

posture toward Russia, believe that President Trump may be compromised by our biggest enemy. I don't think that has ever happened, certainly in my memory, in my lifetime, and I can't remember an incident in history where this has happened this way.

President Trump ought to reverse course immediately. He can start by revoking his invitation to President Putin to visit the White House this fall.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

# ZIMBABWE DEMOCRACY AND ECONOMIC RECOVERY AMENDMENT ACT OF 2018

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 499, S. 2779.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2779) to amend the Zimbabwe Democracy and Economic Recovery Act of 2001.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Zimbabwe Democracy and Economic Recovery Amendment Act of 2018”.

## SEC. 2. RECONSTRUCTION AND REBUILDING OF ZIMBABWE.

Section 2 of the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107–99; 22 U.S.C. 2151 note) is amended by inserting “to enable Zimbabweans to reconstruct and rebuild Zimbabwe and come to terms with the past through a process of genuine reconciliation that acknowledges past human rights abuses and orders inquiries into disappearances, including the disappearance of human rights activists, such as Patrick Nabanyama, Itai Dzamara, and Paul Chizuze” before the period at the end.

## SEC. 3. FINDINGS.

Section 4(a) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in paragraph (1), by striking “costly deployment of troops to the Democratic Republic of the Congo” and inserting “private appropriation of public assets”; and

(2) by adding at the end the following:

“(6) In October 2016, the Government of Zimbabwe cleared a small hurdle in its long-standing public sector arrears with the IMF.”.

## SEC. 4. PROVISIONS RELATED TO MULTILATERAL DEBT RELIEF AND OTHER FINANCIAL ASSISTANCE.

Section 4(b)(2) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in subparagraph (A), by striking “to propose that the bank should undertake a review of the feasibility of restructuring, rescheduling, or eliminating the sovereign debt of Zimbabwe held by that bank” and inserting “to support efforts to reevaluate plans to restructure, rebuild, reschedule, or eliminate Zimbabwe’s sovereign debt held by that bank and provide an analysis based on reasonable financial options to achieve those goals”; and

(2) in subparagraph (B), by striking “dollar” and inserting “currency”.

## SEC. 5. ADDITIONAL CERTIFICATION REQUIREMENTS FOR ASSISTANCE.

Section 4(d) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) by amending paragraph (2) to read as follows:

“(2) PRE- AND POST-ELECTION CONDITIONS.—The following pre- and post-election conditions are met:

“(A) Establishment and public release, without cost, of a provisional and a final voter registration roll.

“(B) The Zimbabwe Electoral Commission is permitted to entirely carry out the functions assigned to it in section 239 of Zimbabwe’s 2013 Constitution in an independent manner, and the chairperson meets with and consults regularly with representatives of political parties represented in the parliament of Zimbabwe and those parties contesting the elections.

“(C) Consistent with Zimbabwe’s 2013 Constitution, the Defence Forces of Zimbabwe—

“(i) are neither permitted to actively participate in campaigning for any candidate nor to intimidate voters;

“(ii) are required to verifiably and credibly uphold their Constitutionally mandated duty to respect the fundamental rights and freedoms of all persons and to be nonpartisan in character; and

“(iii) are not permitted to print, transfer, or control ballots or transmit the results of elections.

“(D) International observers, including from the United States, the African Union, the Southern African Development Community, and the European Union—

“(i) are permitted to observe the entire electoral process prior to, on, and following voting day, including by monitoring polling stations and tabulation centers; and

“(ii) are able to independently access and analyze vote tallying tabulation and the transmission and content of voting results.

“(E) Candidates are allowed access to public broadcasting media during the election period, as provided in Zimbabwe’s Electoral Act, and candidates are able to campaign in an environment that is free from intimidation and violence.

“(F) Civil society organizations are able to freely and independently carry out voter and civic education, and to monitor the entire electoral process, including by observing, recording, and transmitting publicly-posted or announced voting results, including at the ward, constituency, and all higher levels of the vote tallying process.”;

(2) by redesignating paragraphs (3) and (5) as paragraphs (8) and (9), respectively;

(3) by striking paragraph (4);

(4) by inserting after paragraph (2) the following:

“(3) PRESIDENTIAL ELECTION.—Zimbabwe has held an election that is widely accepted as free, fair, and credible by independent international and domestic civil society monitors, and the president-elect is free to assume the duties of the office.

“(4) UPDATING STATUTES.—Laws enacted prior to passage of Zimbabwe’s March 2013 Constitution that are inconsistent with the new Constitution are amended or repealed or are subject to a formal process for review and correction so that such laws are consistent with the new Constitution.

“(5) UPHOLDING THE CONSTITUTION.—The Government of Zimbabwe—

“(A) has made significant progress on the implementation of all elements of the new Constitution; and

“(B) has demonstrated its commitment to sustain such efforts in achieving full implementation of the new Constitution.

“(6) ECONOMIC REFORMS.—The Government of Zimbabwe has demonstrated a sustained commitment to reforming Zimbabwe’s economy in ways that will promote economic growth, address unemployment and underdevelopment, and restore livelihoods, including significant progress toward monetary policy reform, particularly with the Reserve Bank of Zimbabwe, and currency exchange reforms.

“(7) ROLE OF TRADITIONAL LEADERS.—Traditional leaders of Zimbabwe observe section 281 of the 2013 Constitution and are not using humanitarian assistance provided by outside donor organizations or countries in a politicized manner to intimidate or pressure voters during the campaign period.”; and

(5) in paragraph (8), as redesignated by paragraph (2) of this subsection, by striking “consistent with” and all that follows through “September 1998”.

## SEC. 6. REMOVAL OF AUTHORITY TO PAY LAND ACQUISITION COSTS.

Section 5(a) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in paragraph (2), by striking “, including the payment of costs” and all that follows through “thereto; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) identify and recover stolen public assets.”.

## SEC. 7. INCLUSION OF AUSTRALIA AND THE UNITED KINGDOM IN CONSULTATIONS ABOUT ZIMBABWE.

Section 6 of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended by inserting “Australia, the United Kingdom,” after “Canada.”.

## SEC. 8. SENSE OF CONGRESS ON ENFORCEMENT OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY TRIBUNAL RULINGS.

It is the sense of Congress that the Government of Zimbabwe and the Southern African Development Community (referred to in this section as “SADC”) should enforce the SADC tribunal rulings from 2007 to 2010, including 18 disputes involving employment, commercial, and human rights cases surrounding dispossessed Zimbabwean commercial farmers and agricultural companies.

## SEC. 9. SENSE OF CONGRESS ON THE UNITED STATES-ZIMBABWE BILATERAL RELATIONSHIP.

It is the sense of Congress that the United States Government is optimistic about the possibility for a stronger bilateral relationship with Zimbabwe, including in the areas of trade and investment, if—

(1) the Government of Zimbabwe takes concrete, tangible steps outlined in paragraphs (2) through (6) of section 4(d) of the Zimbabwe Democracy and Economic Recovery Act of 2001, as amended by section 5 of this Act; and

(2) takes concrete, tangible steps towards—

(A) good governance, including respect for the opposition, rule of law, and human rights;

(B) economic reforms such as respect for contracts and private property rights; and

(C) identification and recovery of stolen private and public assets within Zimbabwe and abroad.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn, the Flake amendment at the desk be agreed to, and the bill, as amended, be considered read a third time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 3541) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Zimbabwe Democracy and Economic Recovery Amendment Act of 2018”.

#### SEC. 2. RECONSTRUCTION AND REBUILDING OF ZIMBABWE.

Section 2 of the Zimbabwe Democracy and Economic Recovery Act of 2001 (22 U.S.C. 2151 note; Public Law 107–99) is amended by striking “and restore the rule of law” and inserting “restore the rule of law, reconstruct and rebuild Zimbabwe, and come to terms with the past through a process of genuine reconciliation that acknowledges past human rights abuses and orders inquiries into disappearances, including the disappearance of human rights activists, such as Patrick Nabanyama, Itai Dzamara, and Paul Chizuze”.

#### SEC. 3. FINDINGS.

Section 4(a) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in paragraph (1), by striking “costly deployment of troops to the Democratic Republic of the Congo” and inserting “private appropriation of public assets”; and

(2) by adding at the end the following:

“(6) In October 2016, the Government of Zimbabwe cleared a small hurdle in its longstanding public sector arrears with the IMF.”.

#### SEC. 4. PROVISIONS RELATED TO MULTILATERAL DEBT RELIEF AND OTHER FINANCIAL ASSISTANCE.

Section 4(b)(2) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in subparagraph (A), by striking “to propose that the bank should undertake a review of the feasibility of restructuring, rescheduling, or eliminating the sovereign debt of Zimbabwe held by that bank” and inserting “to support efforts to reevaluate plans to restructure, rebuild, reschedule, or eliminate Zimbabwe’s sovereign debt held by that bank and provide an analysis based on reasonable financial options to achieve those goals”; and

(2) in subparagraph (B), by striking “dollar” and inserting “currency”.

#### SEC. 5. SENSE OF CONGRESS ON THE UNITED STATES-ZIMBABWE BILATERAL RELATIONSHIP.

It is the sense of Congress that the United States should seek to forge a stronger bilateral relationship with Zimbabwe, including in the areas of trade and investment, if the following conditions are satisfied:

(1) The Government of Zimbabwe takes the concrete, tangible steps outlined in paragraphs (1) through (4) of section 4(d) of the Zimbabwe Democracy and Economic Recovery Act of 2001, as amended by section 6 of this Act.

(2) The Government of Zimbabwe takes concrete, tangible steps towards—

(A) good governance, including respect for the opposition, rule of law, and human rights;

(B) economic reforms that promote growth, address unemployment and underdevelopment, restore livelihoods, ensure re-

spect for contracts and private property rights, and promote significant progress toward monetary policy reforms, particularly with the Reserve Bank of Zimbabwe, and currency exchange reforms; and

(C) identification and recovery of stolen private and public assets within Zimbabwe and in other countries.

(3) The Government of Zimbabwe holds an election that is widely accepted as free and fair, based on the following pre- and post-election criteria or conditions:

(A) Establishment and public release, without cost, of a provisional and a final voter registration roll.

(B) The Zimbabwe Electoral Commission is permitted to entirely carry out the functions assigned to it under section 239 of Zimbabwe’s 2013 Constitution in an independent manner, and the chairperson meets and consults regularly with representatives of political parties represented in the parliament of Zimbabwe and the parties contesting the elections.

(C) Consistent with Zimbabwe’s 2013 Constitution, the Defence Forces of Zimbabwe—

(i) are neither permitted to actively participate in campaigning for any candidate nor to intimidate voters;

(ii) are required to verifiably and credibly uphold their constitutionally-mandated duty to respect the fundamental rights and freedoms of all persons and to be nonpartisan in character; and

(iii) are not permitted to print, transfer, or control ballots or transmit the results of elections.

(D) International observers, including observers from the United States, the African Union, the Southern African Development Community, and the European Union—

(i) are permitted to observe the entire electoral process prior to, on, and following voting day, including by monitoring polling stations and tabulation centers; and

(ii) are able to independently access and analyze vote tallying tabulation and the transmission and content of voting results.

(E) Candidates are allowed access to public broadcasting media during the election period, consistent with Zimbabwe’s Electoral Act and are able to campaign in an environment that is free from intimidation and violence.

(F) Civil society organizations are able to freely and independently carry out voter and civic education and monitor the entire electoral process, including by observing, recording, and transmitting publicly-posted or announced voting results at the ward, constituency, and all higher levels of the vote tallying process.

(4) Laws enacted prior to the passage of Zimbabwe’s March 2013 Constitution that are inconsistent with the new Constitution are amended, repealed, or subjected to a formal process for review and correction so that such laws are consistent with the new Constitution.

(5) The Government of Zimbabwe—

(A) has made significant progress on the implementation of all elements of the new Constitution; and

(B) has demonstrated its commitment to sustain such efforts in achieving full implementation of the new Constitution.

(6) Traditional leaders of Zimbabwe observe section 281 of the 2013 Constitution and are not using humanitarian assistance provided by outside donor organizations or countries in a politicized manner to intimidate or pressure voters during the campaign period.

#### SEC. 6. CERTIFICATION REQUIREMENTS.

Section 4(d) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in paragraph (3), by striking “consistent with” and all that follows through “September 1998”;

(2) by striking paragraph (4); and

(3) by redesignating paragraph (5) as paragraph (4).

#### SEC. 7. REMOVAL OF AUTHORITY TO PAY LAND ACQUISITION COSTS.

Section 5(a) of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended—

(1) in paragraph (2), by striking “, including the payment of costs” and all that follows through “thereto; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) identify and recover stolen public assets.”.

#### SEC. 8. INCLUSION OF AUSTRALIA, THE UNITED KINGDOM, THE AFRICAN UNION, AND THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY IN CONSULTATIONS ABOUT ZIMBABWE.

Section 6 of the Zimbabwe Democracy and Economic Recovery Act of 2001 is amended by inserting “Australia, the United Kingdom, the African Union, the Southern African Development Community,” after “Canada,”.

#### SEC. 9. SENSE OF CONGRESS ON ENFORCEMENT OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY TRIBUNAL RULINGS.

It is the sense of Congress that the Government of Zimbabwe and the Southern African Development Community (referred to in this section as “SADC”) should enforce the SADC tribunal rulings issued between 2007 to 2010, including 18 disputes involving employment, commercial, and human rights cases surrounding dispossessed Zimbabwean commercial farmers and agricultural companies.

The bill was ordered to be engrossed for a third reading and was read the third time.

Ms. MURKOWSKI. Mr. President, I know of no further debate on the bill.

The ACTING PRESIDENT pro tempore. There being no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2779), as amended, was passed.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019—Continued

Ms. MURKOWSKI. Mr. President, I will just take a few moments as we are waiting for greater discussion about our appropriations package that is on the floor.

##### TRIBUTE TO MARGE MULLEN

Mr. President, the community of Soldotna, AK, in South Central Alaska—what we call the Kenai Peninsula—is going to be celebrating their Progress Days this weekend. On Friday, we have a homestead community barbecue, where a very special individual will be recognized as the first female homesteader in Soldotna.