

116TH CONGRESS
1ST SESSION

S. 1102

To promote security and energy partnerships in the Eastern Mediterranean,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2019

Mr. MENENDEZ (for himself and Mr. RUBIO) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote security and energy partnerships in the Eastern
Mediterranean, 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 “Eastern Mediterranean
5 Security and Energy Partnership Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The security of partners and allies in the
9 Eastern Mediterranean region is critical to the secu-
10 rity of the United States and Europe.

1 (2) Greece is a valuable member of the North
2 Atlantic Treaty Organization (NATO) and a key pil-
3 lar of stability in the Eastern Mediterranean.

4 (3) Israel is a steadfast ally of the United
5 States and has been designated a “major non-NATO
6 ally” and “major strategic partner”.

7 (4) Cyprus is a key strategic partner and
8 signed a Statement of Intent with the United States
9 on November 6, 2018, to enhance bilateral security
10 cooperation.

11 (5) The countries of Greece, Cyprus, and Israel
12 have participated in critical trilateral summits to im-
13 prove cooperation on energy and security issues.

14 (6) Secretary of State Mike Pompeo partici-
15 pated in the trilateral summit among Israel, Greece,
16 and Cyprus on March 20, 2019.

17 (7) All four countries oppose any action in the
18 Eastern Mediterranean and the Aegean Sea that
19 could challenge stability, violate international law, or
20 undermine good neighborly relations, and in a joint
21 declaration on March 21, 2019, agreed to “defend
22 against external malign influences in the Eastern
23 Mediterranean and the broader Middle East”.

24 (8) The recent discovery of potentially the re-
25 gion’s largest natural gas field off the Egyptian

1 coast and the newest discoveries of natural gas off
2 the Cypriot coast could represent a significant posi-
3 tive development for the Eastern Mediterranean and
4 the Middle East, enhancing the region's strategic en-
5 ergy significance.

6 (9) Turkish government officials have expressed
7 an intent to purchase the S-400 system from the
8 Russian Federation, which could trigger the imposi-
9 tion of mandatory sanctions under the Countering
10 America's Adversaries Through Sanctions Act (Pub-
11 lic Law 115-44).

12 (10) It is in the national security interests of
13 the United States to promote, achieve, and maintain
14 energy security among, and through cooperation
15 with, allies.

16 (11) Natural gas developments in the Eastern
17 Mediterranean have the potential to provide eco-
18 nomic gains and contribute to energy security in the
19 region and Europe, as well as support European ef-
20 forts to diversify away from natural gas supplied by
21 the Russian Federation.

22 (12) The soon to be completed Trans Adriatic
23 Pipeline is a critical component of the Southern Gas
24 Corridor and the European Union's efforts to diver-
25 sify energy resources.

1 (13) The proposed Eastern Mediterranean pipe-
2 line if commercially viable would provide for energy
3 diversification in accordance with the European
4 Union’s third energy package of reforms.

5 (14) The United States acknowledges the
6 achievements and importance of the Binational In-
7 dustrial Research and Development Foundation
8 (BIRD) and the United States-Israel Binational
9 Science Foundation (BSF) and supports continued
10 multiyear funding to ensure the continuity of the
11 programs of the Foundations.

12 (15) The United States has welcomed Greece’s
13 allocation of 2 percent of its gross domestic product
14 (GDP) to defense in accordance with commitments
15 made at the 2014 NATO Summit in Wales.

16 (16) Energy exploration in the Eastern Medi-
17 terranean region must be safeguarded against
18 threats posed by terrorist and extremist groups, in-
19 cluding Hezbollah and any other actor in the region.

20 (17) The energy exploration in the Republic of
21 Cyprus’s Exclusive Economic Zone and territorial
22 waters—

23 (A) furthers United States interests by
24 providing a potential alternative to Russian gas
25 for United States allies and partners; and

1 (B) should not be impeded by other sov-
2 ereign states.

3 (18) The United States Government cooperates
4 closely with the Government of the Republic of Cy-
5 prus through information sharing agreements.

6 (19) United States officials have assisted the
7 Government of the Republic of Cyprus with crafting
8 that nation's national security strategy.

9 (20) The United States Government provides
10 training to Cypriot officials in areas such as cyberse-
11 curity, counterterrorism, and explosive ordnance dis-
12 posal and stockpile management.

13 (21) The Republic of Cyprus is a valued mem-
14 ber of the Proliferation Security Initiative to combat
15 the trafficking of weapons of mass destruction.

16 (22) The Republic of Cyprus continues to work
17 closely with the United Nations and regional part-
18 ners in Europe to combat terrorism and violent ex-
19 tremism.

20 (23) Despite robust economic and security rela-
21 tions with the United States, the Republic of Cyprus
22 has been subject to a United States prohibition on
23 the export of defense articles and services since
24 1987.

1 (24) The 1987 arms prohibition was designed
 2 to restrict United States arms sales and transfer to
 3 the Republic of Cyprus and the occupied part of Cy-
 4 prus to avoid hindering reunification efforts.

5 (25) At least 40,000 Turkish troops are sta-
 6 tioned in the occupied part of Cyprus with some
 7 weapons procured from the United States through
 8 mainland Turkey.

9 (26) While the United States has, as a matter
 10 of policy, avoided the provision of defense articles
 11 and services to the Republic of Cyprus, the Govern-
 12 ment of Cyprus has, in the past, sought to obtain
 13 defense articles from other countries, including coun-
 14 tries, such as Russia, that pose challenges to United
 15 States interests around the world.

16 **SEC. 3. STATEMENT OF POLICY.**

17 It is the policy of the United States—

18 (1) to continue to actively participate in the tri-
 19 lateral dialogue on energy, maritime security, cyber
 20 security and protection of critical infrastructure con-
 21 ducted among Israel, Greece and Cyprus;

22 (2) to support diplomatic efforts with partners
 23 and allies to deepen energy security cooperation
 24 among Greece, Cyprus, and Israel and to encourage

1 the private sector to make investments in energy in-
2 frastructure in the Eastern Mediterranean region;

3 (3) to strongly support the completion of the
4 Trans Adriatic and Eastern Mediterranean Pipelines
5 and the establishment of liquified natural gas (LNG)
6 terminals across the Eastern Mediterranean as a
7 means of diversifying regional energy needs away
8 from the Russian Federation;

9 (4) to maintain a robust United States naval
10 presence and investments in the naval facility at
11 Souda Bay, Greece and develop deeper security co-
12 operation with the latter to include the recent MQ-
13 9 deployments to the Larissa Air Force Base and
14 United States Army helicopter training in central
15 Greece;

16 (5) to welcome Greece's commitment to move
17 forward with the Interconnector Greece-Bulgaria
18 (IGB pipeline) and additional LNG terminals that
19 will help facilitate delivery of non-Russian gas to the
20 Balkans and central Europe;

21 (6) to support deepened security cooperation
22 with the Republic of Cyprus through the removal of
23 the arms embargo on the country;

1 (7) to support robust International Military
2 Education and Training (IMET) programming with
3 Greece and the Republic of Cyprus;

4 (8) to leverage relationships within the Euro-
5 pean Union to encourage investments in Cypriot bor-
6 der and maritime security;

7 (9) to support efforts to counter Russian Fed-
8 eration Government interference and influence in the
9 Eastern Mediterranean through increased security
10 cooperation with Greece, Cyprus, and Israel, to in-
11 clude intelligence sharing, cyber, and maritime do-
12 main awareness;

13 (10) to support the Republic of Cyprus efforts
14 to regulate its banking industry to ensure that it is
15 not used as a source of international money laun-
16 dering and encourages additional measures toward
17 that end;

18 (11) to strongly oppose any actions that would
19 trigger mandatory sanctions pursuant to section 231
20 of the Countering America's Adversaries Through
21 Sanctions Act (CAATSA) (Public Law 115-44), to
22 include the purchase by Turkey of an S-400 system
23 from the Russian Federation;

24 (12) to continue robust official strategic en-
25 gagement with Israel, Greece, and Cyprus;

1 (13) to urge countries in the region to deny
2 port services to the Russian Federation vessels de-
3 ployed to support the government of Bashar Al-
4 Assad in Syria;

5 (14) to support joint military exercises among
6 Israel, Greece, and Cyprus;

7 (15) to fully implement relevant CAATSA pro-
8 visions to prevent interference by the Government of
9 the Russian Federation in the region;

10 (16) to support efforts by countries in the re-
11 gion to demobilize military equipment supplied by
12 the Government of the Russian Federation in favor
13 of equipment provided by NATO and NATO-allied
14 member countries; and

15 (17) to strongly support the active and robust
16 participation of Israel, Cyprus, and Greece in the
17 Combating Terrorism Fellowship Program.

18 **SEC. 4. UNITED STATES-EASTERN MEDITERRANEAN EN-**
19 **ERGY COOPERATION.**

20 (a) IN GENERAL.—The Secretary of State, in con-
21 sultation with the Secretary of Energy, may enter into co-
22 operative agreements supporting and enhancing dialogue
23 and planning involving international partnerships between
24 the United States and Israel, Greece, and Cyprus.

1 (b) ANNUAL REPORTS.—If the Secretary of State, in
2 consultation with the Secretary of Energy, enters into
3 agreements authorized under subsection (a), the Secretary
4 shall submit an annual report to the appropriate congressional
5 committees that describes—

6 (1) actions taken to implement such agreements; and
7

8 (2) any projects undertaken pursuant to such
9 agreements.

10 (c) UNITED STATES-EASTERN MEDITERRANEAN ENERGY CENTER.—The Secretary of Energy, in consultation
11 with the Secretary of State, may establish a joint United
12 States-Eastern Mediterranean Energy Center in the
13 United States leveraging the experience, knowledge, and
14 expertise of institutions of higher education and entities
15 in the private sector, among others, in offshore energy development to further dialogue and collaboration to develop
16 more robust academic cooperation in energy innovation
17 technology and engineering, water science, technology
18 transfer, and analysis of emerging geopolitical implications, which include opportunities as well as crises and
19 threats from foreign natural resource and energy acquisitions.
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1 **SEC. 5. REPEAL OF PROHIBITION ON TRANSFER OF ARTI-**
 2 **CLES ON THE UNITED STATES MUNITIONS**
 3 **LIST TO THE REPUBLIC OF CYPRUS.**

4 (a) SENSE OF THE SENATE ON CYPRUS.—It is the
 5 sense of the Senate that—

6 (1) the direct sale or transfer of arms by the
 7 United States to the Republic of Cyprus would ad-
 8 vance United States security interests in Europe by
 9 helping to reduce the dependence of the Government
 10 of Cyprus on other countries for defense-related ma-
 11 teriel, including countries that pose challenges to
 12 United States interests around the world; and

13 (2) it is in the interest of the United States—

14 (A) to continue to support United Nations-
 15 facilitated efforts toward a comprehensive solu-
 16 tion to the division of Cyprus; and

17 (B) for the Republic of Cyprus to join
 18 NATO's Partnership for Peace program.

19 (b) MODIFICATION OF PROHIBITION.—Section
 20 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C.
 21 2373(e)) is amended by adding at the end the following
 22 new paragraph:

23 “(3) The requirement under paragraph (1) shall not
 24 apply to any sale or other provision of any defense article
 25 or service to Cyprus if the end-user of such defense article
 26 or service is the Republic of Cyprus.”.

1 (c) EXCLUSION OF THE GOVERNMENT OF THE RE-
2 PUBLIC OF CYPRUS FROM CERTAIN RELATED REGULA-
3 TIONS.—Beginning on the date of the enactment of this
4 Act, the Secretary of State shall not apply a policy of de-
5 nial for exports, re-exports, or transfers of defense articles
6 and defense services destined for the Republic of Cyprus
7 if—

8 (1) the request is made by or on behalf of the
9 Republic of Cyprus; and

10 (2) the end-user of such defense articles or de-
11 fense services is the Republic of Cyprus.

12 **SEC. 6. IMET COOPERATION WITH GREECE AND CYPRUS.**

13 There is authorized to be appropriated for fiscal year
14 2020 \$2,000,000 for International Military Education and
15 Training (IMET) assistance for Greece and \$2,000,000
16 for such assistance for Cyprus. The assistance shall be
17 made available for the following purposes:

18 (1) Training of future leaders.

19 (2) Fostering a better understanding of the
20 United States.

21 (3) Establishing a rapport between the United
22 States military and the country's military to build
23 alliances for the future.

24 (4) Enhancement of interoperability and capa-
25 bilities for joint operations.

1 (5) Focusing on professional military education.

2 (6) Enabling countries to use their national
3 funds to receive a reduced cost for other Department
4 of Defense education and training.

5 (7) Provision of English Language Training as-
6 sistance.

7 **SEC. 7. FOREIGN MILITARY FINANCING.**

8 There is authorized to be appropriated for fiscal year
9 2020 \$3,000,000 for Foreign Military Financing (FMF)
10 assistance for Greece to assist the country in meeting its
11 commitment as a member of the North Atlantic Treaty
12 Organization (NATO) to dedicate 20 percent of its de-
13 fense budget to enhance research and development.

14 **SEC. 8. LIMITATION ON TRANSFER OF F-35 AIRCRAFT TO**
15 **TURKEY.**

16 (a) IN GENERAL.—Except as provided under sub-
17 section (b), no funds may be obligated or expended—

18 (1) to transfer, facilitate the transfer, or au-
19 thorize the transfer of, an F-35 aircraft to the Re-
20 public of Turkey;

21 (2) to transfer intellectual property or technical
22 data necessary for or related to any maintenance or
23 support of the F-35 aircraft; or

1 (3) to construct a storage facility for, or other-
2 wise facilitate the storage in Turkey of, an F-35 air-
3 craft transferred to Turkey.

4 (b) EXCEPTION.—The President may waive the limi-
5 tation under subsection (a) upon a written certification to
6 Congress that the Government of Turkey does not plan
7 or intend to accept delivery of the S-400 air defense sys-
8 tem.

9 (c) TRANSFER DEFINED.—In this section, the term
10 “transfer” includes the physical relocation outside of the
11 continental United States.

12 (d) APPLICABILITY.—The limitation under sub-
13 section (a) does not apply to F-35 aircraft operated by
14 the United States Armed Forces.

15 **SEC. 9. SENSE OF THE SENATE ON PURCHASE BY TURKEY**
16 **OF S-400 AIR DEFENSE SYSTEM.**

17 It is the sense of the Senate that, if the Government
18 of Turkey purchases the S-400 air defense system from
19 the Russian Federation—

20 (1) such a purchase would constitute a signifi-
21 cant transaction within the meaning of section
22 231(a) of the Countering Russian Influence in Eu-
23 rope and Eurasia Act of 2017 (22 U.S.C. 9525(a));

24 (2) such a purchase would endanger the integ-
25 rity of the NATO alliance;

1 (3) such a purchase would adversely affect on-
2 going operations of the United States Armed Forces,
3 including coalition operations in which the United
4 States Armed Forces participate;

5 (4) such a purchase would result in a signifi-
6 cant impact to defense cooperation between the
7 United States and Turkey;

8 (5) such a purchase would significantly increase
9 the risk of compromising United States defense sys-
10 tems and operational capabilities; and

11 (6) the President should faithfully execute the
12 Countering Russian Influence in Europe and Eur-
13 asia Act of 2017 by imposing and applying sanctions
14 under section 235 of that Act (22 U.S.C. 9529) with
15 respect to any individual or entity determined to
16 have engaged in such a significant transaction.

17 **SEC. 10. STRATEGY ON UNITED STATES SECURITY AND EN-**
18 **ERGY COOPERATION IN THE EASTERN MEDI-**
19 **TERRANEAN.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in consultation with the Secretary of Defense and the Sec-
23 retary of Energy, shall submit to the appropriate congres-
24 sional committees a strategy on enhanced security and en-

1 ergy cooperation with countries in the Eastern Mediterra-
2 nean region, including Israel, Cyprus, and Greece.

3 (b) ELEMENTS.—The report required under sub-
4 section (a) shall include the following elements:

5 (1) A description of United States participation
6 in and support for the Eastern Mediterranean Nat-
7 ural Gas Forum.

8 (2) An evaluation of all possible delivery mecha-
9 nisms into Europe for natural gas discoveries in the
10 Eastern Mediterranean region.

11 (3) An evaluation of efforts to protect energy
12 exploration infrastructure in the region, including
13 United States companies.

14 (4) An assessment of the capacity of Cyprus to
15 host an Energy Crisis Center in the region which
16 could provide basing facilities in support search and
17 rescue efforts in the event of an accident.

18 (5) An assessment of the timing of natural gas
19 delivery in the region as well as assessment of the
20 ultimate destination countries for the natural gas
21 delivery from the region.

22 (6) A plan to work with United States busi-
23 nesses seeking to invest in Eastern Mediterranean
24 energy exploration, development, and cooperation.

1 (c) FORM.—The report required under subsection (a)
2 shall be submitted in unclassified form, but may contain
3 a classified annex.

4 **SEC. 11. REPORT ON RUSSIAN FEDERATION MALIGN INFLU-**
5 **ENCE IN THE EASTERN MEDITERRANEAN.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, the Secretary of State
8 shall submit to the appropriate congressional committees
9 a report on Russian Federation malign influence in Cy-
10 prus, Greece, and Israel since January 1, 2017.

11 (b) ELEMENTS.—The report required under sub-
12 section (a) shall include the following elements:

13 (1) An assessment of security, political, and en-
14 ergy goals of the Government of the Russian Fed-
15 eration in the Eastern Mediterranean.

16 (2) A description of energy projects of the Gov-
17 ernment of the Russian Federation in the Eastern
18 Mediterranean.

19 (3) A listing of Russian national ownership of
20 media outlets in these countries, including the name
21 of the media outlet, approximate viewership, and as-
22 sessment of whether the outlet promotes pro-Krem-
23 lin views.

24 (4) An assessment of military engagement by
25 the Government of the Russian Federation in the se-

1 curity sector, including engagement by military
2 equipment and personnel contractors.

3 (5) An assessment of efforts supported by the
4 Government of the Russian Federation to influence
5 elections in the three countries, through the use of
6 cyber attacks, social media campaigns, or other ma-
7 lign influence techniques.

8 (6) An assessment of efforts by the Government
9 of the Russian Federation to intimidate and influ-
10 ence the decision by His All Holiness Ecumenical
11 Patriarch Bartholomew, leader of 300,000,000 Or-
12 thodox Christians worldwide, to grant autocephaly to
13 the Ukrainian Orthodox Church.

14 (c) FORM.—The report required under subsection (a)
15 shall be submitted in unclassified form, but may contain
16 a classified annex.

17 **SEC. 12. REPORT ON INTERFERENCE BY OTHER COUN-**
18 **TRIES IN THE EXCLUSIVE ECONOMIC ZONE**
19 **OF CYPRUS AND AIRSPACE OF GREECE.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in consultation with the Secretary of Defense and the Sec-
23 retary of Energy, shall submit to the appropriate congres-
24 sional committees a report listing incidents of interference
25 in efforts by the Republic of Cyprus to explore and exploit

1 natural resources in its Exclusive Economic Zone and vio-
2 lations of the airspace of the sovereign territory of Greece.

3 (b) ELEMENTS.—The report required under sub-
4 section (a) shall include the following elements:

5 (1) A listing of incidents since January 1,
6 2017, determined by the Secretary of State to inter-
7 fere in efforts by the Republic of Cyprus to explore
8 and exploit natural resources in its Exclusive Eco-
9 nomic Zone.

10 (2) A listing of incidents since January 1,
11 2017, determined by the Secretary of State to be
12 violations of the airspace of Greece by its neighbors.

13 (c) FORM.—The report required under subsection (a)
14 shall be submitted in unclassified form, but may contain
15 a classified annex.

16 **SEC. 13. APPROPRIATE CONGRESSIONAL COMMITTEES.**

17 In this Act, the term “appropriate congressional com-
18 mittees means” the Committee on Foreign Relations of
19 the Senate and the Committee on Foreign Affairs of the
20 House of Representatives.

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