

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I would, first of all, like to thank my colleague, Ranking Member VELÁZQUEZ, for, once again, working in a bipartisan and cooperative effort. That is one thing on the Small Business Committee we always try to do, and we have a very good working relationship. I want to thank the gentlewoman for continuing that on this bill and bills in the past and, hopefully, bills in the future as well.

Relative to cybersecurity attacks, we have seen the United States under a legion of attacks in recent years. They happen virtually every day. The Federal Government itself has been hit a number of times. The Office of Personnel Management had 20-plus-million personal individuals who had their files hacked in the government. We have seen the Postal Service, we have seen the State Department, and we have even seen the White House hacked. So it is a big problem.

Now, this happens to large corporations. We have had some of the largest corporations who have really taken it on the chin, and literally it cost them millions of dollars. Corporations like Target and you name it, they have really been hit. They generally have the resources that they can recover from this. As detrimental as it is to their business, they survive.

When this happens to small businesses, it may virtually be the death knell for them. You may have families who no longer have their source of support because the business just can't take a hit like this.

In my opening statement, I mentioned the person who knew the restaurant down the street that it happened to them. The businessowner wanted to pay his employees, and he couldn't pay them because his balance was zero. So this is a serious threat.

The small business community needs help. This is a step in the right direction. Representative HANNA, whom we have all praised, really does deserve the praise because he took this and worked very hard to get this bill to the point where we are here tonight. Hopefully we are going to pass the bill.

So I think this is a great piece of legislation. H.R. 5064 would offer much-needed cybersecurity support to America's small businesses. It would also better coordinate the Federal Government's overall strategy in helping small businesses to thwart cyber attacks.

I would urge my colleagues to support this bill.

I yield back the balance of my time.

□ 2015

The SPEAKER pro tempore (Mr. POLIQUIN). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 5064, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### NICARAGUAN INVESTMENT CONDITIONALITY ACT (NICA) OF 2016

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on Financial Services be discharged from further consideration of the bill (H.R. 5708) to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 5708

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Nicaraguan Investment Conditionality Act (NICA) of 2016".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2006, Nicaragua, under President Enrique Bolaños, entered into a \$175,000,000, 5-year compact with the Millennium Challenge Corporation (MCC).

(2) After the 2008 municipal elections, the MCC stated that there was a pattern of decline in political rights and civil liberties in Nicaragua.

(3) In 2009, the MCC terminated the compact and reduced the amount of MCC funds available to Nicaragua by \$61,500,000, which led to the compact ending in 2011.

(4) According to Nicaraguan law, the National Assembly is the only institution allowed to change the constitution but in 2009, Daniel Ortega circumvented the legislature and went to the Supreme Court, which he controls, to rule in his favor that Presidential term limits were inapplicable.

(5) The House Committee on Foreign Affairs convened a congressional hearing on December 1, 2011, entitled "Democracy Held Hostage in Nicaragua: Part 1" where former United States Ambassador to Nicaragua Robert Callahan testified, "First, that Daniel Ortega's candidacy was illegal, illegitimate, and unconstitutional; second, that the period leading to the elections and the elections themselves were marred by serious fraud; third, that Daniel Ortega and his Sandinista party have systematically undermined the country's fragile governmental institutions".

(6) From fiscal year 2012 until present, the Department of State found that Nicaragua did not meet international standards of fiscal transparency.

(7) On January 25, 2012, a press statement from Secretary of State Hillary Clinton said: "As noted by international observers and Nicaraguan civil society groups, Nicaragua's recent elections were not conducted in a transparent and impartial manner, and the entire electoral process was marred by significant irregularities. The elections marked a setback to democracy in Nicaragua and un-

dermined the ability of Nicaraguans to hold their government accountable."

(8) According to the Department of State's 2015 Fiscal Transparency Report: "The government does not publicly account for the expenditure of significant off-budget assistance from Venezuela and this assistance is not subject to audit or legislative oversight. Allocations to and earnings from state-owned enterprises are included in the budget, but most state-owned enterprises are not audited. The supreme audit institution also does not audit the government's full financial statements. Nicaragua's fiscal transparency would be improved by including all off-budget revenue and expenditure in the budget, auditing state-owned enterprises, and conducting a full audit of the government's annual financial statements and making audit reports publicly available within a reasonable period of time."

(9) According to the Department of State's Country Reports on Human Rights Practices for 2015: "In 2011 the Supreme Electoral Council (CSE) announced the re-election of President Daniel Ortega Saavedra of the Sandinista National Liberation Front (FSLN) in elections that international and domestic observers characterized as seriously flawed. International and domestic organizations raised concerns regarding the constitutional legitimacy of Ortega's re-election. The 2011 elections also provided the ruling party with a supermajority in the National Assembly, allowing for changes in the constitution, including extending the reach of executive branch power and the elimination of restrictions on re-election for executive branch officials and mayors. Observers noted serious flaws during the 2012 municipal elections and March 2014 regional elections."

(10) According to the Department of State's Country Reports on Human Rights Practices for 2015 in Nicaragua: "The principal human rights abuses were restrictions on citizens' right to vote; obstacles to freedom of speech and press, including government intimidation and harassment of journalists and independent media, as well as increased restriction of access to public information, including national statistics from public offices; and increased government harassment and intimidation of nongovernmental organizations (NGOs) and civil society organizations."

(11) The same 2015 report stated: "Additional significant human rights abuses included considerably biased policies to promote single-party dominance; arbitrary police arrest and detention of suspects, including abuse during detention; harsh and life-threatening prison conditions with arbitrary and lengthy pretrial detention; discrimination against ethnic minorities and indigenous persons and communities."

(12) In February 2016, the Ortega regime detained and expelled Freedom House's Latin America Director, Dr. Carlos Ponce, from Nicaragua.

(13) On May 10, 2016, the Supreme Electoral Council announced and published the electoral calendar which aims to govern the electoral process.

(14) After receiving the electoral calendar for the 2016 Presidential elections, the Nicaraguan political opposition raised concerns and pointed to a number of anomalies such as: the electoral calendar failed to contemplate national and international observations, failed to agree to publicly publish the precincts results of each Junta Receptora de Voto (JRV), and failed to purge the electoral registration rolls in a transparent and open manner.

(15) Nicaragua's constitution mandates terms of 5 years for municipal authorities,

which would indicate that the next municipal elections must occur in 2017.

(16) On June 3, 2016, the Nicaraguan Supreme Court—which is controlled by Ortega—instructed the Supreme Electoral Council not to swear in Nicaraguan opposition members to the departmental and regional electoral councils.

(17) On June 5, 2016, regarding international observers for the 2016 Presidential elections, Daniel Ortega stated: “Here, the observation ends. Go observe other countries . . . There will be no observation, neither from the European Union, nor the OAS . . .”.

(18) On June 7, 2016, the Department of State’s Bureau of Democracy, Human Rights and Labor posted on social media: “Disappointed government of Nicaragua said it will deny electoral observers requested by Nicaraguan citizens, church, and private sector . . . We continue to encourage the government of Nicaragua to allow electoral observers as requested by Nicaraguans.”.

(19) On June 8, 2016, the Supreme Electoral Council—which is controlled by Ortega—announced a ruling, which changed the leadership structure of the opposition party and in practice allegedly barred all existing opposition candidates from running for office.

(20) On June 14, 2016, Daniel Ortega expelled three United States Government officials (two officials from U.S. Customs and Border Protection and one professor from the National Defense University) from Nicaragua.

(21) On June 22, 2016, a Global Fellow from the Woodrow Wilson Center chose to leave Nicaragua because of fear. According to a media report, the fellow stated “Police were following me. I did not understand the reason why they were following me, but it was clear to me what they were doing . . . Of course (I felt fear), I was surprised especially because the research I am doing is completely academic, not journalistic, and that made me wonder why they would be so interested in something like that.”.

(22) On June 29, 2016, the Department of State issued a Nicaragua Travel Alert which stated: “The Department of State alerts U.S. citizens about increased government scrutiny of foreigners’ activities, new requirements for volunteer groups, and the potential for demonstrations during the upcoming election season in Nicaragua . . . Nicaraguan authorities have denied entry to, detained, questioned, or expelled foreigners, including U.S. government officials, academics, NGO workers, and journalists, for discussions, written reports or articles, photographs, and/or videos related to these topics. Authorities may monitor and question private U.S. citizens concerning their activities, including contact with Nicaraguan citizens.”.

(23) On June 30, 2016, the Human Rights Foundation issued a press release stating: “. . . Daniel Ortega has used all sorts of trickery to push for constitutional reforms and illegal court rulings in order to extend his time in power indefinitely . . . If the opposition is not allowed to meaningfully compete, the upcoming elections in Nicaragua cannot be considered free and fair and the Inter-American Democratic Charter should be applied to the Sandinista regime.”. The release continued, stating that “The principle of alternation of power is enshrined in the Inter-American Democratic Charter (IADC) as an essential element of democracy. Even though Ortega pushed through a constitutional amendment allowing for indefinite re-election, he did so by circumventing the separation of powers illegally. An uncontested re-election of Ortega would clearly violate the IADC, which was signed by Nicaragua in 2001. If that is the case, Secretary General Almagro should activate the

IADC and, if necessary, call for the suspension of Nicaragua from the OAS.”.

### SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) independent pro-democracy organizations in Nicaragua; and

(3) free, fair, and transparent elections under international and domestic observers in Nicaragua in 2016 and 2017.

### SEC. 4. INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The President shall instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the United States to oppose any loan or other utilization of the funds of the respective institution for the benefit of the Government of Nicaragua, other than to address basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Nicaragua is taking effective steps to—

(1) hold free, fair, and transparent elections overseen by credible domestic and international electoral observers;

(2) promote democracy, as well as an independent judiciary system and electoral council;

(3) strengthen the rule of law; and

(4) respect the right to freedom of association and expression.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives;

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTION.—The term “international financial institution” means the International Monetary Fund, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(c) TERMINATION.—This section shall terminate on the day after the date on which the Secretary of State certifies and reports to the appropriate congressional committees that the requirements of subsection (a) are met.

### SEC. 5. ORGANIZATION OF AMERICAN STATES.

(a) FINDINGS.—Congress finds that, according to the Organization of American States (OAS) report on the Nicaraguan 2011 Presidential elections, Nicaragua: Final Report, General Elections, OAS (2011), the OAS made the following recommendations to the Government of Nicaragua:

(1) “Prepare alternative procedures for updating the electoral roll when a registered voter dies.”.

(2) “Publish the electoral roll so that new additions, changes of address and exclusions can be checked.”.

(3) “Reform the mechanism for accreditation of poll watchers using a formula that ensures that the political parties will have greater autonomy to accredit their respective poll watchers.”.

(4) “Institute regulations to ensure that party poll watchers are involved in all areas of the electoral structure, including the departmental, regional and municipal electoral councils and polling stations. Rules should be crafted to spell out their authorities and functions and the means by which they can exercise their authority and perform their functions.”.

(5) “Redesign the CSE administrative structure at the central and field levels, while standardizing technical and operational procedures, including the design of control mechanisms from the time registration to the delivery of the document to the citizens; the process of issuing identity cards should be timed to the calendar and, to avoid congestion within the process, be evenly spaced.”.

(b) ELECTORAL OBSERVATION MISSION.—The President shall direct the United States Permanent Representative to the Organization of American States (OAS) to use the voice, vote, and influence of the United States at the OAS to strongly advocate for an Electoral Observation Mission to be sent to Nicaragua in 2016 and 2017.

### SEC. 6. STATEMENT OF POLICY.

The Department of State and the United States Agency for International Development should prioritize foreign assistance to the people of Nicaragua to assist civil society in democracy and governance programs, including human rights documentation.

AMENDMENT OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Speaker, I have an amendment to the bill at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Nicaraguan Investment Conditionality Act (NICA) of 2016”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2006, Nicaragua, under President Enrique Bolaños, entered into a \$175,000,000, 5-year compact with the Millennium Challenge Corporation (MCC).

(2) After the 2008 municipal elections, the MCC stated that there was a pattern of decline in political rights and civil liberties in Nicaragua.

(3) In 2009, the MCC terminated the compact and reduced the amount of MCC funds available to Nicaragua by \$61,500,000, which led to the compact ending in 2011.

(4) According to Nicaraguan law, the National Assembly is the only institution allowed to change the constitution but in 2009, Daniel Ortega circumvented the legislature and went to the Supreme Court, which he controls, to rule in his favor that Presidential term limits were inapplicable.

(5) The House Committee on Foreign Affairs convened a congressional hearing on December 1, 2011, entitled “Democracy Held Hostage in Nicaragua: Part 1” where former United States Ambassador to Nicaragua Robert Callahan testified, “First, that Daniel Ortega’s candidacy was illegal, illegitimate, and unconstitutional; second, that the period leading to the elections and the elections themselves were marred by serious fraud; third, that Daniel Ortega and his Sandinista party have systematically undermined the country’s fragile governmental institutions”.

(6) From fiscal year 2012 until present, the Department of State found that Nicaragua did not meet international standards of fiscal transparency.

(7) On January 25, 2012, a press statement from Secretary of State Hillary Clinton said:

"As noted by international observers and Nicaraguan civil society groups, Nicaragua's recent elections were not conducted in a transparent and impartial manner, and the entire electoral process was marred by significant irregularities. The elections marked a setback to democracy in Nicaragua and undermined the ability of Nicaraguans to hold their government accountable."

(8) According to the Department of State's 2015 Fiscal Transparency Report: "Nicaragua's fiscal transparency would be improved by including all off-budget revenue and expenditure in the budget, auditing state-owned enterprises, and conducting a full audit of the government's annual financial statements and making audit reports publicly available within a reasonable period of time."

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(11) The same 2015 report stated: "Additional significant human rights abuses included considerably biased policies to promote single-party dominance; arbitrary police arrest and detention of suspects, including abuse during detention; harsh and life-threatening prison conditions with arbitrary and lengthy pretrial detention; discrimination against ethnic minorities and indigenous persons and communities."

(12) In February 2016, the Ortega regime detained and expelled Freedom House's Latin America Director, Dr. Carlos Ponce, from Nicaragua.

(13) On May 10, 2016, the Supreme Electoral Council announced and published the electoral calendar which aims to govern the electoral process.

(14) After receiving the electoral calendar for the 2016 Presidential elections, the Nicaraguan political opposition raised concerns and pointed to a number of anomalies such as: the electoral calendar failed to contemplate national and international observations, failed to agree to publicly publish the precincts results of each Junta Receptora de Voto (JRV), and failed to purge the electoral registration rolls in a transparent and open manner.

(15) Nicaragua's constitution mandates terms of 5 years for municipal authorities, which would indicate that the next municipal elections must occur in 2017.

(16) On June 3, 2016, the Nicaraguan Supreme Court—which is controlled by Nicaragua's leader, Daniel Ortega—instructed the Supreme Electoral Council not to swear in Nicaraguan opposition members to the departmental and regional electoral councils.

(17) On June 5, 2016, regarding international observers for the 2016 Presidential elections, President Ortega stated: "Here, the observation ends. Go observe other countries . . . There will be no observation, neither from the European Union, nor the OAS . . ."

(18) On June 7, 2016, the Department of State's Bureau of Democracy, Human Rights and Labor posted on social media: "Disappointed government of Nicaragua said it will deny electoral observers requested by Nicaraguan citizens, church, and private sector . . . We continue to encourage the government of Nicaragua to allow electoral observers as requested by Nicaraguans."

(19) On June 8, 2016, the Supreme Electoral Council—which is controlled by Nicaragua's leader, Daniel Ortega—announced a ruling, which changed the leadership structure of the opposition party and in practice allegedly barred all existing opposition candidates from running for office.

(20) On June 14, 2016, President Ortega expelled three United States Government officials (two officials from U.S. Customs and Border Protection and one professor from the National Defense University) from Nicaragua.

(21) On June 29, 2016, the Department of State issued a Nicaragua Travel Alert which stated: "The Department of State alerts U.S. citizens about increased government scrutiny of foreigners' activities, new requirements for volunteer groups, and the potential for demonstrations during the upcoming election season in Nicaragua . . . Nicaraguan authorities have denied entry to, detained, questioned, or expelled foreigners, including United States Government officials, academics, NGO workers, and journalists, for discussions, written reports or articles, photographs, and/or videos related to these topics. Authorities may monitor and question private United States citizens concerning their activities, including contact with Nicaraguan citizens."

(22) On August 1, 2016, the Department of State issued a press release to express grave concern over the Nicaraguan government limiting democratic space leading up to the elections in November and stated that "[o]n June 8, the Nicaraguan Supreme Court stripped the opposition Independent Liberal Party (PLI) from its long recognized leader. The Supreme Court took similar action on June 17 when it invalidated the leadership of the Citizen Action Party, the only remaining opposition party with the legal standing to present a presidential candidate. Most recently, on July 29, the Supreme Electoral Council removed 28 PLI national assembly members (16 seated and 12 alternates) from their popularly-elected positions."

### SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) independent pro-democracy organizations in Nicaragua; and

(3) free, fair, and transparent elections under international and domestic observers in Nicaragua in 2016 and 2017.

### SEC. 4. INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The President shall instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the

United States to oppose any loan for the benefit of the Government of Nicaragua, other than to address basic human needs or promote democracy, unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Nicaragua is taking effective steps to—

(1) hold free, fair, and transparent elections overseen by credible domestic and international electoral observers;

(2) promote democracy, as well as an independent judicial system and electoral council;

(3) strengthen the rule of law; and

(4) respect the right to freedom of association and expression.

(b) REPORT.—The Secretary of the Treasury shall submit to the appropriate congressional committees a written report assessing—

(1) the effectiveness of the international financial institutions in enforcing applicable program safeguards in Nicaragua; and

(2) the effects of the matters described in section 2 on long-term prospects for positive development outcomes in Nicaragua.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTION.—The term "international financial institution" means the International Monetary Fund, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(d) TERMINATION.—This section shall terminate on the day after the earlier of—

(1) the date on which the Secretary of State certifies and reports to the appropriate congressional committees that the requirements of subsection (a) are met; or

(2) 5 years after the date of the enactment of this Act.

(e) WAIVER.—The President may waive this section if the President determines that such a waiver is in the national interest of the United States.

### SEC. 5. ORGANIZATION OF AMERICAN STATES.

(a) FINDINGS.—Congress finds that, according to the Organization of American States (OAS) report on the Nicaraguan 2011 Presidential elections, Nicaragua: Final Report, General Elections, OAS (2011), the OAS made the following recommendations to the Government of Nicaragua:

(1) "Prepare alternative procedures for updating the electoral roll when a registered voter dies."

(2) "Publish the electoral roll so that new additions, changes of address and exclusions can be checked."

(3) "Reform the mechanism for accreditation of poll watchers using a formula that ensures that the political parties will have greater autonomy to accredit their respective poll watchers."

(4) "Institute regulations to ensure that party poll watchers are involved in all areas

of the electoral structure, including the departmental, regional and municipal electoral councils and polling stations. Rules should be crafted to spell out their authorities and functions and the means by which they can exercise their authority and perform their functions.”.

(5) “Redesign the CSE administrative structure at the central and field levels, while standardizing technical and operational procedures, including the design of control mechanisms from the time registration to the delivery of the document to the citizens; the process of issuing identity cards should be timed to the calendar and, to avoid congestion within the process, be evenly spaced.”.

(b) **ELECTORAL OBSERVATION MISSION.**—The President shall direct the United States Permanent Representative to the Organization of American States (OAS) to use the voice, vote, and influence of the United States at the OAS to strongly advocate for an Electoral Observation Mission to be sent to Nicaragua in 2016 and 2017.

#### SEC. 6. STATEMENT OF POLICY.

The Department of State and the United States Agency for International Development should prioritize foreign assistance to the people of Nicaragua to assist civil society in democracy and governance programs, including human rights documentation.

#### SEC. 7. REPORT ON CORRUPTION IN NICARAGUA.

(a) **REPORT REQUIREMENT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), shall submit to Congress a report on the involvement of senior Nicaraguan government officials, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in acts of public corruption or human rights violations in Nicaragua.

(b) **FORM.**—The report required in subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be made available to the public.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: “A bill to oppose loans at international financial institutions for the Government of Nicaragua, other than to address basic human needs or promote democracy, unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.”.

A motion to reconsider was laid on the table.

#### STABILITY AND DEMOCRACY FOR UKRAINE ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5094) to contain, reverse, and deter Russian aggression in Ukraine, to assist Ukraine's democratic transition, and for other purposes, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 5094

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Stability and Democracy for Ukraine Act” or “STAND for Ukraine Act”.

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

Sec. 1. Short title and table of contents.

Sec. 2. Statements of policy.

#### TITLE I—CRIMEA ANNEXATION NON-RECOGNITION

Sec. 101. United States policy against recognition of territorial changes effected by force alone.

Sec. 102. Prohibitions against United States recognition of the Russian Federation's annexation of Crimea.

Sec. 103. Determinations and codification of sanctions under Executive Order 13685.

#### TITLE II—SANCTIONS PROVISIONS

Sec. 201. Prohibiting certain transactions with foreign sanctions evaders and serious human rights abusers with respect to the Russian Federation.

Sec. 202. Report on certain foreign financial institutions.

Sec. 203. Requirements relating to transfers of defense articles and defense services to the Russian Federation.

#### TITLE III—OTHER MATTERS

Sec. 301. Strategy to respond to Russian Federation-supported information and propaganda efforts directed toward Russian-speaking communities in countries bordering the Russian Federation.

Sec. 302. Cost limitation.

Sec. 303. Sunset.

#### SEC. 2. STATEMENTS OF POLICY.

(a) **IN GENERAL.**—It is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and territorial integrity to contain, reverse, and deter Russian aggression in Ukraine. That policy shall be carried into effect, among other things, through a comprehensive effort, in coordination with allies and partners of the United States where appropriate, that includes sanctions, diplomacy, and assistance, including lethal defensive weapons systems, for the people of Ukraine intended to enhance their ability to consolidate a rule of law-based democracy with a free market economy and to exercise their right under international law to self-defense.

(b) **ADDITIONAL STATEMENT OF POLICY.**—It is further the policy of the United States—

(1) to use its voice, vote, and influence in international fora to encourage others to provide assistance that is similar to assistance described in subsection (a) to Ukraine; and

(2) to ensure that any relevant sanctions relief for the Russian Federation is contingent on timely, complete, and verifiable implementation of the Minsk Agreements, especially the restoration of Ukraine's control of the entirety of its eastern border with the Russian Federation in the conflict zone.

#### TITLE I—CRIMEA ANNEXATION NON-RECOGNITION

#### SEC. 101. UNITED STATES POLICY AGAINST RECOGNITION OF TERRITORIAL CHANGES EFFECTED BY FORCE ALONE.

Between the years of 1940 and 1991, the United States did not recognize the forcible

incorporation and annexation of the three Baltic States of Lithuania, Latvia, and Estonia into the Soviet Union under a policy known as the “Stimson Doctrine”.

#### SEC. 102. PROHIBITIONS AGAINST UNITED STATES RECOGNITION OF THE RUSSIAN FEDERATION'S ANNEXATION OF CRIMEA.

(a) **IN GENERAL.**—In accordance with United States policy enumerated in section 101, no Federal department or agency should take any action or extend any assistance that recognizes or implies any recognition of the de jure or de facto sovereignty of the Russian Federation over Crimea, its airspace, or its territorial waters.

(b) **DOCUMENTS PORTRAYING CRIMEA AS PART OF RUSSIAN FEDERATION.**—In accordance with United States policy enumerated in section 101, the Government Printing Office should not print any map, document, record, or other paper of the United States portraying or otherwise indicating Crimea as part of the territory of the Russian Federation.

#### SEC. 103. DETERMINATIONS AND CODIFICATION OF SANCTIONS UNDER EXECUTIVE ORDER 13685.

(a) **DETERMINATIONS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains the assessment described in paragraph (2).

(2) **ASSESSMENT DESCRIBED.**—The assessment described in this paragraph is—

(A) a review of each person designated pursuant to Executive Order 13660 (March 6, 2014; 79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine) or Executive Order 13661 (March 16, 2014; 79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine); and

(B) a determination as to whether any such person meets the criteria for designation pursuant to Executive Order 13685 (December 19, 2014; 79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine).

(3) **FORM.**—The assessment required by paragraph (2) shall be submitted in unclassified form but may contain a classified annex.

(b) **CODIFICATION.**—United States sanctions provided for in Executive Order 13685, as in effect on the day before the date of the enactment of this Act, shall remain in effect until the date on which the President submits to the appropriate congressional committees a certification described in subsection (c).

(c) **CERTIFICATION.**—A certification described in this subsection is a certification of the President that Ukraine's sovereignty over Crimea has been restored.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to restrict the authority of the President to impose additional United States sanctions with specific respect to the Russian Federation's occupation of Crimea pursuant to Executive Order 13685.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.