DEAL
WITH THE EMERGENCY DECLARED IN EXECUTIVE ORDER 14024
OF APRIL 15, 2021, PURSUANT TO 50 U.S.C. 1703(b); PUBLIC LAW
95-223, SEC. 204(b); (91 STAT. 1627)



AUGUST 20, 2021.—Referred to the Committee on Foreign Affairs and
ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

THE WHITE HOUSE,
Washington, August 20, 2021.

Hon. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order in order to take additional steps regarding certain Russian energy export pipelines to deal with the national emergency declared in Executive Order 14024 of April 15, 2021, with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by specified harmful foreign activities of the Government of the Russian Federation.

The order responds to certain Russian energy pipeline projects intended to expand Russia's influence over Europe's energy resources that would weaken European energy security—including that of Ukraine and Eastern flank NATO and EU countries—and thereby threatens the national security, foreign policy, and economy of the United States. The order blocks the property and interests in property of foreign persons identified by the Secretary of State, in consultation with the Secretary of the Treasury, in a report to the Congress pursuant to the Protecting Europe's Energy Security Act of 2019 (Title LXXV, National Defense Authorization Act for Fiscal Year 2020, Public Law 116–92), as amended by section 1242 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) (PEESA), for engaging in certain activities or providing certain services to facilitate construction of the Nord Stream 2 pipeline project, among others. I have determined that it is necessary to block the property and interests in property of such persons unless a national interest waiver under section 7503(f) of PEESA has been issued for such persons.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and PEESA as may be necessary to carry out the purposes of the order. All executive departments and agencies are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

Sincerely,

JOSEPH R. BIDEN, Jr.

EXECUTIVE ORDER

BLOCKING PROPERTY WITH RESPECT TO CERTAIN RUSSIAN ENERGY EXPORT PIPELINES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), the Protecting Europe's Energy Security Act of 2019 (Title LXXV, National Defense Authorization Act for Fiscal Year 2020, Public Law 116–92), as amended by section 1242 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) (PEESA), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 14024 of April 15, 2021 (Blocking Property With Respect To Specified Harmful Foreign Activities of the Government of the Russian Federation), hereby order:

Section 1. (a) With respect to any foreign person identified by the Secretary of State, in consultation with the Secretary of the Treasury, in a report to the Congress pursuant to section 7503(a)(1)(B) of PEESA, all property and interests in property of such person that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

(b) Sanctions under subsection (a) of this section shall not apply to any foreign person with respect to whom a waiver under section 7503(f) of PEESA has been issued.

(c) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

Sec. 2. The Secretary of State shall implement section 7503(b) of PEESA as it applies to visas, and the Secretary of Homeland Security shall implement section 7503(b) of PEESA as it applies to admission and parole. Such implementation shall be consistent with any exceptions or waivers provided by statute, or in regulations, orders, or directives that may be issued pursuant to this order.

Sec. 3. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 5. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in Executive Order 14024, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 6. For the purposes of this order:

(a) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term “foreign person” means an individual or entity that is not a United States person;

(c) the term “person” means an individual or entity; and

(d) the term “United States person” means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 14024, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and PEESA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All departments and agencies of the United States shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. Nothing in this order shall prohibit transactions for the conduct of the official business of the Federal Government or the United Nations, including its programs, funds, and other entities and bodies, as well as its specialized agencies and related organizations, by employees, grantees, and contractors thereof.

Sec. 10. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *August 20, 2021.*

