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113TH CONGRESS
2D SESSION**S. 2828**

To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2014

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

SEPTEMBER 18, 2014

Reported by Mr. MENENDEZ, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Ukraine Freedom Support Act of 2014”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Statement of policy regarding Ukraine.
- Sec. 4. Sanctions relating to the defense and energy sectors of the Russian Federation.
- Sec. 5. Sanctions on Russian and other foreign financial institutions.
- Sec. 6. Codification of executive orders addressing the crisis in Ukraine.
- Sec. 7. Major non-NATO ally status for Ukraine, Georgia, and Moldova.
- Sec. 8. Increased military assistance for the Government of Ukraine.
- Sec. 9. Expanded nonmilitary assistance for Ukraine.
- Sec. 10. Expanded broadcasting in countries of the former Soviet Union.
- Sec. 11. *Support for Russian democracy and civil society organizations.*
- Sec. 12. *Report on non-compliance by the Russian Federation of its obligations under the INF Treaty.*

3 SEC. 2. DEFINITIONS.

4 In this Act:

5 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
 6 ABLE-THROUGH ACCOUNT.—The terms “account”,
 7 “correspondent account”, and “payable-through ac-
 8 count” have the meanings given those terms in sec-
 9 tion 5318A of title 31, United States Code.

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 11 TEES.—The term “appropriate congressional com-
 12 mittees” means—

13 (A) the Committee on Foreign Relations
 14 and the Committee on Banking, Housing, and
 15 Urban Affairs of the Senate; and

16 (B) the Committee on Foreign Affairs and
 17 the Committee on Financial Services of the
 18 House of Representatives.

19 (3) CONTROL.—The term “control” means—

1 (A) in the case of a corporation, to hold at
 2 least 50 percent (by vote or value) of the capital
 3 structure of the corporation; or

4 (B) in the case of any other entity, to hold
 5 interests representing at least 50 percent of the
 6 capital structure of the entity.

7 (4) DEFENSE ARTICLE; DEFENSE SERVICE;
 8 TRAINING.—The terms “defense article”, “defense
 9 service”, and “training” have the meanings given
 10 those terms in section 47 of the Arms Export Con-
 11 trol Act (22 U.S.C. 2794).

12 (5) FINANCIAL INSTITUTION.—The term “fi-
 13 nancial institution” means a financial institution
 14 specified in subparagraph (A), (B), (C), (D), (E),
 15 (F), (G), (H), (I), (J), (M), or (Y) of section
 16 5312(a)(2) of title 31, United States Code.

17 (6) FOREIGN FINANCIAL INSTITUTION.—The
 18 term “foreign financial institution” has the meaning
 19 given that term in section 561.308 of title 31, Code
 20 of Federal Regulations (or any corresponding similar
 21 regulation or ruling).

22 (7) KNOWINGLY.—The term “knowingly”, with
 23 respect to conduct, a circumstance, or a result,
 24 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.

3 (8) NATIONAL.—The term “national” has the
4 meaning given that term in section 101(a) of the
5 Immigration and Nationality Act (8 U.S.C.
6 1101(a)).

7 (9) PERSON.—The term “person” means—

8 (A) an individual;

9 (B) a corporation, business association,
10 partnership, society, trust, any other non-
11 governmental entity, organization, or group, or
12 any governmental entity operating as a business
13 enterprise; or

14 (C) any successor to any entity described
15 in subparagraph (B).

16 (10) RUSSIAN PERSON.—The term “Russian
17 person” means—

18 (A) an individual who is a citizen or na-
19 tional of the Russian Federation; or

20 (B) an entity organized under the laws of
21 the Russian Federation.

22 (11) SPECIAL RUSSIAN CRUDE OIL PROJECT.—
23 The term “special Russian crude oil project” means
24 a project intended to extract crude oil from—

1 (A) the exclusive economic zone of the
2 Russian Federation in waters more than 500
3 feet deep;

4 (B) Russian Arctic offshore locations; or

5 (C) shale formations located in the Rus-
6 sian Federation.

7 (12) UNITED STATES PERSON.—The term
8 “United States person” means—

9 (A) a United States citizen or an alien law-
10 fully admitted for permanent residence to the
11 United States; or

12 (B) an entity organized under the laws of
13 the United States or of any jurisdiction within
14 the United States, including a foreign branch of
15 such an entity.

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

17 It is the policy of the United States to further assist
18 the Government of Ukraine in restoring its sovereignty
19 and territorial integrity to deter the Government of the
20 Russian Federation from further destabilizing and invad-
21 ing Ukraine and other independent countries in Eastern
22 Europe and Central Asia. That policy shall be carried into
23 effect, among other things, through a comprehensive ef-
24 fort, in coordination with allies and partners of the United
25 States where appropriate, that includes economic sanc-

1 tions, diplomacy, assistance for the people of Ukraine, and
 2 the provision of military capabilities to the Government
 3 of Ukraine that will enhance the ability of that Govern-
 4 ment to defend itself and to restore its sovereignty and
 5 territorial integrity in the face of unlawful actions by the
 6 Government of the Russian Federation.

7 **SEC. 4. SANCTIONS RELATING TO THE DEFENSE AND EN-**
 8 **ERGY SECTORS OF THE RUSSIAN FEDERA-**
 9 **TION.**

10 (a) SANCTIONS RELATING TO THE DEFENSE SEC-
 11 TOR.—

12 (1) ROSOBORONEXPORT.—Except as provided
 13 in subsection (d), not later than 30 days after the
 14 date of the enactment of this Act, the President
 15 shall impose 3 or more of the sanctions described in
 16 subsection (c) with respect to Rosoboronexport.

17 (2) RUSSIAN PRODUCERS, TRANSFERORS, OR
 18 BROKERS OF DEFENSE ARTICLES.—Except as pro-
 19 vided in subsection (d), not later than 45 days after
 20 the date of the enactment of this Act, the President
 21 shall impose 3 or more of the sanctions described in
 22 subsection (c) with respect to a person the President
 23 determines—

24 (A) is an entity—

1 (i) owned by the Government of the
2 Russian Federation or controlled by na-
3 tionals of the Russian Federation; and

4 (ii) that—

5 (I) manufactures or sells defense
6 articles transferred into Syria or into
7 the territory of a specified country
8 without the consent of the inter-
9 nationally recognized government of
10 that country;

11 (II) transfers defense articles
12 into Syria or into the territory of a
13 specified country without the consent
14 of the internationally recognized gov-
15 ernment of that country; or

16 (III) brokers or otherwise assists
17 in the transfer of defense articles into
18 Syria or into the territory of a speci-
19 fied country without the consent of
20 the internationally recognized govern-
21 ment of that country; or

22 (B) knowingly, on or after the date of the
23 enactment of this Act, assists, sponsors, or pro-
24 vides financial, material, or technological sup-
25 port for, or goods or services to or in support

of, an entity described in subparagraph (A) with respect to an activity described in clause (ii) of that subparagraph.

(3) SPECIFIED COUNTRY DEFINED.—

(A) IN GENERAL.—In this subsection, the term “specified country” means—

(i) Ukraine, Georgia, and Moldova;

and

(ii) any other country designated by the President as a country of significant concern for purposes of this subsection, such as Poland, Lithuania, Latvia, Estonia, and the Central Asia republics.

(B) NOTICE TO CONGRESS.—The President shall notify the appropriate congressional committees in writing not later than 15 days before—

(i) designating a country as a country of significant concern under subparagraph (A)(ii); or

(ii) terminating a designation under that subparagraph, including the termination of any such designation pursuant to ~~subsection (g)~~ subsection (h).

1 (b) SANCTIONS RELATED TO THE ENERGY SEC-
2 TOR.—

3 (1) DEVELOPMENT OF SPECIAL RUSSIAN
4 CRUDE OIL PROJECTS.—Except as provided in sub-
5 section (d), not later than 45 days after the date of
6 the enactment of this Act, the President shall im-
7 pose 3 or more of the sanctions described in sub-
8 section (c) with respect to a person if the President
9 determines that the person knowingly makes a sig-
10 nificant investment in a special Russian crude oil
11 project.

12 (2) AUTHORIZATION FOR EXTENSION OF LI-
13 CENSING LIMITATIONS ON CERTAIN EQUIPMENT.—
14 The President, through the Bureau of Industry and
15 Security of the Department of Commerce or the Of-
16 fice of Foreign Assets Control of the Department of
17 the Treasury, as appropriate, may impose additional
18 licensing requirements for or other restrictions on
19 the export or reexport of items for use in the energy
20 sector of the Russian Federation, including equip-
21 ment used for tertiary oil recovery.

22 (3) CONTINGENT SANCTION RELATING TO
23 GAZPROM.—If the President determines that
24 Gazprom is withholding significant natural gas sup-
25 plies from member countries of the North Atlantic

1 Treaty Organization, or further withholds significant
2 natural gas supplies from countries such as Ukraine,
3 Georgia, or Moldova, the President shall, not later
4 than 45 days after making that determination, im-
5 pose the sanction described in subsection (c)(7) and
6 at least one additional sanction described in sub-
7 section (c) with respect to Gazprom.

8 (c) SANCTIONS DESCRIBED.—The sanctions the
9 President may impose with respect to a foreign person
10 under subsection (a) or (b) are the following:

11 (1) EXPORT-IMPORT BANK ASSISTANCE.—The
12 President may direct the Export-Import Bank of the
13 United States not to approve the issuance of any
14 guarantee, insurance, extension of credit, or partici-
15 pation in the extension of credit in connection with
16 the export of any goods or services to the foreign
17 person.

18 (2) PROCUREMENT SANCTION.—The President
19 may prohibit the head of any executive agency (as
20 defined in section 133 of title 41, United States
21 Code) from entering into any contract for the pro-
22 curement of any goods or services from the foreign
23 person.

24 (3) ARMS EXPORT PROHIBITION.—The Presi-
25 dent may prohibit the exportation or provision by

1 sale, lease or loan, grant, or other means, directly or
2 indirectly, of any defense article or defense service to
3 the foreign person and the issuance of any license or
4 other approval to the foreign person under section
5 38 of the Arms Export Control Act (22 U.S.C.
6 2778).

7 (4) DUAL-USE EXPORT PROHIBITION.—The
8 President may prohibit the issuance of any license
9 and suspend any license for the transfer to the for-
10 eign person of any item the export of which is con-
11 trolled under the Export Administration Act of 1979
12 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant
13 to the International Emergency Economic Powers
14 Act (50 U.S.C. 1701 et seq.)) or the Export Admin-
15 istration Regulations under subchapter C of chapter
16 VII of title 15, Code of Federal Regulations.

17 (5) PROPERTY TRANSACTIONS.—The President
18 may, pursuant to such regulations as the President
19 may prescribe, prohibit any person from—

20 (A) acquiring, holding, withholding, using,
21 transferring, withdrawing, transporting, or ex-
22 porting any property that is subject to the ju-
23 risdiction of the United States and with respect
24 to which the foreign person has any interest;

1 (B) dealing in or exercising any right,
2 power, or privilege with respect to such prop-
3 erty; or

4 (C) conducting any transaction involving
5 such property.

6 (6) BANKING TRANSACTIONS.—The President
7 may, pursuant to such regulations as the President
8 may prescribe, prohibit any transfers of credit or
9 payments between financial institutions or by,
10 through, or to any financial institution, to the extent
11 that such transfers or payments are subject to the
12 jurisdiction of the United States and involve any in-
13 terest of the foreign person.

14 (7) PROHIBITION ON INVESTMENT IN EQUITY
15 OR DEBT OF SANCTIONED PERSON.—The President
16 may, pursuant to such regulations as the President
17 may prescribe, prohibit any United States person
18 from investing in or purchasing significant amounts
19 of equity or debt instruments of the foreign person.

20 (8) EXCLUSION FROM THE UNITED STATES
21 AND REVOCATION OF VISA OR OTHER DOCUMENTA-
22 TION.—In the case of a foreign person who is an in-
23 dividual, the President may direct the Secretary of
24 State to deny a visa to, and the Secretary of Home-
25 land Security to exclude from the United States, the

1 foreign person, subject to regulatory exceptions to
2 permit the United States to comply with the Agree-
3 ment regarding the Headquarters of the United Na-
4 tions, signed at Lake Success June 26, 1947, and
5 entered into force November 21, 1947, between the
6 United Nations and the United States, or other ap-
7 plicable international obligations.

8 (9) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
9 FICERS.—In the case of a foreign person that is an
10 entity, the President may impose on the principal
11 executive officer or officers of the foreign person, or
12 on individuals performing similar functions and with
13 similar authorities as such officer or officers, any of
14 the sanctions described in this subsection applicable
15 to individuals.

16 (d) EXCEPTIONS.—

17 (1) IMPORTATION OF GOODS.—

18 (A) IN GENERAL.—The authority to block
19 and prohibit all transactions in all property and
20 interests in property under subsection (c)(5)
21 shall not include the authority to impose sanc-
22 tions on the importation of goods.

23 (B) GOOD DEFINED.—In this paragraph,
24 the term “good” has the meaning given that
25 term in section 16 of the Export Administration

1 Act of 1979 (50 U.S.C. App. 2415) (as contin-
2 ued in effect pursuant to the International
3 Emergency Economic Powers Act (50 U.S.C.
4 1701 et seq.)).

5 (2) ADDITIONAL EXCEPTIONS.—The President
6 shall not be required to apply or maintain the sanc-
7 tions under subsection (a) or (b)—

8 (A) in the case of procurement of defense
9 articles or defense services—

10 (i) under existing contracts or sub-
11 contracts, including the exercise of options
12 for production quantities to satisfy require-
13 ments essential to the national security of
14 the United States;

15 (ii) if the President determines in
16 writing that—

17 (I) the person to which the sanc-
18 tions would otherwise be applied is a
19 sole source supplier of the defense ar-
20 ticles or services;

21 (II) the defense articles or serv-
22 ices are essential;

23 (III) alternative sources are not
24 readily or reasonably available; and

1 (IV) the national interests of the
2 United States would be adversely af-
3 fected by the application or mainte-
4 nance of such sanctions; or
5 (iii) if the President determines in
6 writing that—

7 (I) such articles or services are
8 essential to the national security
9 under defense coproduction agree-
10 ments; and

11 (II) the national interests of the
12 United States would be adversely af-
13 fected by the application or mainte-
14 nance of such sanctions;

15 (B) in the case of procurement, to eligible
16 products, as defined in section 308(4) of the
17 Trade Agreements Act of 1979 (19 U.S.C.
18 2518(4)), of any foreign country or instrumen-
19 tality designated under section 301(b)(1) of
20 that Act (19 U.S.C. 2511(b)(1));

21 (C) to products, technology, or services
22 provided under contracts entered into before the
23 date on which the President publishes in the
24 Federal Register the name of the person with

1 respect to which the sanctions are to be im-
2 posed;

3 (D) to—

4 (i) spare parts that are essential to
5 United States products or production;

6 (ii) component parts, but not finished
7 products, essential to United States prod-
8 ucts or production; or

9 (iii) routine servicing and mainte-
10 nance of United States products, to the ex-
11 tent that alternative sources are not read-
12 ily or reasonably available;

13 (E) to information and technology essential
14 to United States products or production; or

15 (F) to food, medicine, medical devices, or
16 agricultural commodities (as those terms are
17 defined in section 101 of the Comprehensive
18 Iran Sanctions, Accountability, and Divestment
19 Act of 2010 (22 U.S.C. 8511)).

20 (e) NATIONAL SECURITY WAIVER.—

21 (1) IN GENERAL.—The President may waive
22 the application of sanctions under subsection (a) or
23 (b) with respect to a person if the President—

1 (A) determines that the waiver is in the
2 national security interest of the United States;
3 and

4 (B) submits to the appropriate congressional
5 committees a report on the determination
6 and the reasons for the determination.

7 (2) FORM OF REPORT.—The report required by
8 paragraph (1)(B) shall be submitted in unclassified
9 form, but may include a classified annex.

10 (f) TRANSACTION-SPECIFIC NATIONAL SECURITY
11 WAIVER.—

12 (1) IN GENERAL.—The President may waive
13 the application of sanctions under subsection (a) or
14 (b) with respect to a specific transaction if the
15 President—

16 (A) determines that the transaction is in
17 the national security interest of the United
18 States; and

19 (B) submits to the appropriate congressional
20 committees a detailed report on the determination
21 and the specific reasons for the determination
22 that a waiver with respect to the
23 transaction is necessary and appropriate.

1 (2) FORM OF REPORT.—The report required by
 2 paragraph (1)(B) shall be submitted in unclassified
 3 form, but may include a classified annex.

4 (g) PENALTIES.—The penalties provided for in sub-
 5 sections (b) and (c) of section 206 of the International
 6 Emergency Economic Powers Act (50 U.S.C. 1705) shall
 7 apply to a person that violates, attempts to violate, or con-
 8 spires to violate, or causes a violation of, subsection (a)
 9 or (b) of this section, or an order or regulation prescribed
 10 under either such subsection, to the same extent that such
 11 penalties apply to a person that commits an unlawful act
 12 described in section 206(a) of the International Emer-
 13 gency Economic Powers Act.

14 ~~(h) TERMINATION.—This section, and sanctions im-~~
 15 ~~posed under this section, shall terminate on the date on~~
 16 ~~which the President submits to the appropriate congres-~~
 17 ~~sional committees a certification that the Government of~~
 18 ~~the Russian Federation has ceased ordering, controlling,~~
 19 ~~or otherwise directing, supporting, or financing, signifi-~~
 20 ~~cant acts intended to undermine the peace, security, sta-~~
 21 ~~bility, sovereignty, or territorial integrity of Ukraine,~~
 22 ~~Georgia, and Moldova.~~

23 (h) *TERMINATION.—This section, and sanctions im-*
 24 ~~posed under this section, shall terminate on the date on~~
 25 ~~which the President submits to the appropriate congres-~~

1 *sional committees a certification that the Government of the*
 2 *Russian Federation has ceased ordering, controlling, or oth-*
 3 *erwise directing, supporting, or financing, significant acts*
 4 *intended to undermine the peace, security, stability, sov-*
 5 *ereignty, or territorial integrity of Ukraine, Georgia, and*
 6 *Moldova, including through an agreement between the ap-*
 7 *propriate parties.*

8 **SEC. 5. SANCTIONS ON RUSSIAN AND OTHER FOREIGN FI-**
 9 **NANCIAL INSTITUTIONS.**

10 (a) FACILITATION OF CERTAIN DEFENSE- AND EN-
 11 ERGY-RELATED TRANSACTIONS.—The President may im-
 12 pose the sanction described in subsection (c) with respect
 13 to a foreign financial institution that the President deter-
 14 mines engages, on or after the date of the enactment of
 15 this Act, in significant transactions involving—

16 (1) persons with respect to which sanctions are
 17 imposed under section 4; and

18 (2) activities described in subsection (a) or (b)
 19 of that section.

20 (b) FACILITATION OF FINANCIAL TRANSACTIONS ON
 21 BEHALF OF SPECIALLY DESIGNATED NATIONALS.—The
 22 President may impose the sanction described in subsection
 23 (c) with respect to a foreign financial institution if the
 24 President determines that the foreign financial institution
 25 has, on or after the date that is 180 days after the date

1 of the enactment of this Act, knowingly facilitated a sig-
2 nificant financial transaction on behalf of any Russian
3 person included on the list of specially designated nation-
4 als and blocked persons maintained by the Office of For-
5 eign Assets Control of the Department of the Treasury,
6 pursuant to—

7 (1) this Act;

8 (2) Executive Order 13660 (79 Fed. Reg.
9 13,493), 13661 (79 Fed. Reg. 15,535), or 13662
10 (79 Fed. Reg. 16,169); or

11 (3) any other executive order addressing the
12 crisis in Ukraine.

13 (c) SANCTION DESCRIBED.—The sanction described
14 in this subsection is, with respect to a foreign financial
15 institution, a prohibition on the opening, and a prohibition
16 or the imposition of strict conditions on the maintaining,
17 in the United States of a correspondent account or a pay-
18 able-through account by the foreign financial institution.

19 (d) NATIONAL SECURITY WAIVER.—The President
20 may waive the application of sanctions under this section
21 with respect to a foreign financial institution if the Presi-
22 dent—

23 (1) determines that the waiver is in the national
24 security interest of the United States; and

1 (2) submits to the appropriate congressional
2 committees a report on the determination and the
3 reasons for the determination.

4 (e) TERMINATION.—This section, and sanctions im-
5 posed under this section, shall terminate on the date on
6 which the President submits to the appropriate congres-
7 sional committees the certification described in section
8 4(h).

9 **SEC. 6. CODIFICATION OF EXECUTIVE ORDERS ADDRESS-**
10 **ING THE CRISIS IN UKRAINE.**

11 (a) *IN GENERAL.*—~~United States~~United States sanc-
12 tions with respect to the Russian Federation provided for
13 in Executive Orders 13660 (79 Fed. Reg. 13,493), 13661
14 (79 Fed. Reg. 15,535), and 13662 (79 Fed. Reg. 16,169),
15 as in effect on the day before the date of the enactment
16 of this Act, shall remain in effect until the date on which
17 the President submits to the appropriate congressional
18 committees the certification described in section 4(h).

19 (b) *EXCEPTIONS AND WAIVERS.*—*Sanctions referred to*
20 *in subsection (a) shall, as appropriate, be subject to the ex-*
21 *ceptions and waivers provided for in subsections (d), (e),*
22 *and (f) of section 4.*

1 **SEC. 7. MAJOR NON-NATO ALLY STATUS FOR UKRAINE,**
2 **GEORGIA, AND MOLDOVA.**

3 Section 517 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2321k) is amended by adding at the end the
5 following:

6 “(c) ADDITIONAL DESIGNATIONS.—

7 “(1) IN GENERAL.—Effective on the date of the
8 enactment of the Ukraine Freedom Support Act of
9 2014, Ukraine, Georgia, and Moldova are each des-
10 ignated as a major non-NATO ally for purposes of
11 this Act and the Arms Export Control Act (22
12 U.S.C. 2751 et seq.).

13 “(2) NOTICE OF TERMINATION OF DESIGNA-
14 TION.—The President shall notify Congress in ac-
15 cordance with subsection (a)(2) before terminating
16 the designation of a country specified in paragraph
17 (1).”.

18 **SEC. 8. INCREASED MILITARY ASSISTANCE FOR THE GOV-**
19 **ERNMENT OF UKRAINE.**

20 (a) IN GENERAL.—The President is authorized to
21 provide defense articles, defense services, and training to
22 the Government of Ukraine for the purpose of countering
23 offensive weapons and reestablishing the sovereignty and
24 territorial integrity of Ukraine, including anti-tank and
25 anti-armor weapons, crew weapons and ammunition,
26 counter-artillery radars to identify and target artillery bat-

1 teries, fire control, range finder, and optical and guidance
2 and control equipment, tactical troop-operated surveillance
3 drones, and secure command and communications equip-
4 ment, pursuant to the provisions of the Arms Export Con-
5 trol Act (22 U.S.C. 2751 et seq.), the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant
7 provisions of law.

8 (b) REPORT REQUIRED.—Not later than 60 days
9 after the date of the enactment of this Act, the President
10 shall submit a report detailing the anticipated defense ar-
11 ticles, defense services, and training to be provided pursu-
12 ant to this section and a timeline for the provision of such
13 defense articles, defense services, and training, to—

14 (1) the Committee on Foreign Relations, the
15 Committee on Appropriations, and the Committee on
16 Armed Services of the Senate; and

17 (2) the Committee on Foreign Affairs, the
18 Committee on Appropriations, and the Committee on
19 Armed Services of the House of Representatives.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There are authorized to be
22 appropriated to the Secretary of State \$350,000,000
23 for fiscal year 2015 to carry out activities under this
24 section.

1 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
2 thorized to be appropriated pursuant to paragraph
3 (1) shall remain available for obligation and expendi-
4 ture through the end of fiscal year 2017.

5 (d) AUTHORITY FOR THE USE OF FUNDS.—The
6 funds made available pursuant to subsection (c) for provi-
7 sion of defense articles, defense services, and training may
8 be used to procure such articles, services, and training
9 from the United States Government or other appropriate
10 sources.

11 **SEC. 9. EXPANDED NONMILITARY ASSISTANCE FOR**
12 **UKRAINE.**

13 (a) ASSISTANCE TO INTERNALLY DISPLACED PEO-
14 PLE IN UKRAINE.—

15 (1) IN GENERAL.—Not later than 30 days after
16 the date of the enactment of this Act, the Secretary
17 of State shall submit a plan, including actions by the
18 United States Government, other governments, and
19 international organizations, to meet the need for
20 protection of and assistance for internally displaced
21 persons in Ukraine, to—

22 (A) the Committee on Foreign Relations,
23 the Committee on Appropriations, and the
24 Committee on Energy and Natural Resources of
25 the Senate; and

1 (B) the Committee on Foreign Affairs, the
2 Committee on Appropriations, and the Com-
3 mittee on Energy and Commerce of the House
4 of Representatives.

5 (2) ELEMENTS.—The plan required by para-
6 graph (1) should include, as appropriate, activities
7 in support of—

8 (A) helping to establish a functional and
9 adequately resourced central registration system
10 in Ukraine that can ensure coordination of ef-
11 forts to provide assistance to internally dis-
12 placed persons in different regions;

13 (B) encouraging adoption of legislation in
14 Ukraine that protects internally displaced per-
15 sons from discrimination based on their status
16 and provides simplified procedures for obtaining
17 the new residency registration or other official
18 documentation that is a prerequisite to receiv-
19 ing appropriate social payments under the laws
20 of Ukraine, such as pensions, and disability,
21 child, and unemployment benefits; and

22 (C) helping to ensure that information is
23 available to internally displaced persons
24 about—

- 1 (i) government agencies and inde-
2 pendent groups that can provide assistance
3 to such persons in various regions; and
4 (ii) evacuation assistance available to
5 persons seeking to flee armed conflict
6 areas.

7 (3) ASSISTANCE THROUGH INTERNATIONAL OR-
8 GANIZATIONS.—The President shall instruct the
9 United States permanent representative or executive
10 director, as the case may be, to the relevant United
11 Nations voluntary agencies, including the United
12 Nations High Commissioner for Refugees and the
13 United Nations Office for the Coordination of Hu-
14 manitarian Affairs, and other appropriate inter-
15 national organizations, to use the voice and vote of
16 the United States to support appropriate assistance
17 for internally displaced persons in Ukraine.

18 (b) ASSISTANCE TO THE DEFENSE SECTOR OF
19 UKRAINE.—The Secretary of State and the Secretary of
20 Defense should assist entities in the defense sector of
21 Ukraine to reorient exports away from customers in the
22 Russian Federation and to find appropriate alternative
23 markets for those entities in the defense sector of Ukraine
24 that have already significantly reduced exports to and co-

1 operation with entities in the defense sector of the Russian
2 Federation.

3 (c) ASSISTANCE TO ADDRESS THE ENERGY CRISIS
4 IN UKRAINE.—

5 (1) EMERGENCY ENERGY ASSISTANCE.—

6 (A) PLAN REQUIRED.—The Secretary of
7 State and the Secretary of Energy, in collabora-
8 tion with the Administrator of the United
9 States Agency for International Development
10 and the Administrator of the Federal Emer-
11 gency Management Agency, shall work with of-
12 ficials of the Government of Ukraine to develop
13 a short-term emergency energy assistance plan
14 designed to help Ukraine address the poten-
15 tially severe short-term, heating fuel and elec-
16 tricity shortages facing Ukraine in 2014 and
17 2015.

18 (B) ELEMENTS.—The plan required by
19 subparagraph (A) should include strategies to
20 address heating fuel and electricity shortages in
21 Ukraine, including, as appropriate—

22 (i) the acquisition of short-term,
23 emergency fuel supplies;

24 (ii) the repair or replacement of infra-
25 structure that could impede the trans-

mission of electricity or transportation of fuel;

(iii) the prioritization of the transportation of fuel supplies to the areas where such supplies are needed most;

(iv) streamlining emergency communications throughout national, regional, and local governments to manage the potential energy crisis resulting from heating fuel and electricity shortages;

(v) forming a crisis management team within the Government of Ukraine to specifically address the potential crisis, including ensuring coordination of the team's efforts with the efforts of outside governmental and nongovernmental entities providing assistance to address the potential crisis; and

(vi) developing a public outreach strategy to facilitate preparation by the population and communication with the population in the event of a crisis.

(C) ASSISTANCE.—The Secretary of State, the Secretary of Energy, and the Administrator of the United States Agency for International

1 Development are authorized to provide assist-
2 ance in support of, and to invest in short-term
3 solutions for, enabling Ukraine to secure the
4 energy safety of the people of Ukraine during
5 2014 and 2015, including through—

6 (i) procurement and transport of
7 emergency fuel supplies, including reverse
8 pipeline flows from Europe;

9 (ii) provision of technical assistance
10 for crisis planning, crisis response, and
11 public outreach;

12 (iii) repair of infrastructure to enable
13 the transport of fuel supplies;

14 (iv) repair of power generating or
15 power transmission equipment or facilities;

16 (v) procurement and installation of
17 compressors or other appropriate equip-
18 ment to enhance short-term natural gas
19 production;

20 (vi) procurement of mobile electricity
21 generation units; ~~and~~

22 (vii) conversion of natural gas heating
23 facilities to run on other fuels, including
24 alternative energy sources; *and*

1 *(viii) provision of emergency weather-*
2 *ization and winterization materials and*
3 *supplies.*

4 (D) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There are authorized to be appro-
6 priated to the Secretary of State, the Secretary
7 of Energy, and the Administrator of the United
8 States Agency for International Development
9 \$50,000,000 in the aggregate for fiscal year
10 2015 to carry out activities under this para-
11 graph.

12 (2) REDUCTION OF UKRAINE’S RELIANCE ON
13 ENERGY IMPORTS.—

14 (A) PLANS REQUIRED.—The Secretary of
15 State, in collaboration with the Secretary of
16 Energy and the Administrator of the United
17 States Agency for International Development,
18 shall work with officials of the Government of
19 Ukraine to develop medium- and long-term
20 plans to increase energy production and effi-
21 ciency to increase energy security by helping
22 Ukraine reduce its dependence on natural gas
23 imported from the Russian Federation.

1 (B) ELEMENTS.—The medium- and long-
2 term plans required by subparagraph (A)
3 should include strategies, as appropriate, to—

4 (i) improve corporate governance and
5 unbundling of state-owned oil and gas sec-
6 tor firms;

7 (ii) increase production from natural
8 gas fields and from other sources, includ-
9 ing renewable energy;

10 (iii) license new oil and gas blocks
11 transparently and competitively;

12 (iv) modernize oil and gas upstream
13 infrastructure; and

14 (v) improve energy efficiency.

15 (C) PRIORITIZATION.—The Secretary of
16 State, the Administrator of the United States
17 Agency for International Development, and the
18 Secretary of Energy should, during fiscal years
19 2015 through 2017, work with other donors, in-
20 cluding multilateral agencies and nongovern-
21 mental organizations, to prioritize, to the extent
22 practicable and as appropriate, the provision of
23 assistance from such donors to help Ukraine to
24 improve energy efficiency, increase energy sup-
25 plies produced in Ukraine, and reduce reliance

on energy imports from the Russian Federation, including natural gas.

(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$50,000,000 in the aggregate for fiscal years 2015 through 2017 to carry out activities under this paragraph.

(3) SUPPORT FROM THE OVERSEAS PRIVATE INVESTMENT CORPORATION.—The Overseas Private Investment Corporation shall—

(A) prioritize, to the extent practicable, support for investments to help increase energy efficiency, develop domestic oil and natural gas reserves, improve and repair electricity infrastructure, and develop renewable and other sources of energy in Ukraine; and

(B) implement procedures for expedited review and, as appropriate, approval, of applications by eligible investors (as defined in section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198)) for loans, loan guarantees, and insurance for such investments.

(4) SUPPORT BY THE WORLD BANK GROUP AND THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The President shall, to the extent

1 practicable and as appropriate, direct the United
 2 States Executive Directors of the World Bank
 3 Group and the European Bank for Reconstruction
 4 and Development to use the voice, vote, and influ-
 5 ence of the United States to encourage the World
 6 Bank Group and the European Bank for Recon-
 7 struction and Development and other international
 8 financial institutions—

9 (A) to invest in, and increase their efforts
 10 to promote investment in, projects to improve
 11 energy efficiency, improve and repair electricity
 12 infrastructure, develop domestic oil and natural
 13 gas reserves, and develop renewable and other
 14 sources of energy in Ukraine; and

15 (B) to stimulate private investment in such
 16 projects.

17 (d) ASSISTANCE TO CIVIL SOCIETY IN UKRAINE.—

18 (1) IN GENERAL.—The Secretary of State and
 19 the Administrator of the United States Agency for
 20 International Development shall, directly or through
 21 nongovernmental or international ~~organizations~~ *orga-*
 22 *nizations, such as the Organization for Security and*
 23 *Co-operation in Europe, the National Endowment for*
 24 *Democracy, and related organizations—*

(A) strengthen the organizational and operational capacity of democratic civil society in Ukraine;

(B) support the efforts of independent media outlets to broadcast, distribute, and share information in all regions of Ukraine;

(C) counter corruption and improve transparency and accountability of institutions that are part of the Government of Ukraine; and

(D) provide support for democratic organizing and election monitoring in Ukraine.

(2) STRATEGY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit a strategy to carry out the activities described in paragraph (1) ~~to the committees specified in subsection (a)(1).~~ to—

(A) *the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and*

(B) *the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.*

(3) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to the Sec-

1 retary of State \$20,000,000 for fiscal year 2015 to
2 carry out this subsection.

3 (4) *TRANSPARENCY REQUIREMENTS.*—*Any as-*
4 *istance provided pursuant to this subsection shall be*
5 *conducted in as transparent of a manner as possible,*
6 *consistent with the nature and goals of this sub-*
7 *section. The President shall provide a briefing on the*
8 *activities funded by this subsection at the request of*
9 *the committees specified in paragraph (2).*

10 **SEC. 10. EXPANDED BROADCASTING IN COUNTRIES OF THE**
11 **FORMER SOVIET UNION.**

12 (a) *IN GENERAL.*—Not later than 90 days after the
13 date of the enactment of this Act, the Chairman of the
14 Broadcasting Board of Governors shall submit to Con-
15 gress a plan, including a cost estimate, for immediately
16 and substantially increasing, and maintaining through fis-
17 cal year 2017, the quantity of Russian-language broad-
18 casting into the countries of the former Soviet Union fund-
19 ed by the United States in order to counter Russian Fed-
20 eration propaganda.

21 (b) *PRIORITIZATION OF BROADCASTING INTO*
22 *UKRAINE, GEORGIA, AND MOLDOVA.*—The plan required
23 by subsection (a) shall prioritize broadcasting into
24 Ukraine, Georgia, and Moldova by the Voice of America
25 and Radio Free Europe/Radio Liberty.

1 (c) ADDITIONAL PRIORITIES.—In developing the plan
2 required by subsection (a), the Chairman shall consider—

3 (1) near-term increases in Russian-language
4 broadcasting for countries of the former Soviet
5 Union (other than the countries specified in sub-
6 section (b)), including Latvia, Lithuania, and Esto-
7 nia; and

8 (2) increases in broadcasting in other critical
9 languages, including Ukrainian and Romanian lan-
10 guages.

11 (d) BROADCASTING DEFINED.—In this section, the
12 term “broadcasting” means the distribution of media con-
13 tent via radio broadcasting, television broadcasting, and
14 Internet-based platforms, among other platforms.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There are authorized to be
17 appropriated *to the Broadcasting Board of Governors*
18 \$10,000,000 for each of fiscal years 2015 through
19 2017 to carry out activities under this section.

20 (2) SUPPLEMENT NOT SUPPLANT.—Amounts
21 authorized to be appropriated pursuant to paragraph
22 (1) shall supplement and not supplant other
23 amounts made available for activities described in
24 this section.

1 **SEC. 11. SUPPORT FOR RUSSIAN DEMOCRACY AND CIVIL**
 2 **SOCIETY ORGANIZATIONS.**

3 (a) *IN GENERAL.*—*The Secretary of State shall, di-*
 4 *rectly or through nongovernmental or international organi-*
 5 *zations, such as the Organization for Security and Co-oper-*
 6 *ation in Europe, the National Endowment for Democracy,*
 7 *and related organizations—*

8 (1) *improve democratic governance, trans-*
 9 *parency, accountability, rule of law, and anti-corrup-*
 10 *tion efforts in the Russian Federation;*

11 (2) *strengthen democratic institutions and polit-*
 12 *ical and civil society organizations in the Russian*
 13 *Federation;*

14 (3) *expand uncensored Internet access in the*
 15 *Russian Federation; and*

16 (4) *expand free and unfettered access to inde-*
 17 *pendent media of all kinds in the Russian Federation,*
 18 *including through increasing United States Govern-*
 19 *ment-supported broadcasting activities, and assist*
 20 *with the protection of journalists and civil society ac-*
 21 *tivists who have been targeted for free speech activi-*
 22 *ties.*

23 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 24 *authorized to be appropriated to the Secretary of State*
 25 *\$20,000,000 for each of fiscal years 2015 through 2017 to*
 26 *carry out the activities set forth in subsection (a).*

1 (c) *STRATEGY REQUIREMENT.*—Not later than 60 days
 2 after the date of the enactment of this Act, the President
 3 shall submit a strategy to carry out the activities set forth
 4 in subsection (a) to—

5 (1) the Committee on Foreign Relations and the
 6 Committee on Appropriations of the Senate; and

7 (2) the Committee on Foreign Affairs and the
 8 Committee on Appropriations of the House of Rep-
 9 resentatives.

10 (d) *TRANSPARENCY REQUIREMENTS.*—Any assistance
 11 provided pursuant to this section shall be conducted in as
 12 transparent of a manner as possible, consistent with the na-
 13 ture and goals of this section. The President shall provide
 14 a briefing on the activities funded by this section at the
 15 request of the committees specified in subsection (c).

16 **SEC. 12. REPORT ON NON-COMPLIANCE BY THE RUSSIAN**
 17 **FEDERATION OF ITS OBLIGATIONS UNDER**
 18 **THE INF TREATY.**

19 (a) *FINDINGS.*—Congress makes the following findings:

20 (1) The Russian Federation is in violation of its
 21 obligations under the Treaty between the United
 22 States of America and the Union of Soviet Socialist
 23 Republics on the Elimination of Their Intermediate-
 24 Range and Shorter-Range Missiles, signed at Wash-
 25 ington December 8, 1987, and entered into force June

1 1, 1988 (commonly referred to as the “Intermediate-
2 Range Nuclear Forces Treaty” or “INF Treaty”).

3 (2) *This behavior poses a threat to the United*
4 *States, its deployed forces, and its allies.*

5 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
6 *that—*

7 (1) *the President should hold the Russian Fed-*
8 *eration accountable for being in violation of its obli-*
9 *gations under the INF Treaty; and*

10 (2) *the President should demand the Russian*
11 *Federation completely and verifiably eliminate the*
12 *military systems that constitute the violation of its*
13 *obligations under the INF Treaty.*

14 (c) *REPORT.—*

15 (1) *IN GENERAL.—Not later than 90 days after*
16 *the date of the enactment of this Act, and every 90*
17 *days thereafter, the President shall submit to the com-*
18 *mittees specified in subsection (d) a report that in-*
19 *cludes the following elements:*

20 (A) *A description of the status of the Presi-*
21 *dent’s efforts, in cooperation with United States*
22 *allies, to hold the Russian Federation account-*
23 *able for being in violation of its obligations*
24 *under the INF Treaty and obtain the complete*
25 *and verifiable elimination of its military systems*

1 *that constitute the violation of its obligations*
2 *under the INF Treaty.*

3 *(B) The President's assessment as to wheth-*
4 *er it remains in the national security interests*
5 *of the United States to remain a party to the*
6 *INF Treaty, and other related treaties and agree-*
7 *ments, while the Russian Federation is in viola-*
8 *tion of its obligations under the INF Treaty.*

9 *(C) Notification of any deployment by the*
10 *Russian Federation of a ground launched bal-*
11 *listic or cruise missile system with a range of be-*
12 *tween 500 and 5,500 kilometers.*

13 *(D) A plan developed by the Secretary of*
14 *State, in consultation with the Director of Na-*
15 *tional Intelligence and the Defense Threat Re-*
16 *duction Agency (DTRA), to verify that the Rus-*
17 *sian Federation has fully and completely dis-*
18 *mantled any ground launched cruise missiles or*
19 *ballistic missiles with a range of between 500*
20 *and 5,500 kilometers, including details on facili-*
21 *ties that inspectors need access to, people inspec-*
22 *tors need to talk with, how often inspectors need*
23 *the accesses for, and how much the verification*
24 *regime would cost.*

1 (2) *FORM.*—*The report required under para-*
2 *graph (1) shall be submitted in unclassified form but*
3 *may contain a classified annex.*

4 (d) *COMMITTEES SPECIFIED.*—*The committees speci-*
5 *fied in this subsection are—*

6 (1) *the Committee on Foreign Relations, the*
7 *Committee on Armed Services, and the Select Com-*
8 *mittee on Intelligence of the Senate; and*

9 (2) *the Committee on Foreign Affairs, the Com-*
10 *mittee on Armed Services, and the Permanent Select*
11 *Committee on Intelligence of the House of Representa-*
12 *tives.*

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113TH CONGRESS
2^D Session

S. 2828

A BILL

To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

SEPTEMBER 18, 2014

Reported with amendments