and second times by unanimous consent, and referred as indicated:

By Mr. MCCONNELL:

S. 28. A bill to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes; read the first time.

By Mr. WARNER (for himself and Mr. RUBIO):

S. 29. A bill to establish the Office of Critical Technologies and Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER:

S.J. Res. 2. A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HYDE-SMITH:

S.J. Res. 3. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 20, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

January 3, 2019

By Mr. THUNE (for himself, Mr. WICKER, Ms. CANTWELL, Mr. BLUMENTHAL, Mr. JONES, Ms. COLLINS, and Mrs. HYDE-SMITH):

S. 21. A bill making continuing appropriations for Coast Guard pay in the event an appropriations act expires prior to the enactment of a new appropriations act; read the first time.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 21

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 ''Pay Our Coast Guard Act''.

SEC. 2. CONTINUING APPROPRIATIONS FOR THE COAST GUARD.

There are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for any period during which interim or full-year appropriations for the Coast Guard are not in effect—

(1) such sums as are necessary to provide pay and allowances to members of the Coast Guard (as described in section 1 of title 14, United States Code), including the reserve component thereof, who perform active service or inactive-duty training during such period;

(2) such sums as are necessary to provide pay and allowances to civilian employees of the Coast Guard;

(3) such sums as are necessary to provide pay and allowances to contractors of the Coast Guard;

(4) such sums as are necessary for—

(A) the payment of a death gratuity under sections 1475-1477 and 1489 of title 10, United States Code, with respect to members of the Coast Guard;

(B) the payment or reimbursement of authorized funeral travel and travel related to the dignified transfer of remains and unit memorial services under section 481f of title 37, United States Code, with respect to members of the Coast Guard; and

(C) the temporary continuation of a basic allowance of housing for dependents of members of the Coast Guard dying on active duty, as authorized by section 403(l) of title 37, United States Code; and

(5) such sums as are necessary to provide for Coast Guard retired pay, including such payments as are described in the provision regarding Coast Guard retired pay in title II of division F of the Consolidated Appropriations Act 2018 (P.L. 115–141; 132 Stat. 348).

SEC. 3. TERMINATION.

Appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs:

(1) The enactment into law of an appropriation (including a continuing appropriation) for any purpose for which amounts are made available in section 2.

(2) The enactment into law of the applicable regular or continuing appropriations resolution or other Act without any appropriation for such purpose.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 28. A bill to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 28

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 ''United States-Jordan Defense Cooperation Extension Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) In December 2011, Congress passed section 7041(b) of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1223), which appropriated funds made available under the heading ''Economic Support Fund'' to establish an enterprise fund for Jordan.

(2) The intent of an enterprise fund is to attract private investment to help entrepreneurs and small businesses create jobs and to achieve sustainable economic development.

(3) Jordan is an instrumental partner in the fight against terrorism, including as a member of the Global Coalition To Counter ISIS and the Combined Joint Task Force - Operation Inherent Resolve.

(4) In 2014, His Majesty King Abdullah stated that ''Jordanians and Americans have been standing shoulder to shoulder against extremism for many years, but to a new level with this coalition against ISIL''.

(5) On February 3, 2015, the United States signed a 3-year memorandum of understanding with Jordan, pledging to provide the kingdom with $1,000,000,000 annually in United States foreign assistance, subject to the approval of Congress.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Jordan plays a critical role in responding to the overwhelming humanitarian needs created by the conflict in Syria; and

(2) Jordan, the United States, and other partners should continue working together to address this humanitarian crisis and promote regional stability, including through support for refugees in Jordan and internally displaced people along the Jordan-Syria border and the creation of conditions inside Syria that will allow for the secure, dignified, and voluntary return of people displaced by the crisis.

SEC. 4. REAUTHORIZATION OF UNITED STATES-JORDAN DEFENSE COOPERATION ACT OF 2015.

Section 5(a) of the United States-Jordan Defense Cooperation Act of 2015 (22 U.S.C. 2753 note) is amended—

(1) by striking ''During the 3-year period'' and inserting ''During the period''; and

(2) by inserting ''and ending on December 31, 2022'' after ''enactment of this Act''.

SEC. 5. REPORT ON ESTABLISHING AN ENTERPRISE FUND FOR JORDAN.

(a) IN GENERAL.—Not later than 180 days after the establishment of the United States Development Finance Corporation, the President shall submit to the appropriate congressional committees a detailed report assessing the costs and benefits of the United States Development Finance Corporation establishing a Jordan Enterprise Fund.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

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

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

By Mr. SCHUMER:

S.J. Res. 2. A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SCHUMER. Mr. President, on December 19, as Congress was preparing to leave for the holidays, the Treasury Department notified Congress of its intent to terminate within 30 days a set of Russia sanctions imposed on En+ Group plc (''En+''), UC Rusal plc (''Rusal''), and JSC EuroSibEnergo (''ESE''). Each of these firms were sanctioned because they were owned or controlled by Oleg Deripaska, a notorious Russian oligarch and trusted agent of Vladimir Putin. As Treasury noted when it sanctioned him: ''Deripaska has been investigated for money laundering, and accused of threatening the lives of business rivals, illegally wiretapping a government official, and taking part in extortion and racketeering. There are also allegations that Deripaska bribed a government official, ordered the murder of a businessman, and had links to a Russian organized crime group.''

In its notification letter, Treasury argued it had secured an agreement with Deripaska, the companies and other stakeholders involved to significantly restructure the companies and make corporate governance changes. Under the agreement, Deripaska will remain sanctioned, and his property will remain blocked. The Treasury Department proposes to remove the three firms, including the huge Russian aluminum producer Rusal, from the sanctions list in the belief that the agreement will effectively separate the companies from Deripaska, eliminating his control over them and sharply limiting his influence. The proposal also reportedly places limits on any family members of Deripaska who are also significant investors in the companies.

I noted in December that Treasury's decision raises critical questions that the Administration must answer about whether the structural and governance changes made by these companies are sufficient to ensure that Deripaska is no longer directing or even influencing these firms. I have also said that it remains to be seen whether Treasury's approach can succeed in Putin's Russia. Serious questions remain about whether Treasury can monitor and enforce the agreement even with the monitoring mechanisms proposed.

The timing of Treasury's notice compressed an already tight 30-day review timetable provided for in sanctions law, giving Congress until January 17 to make its own independent assessment of whether it adequately protects US economic and national security, especially with respect to Russia. The Congressional review provisions of CAATSA were designed for precisely this kind of circumstance. They were imposed by Congress after serious questions had arisen about President Trump's relationship with Russia. Members on both sides of the aisle wanted an opportunity to independently assess the Administration's actions to lift, terminate or issue licenses on Russia-related sanctions. Those questions still linger, and have become even more pronounced in recent days.

The formal review process is underway. The Banking and Foreign Relations committees are assessing the terms of the agreement, and the documents that have been provided by Treasury. But time is short, and if we did not introduce a resolution today we would have been overtaken by events, since any resolution must be pending in committee for ten days before it is subject to discharge to the full Senate. So today I am introducing such a resolution. I do so not because I have concluded that Congress should act to disapprove this agreement—I have not made that determination yet—but to preserve the procedural option of moving to bring up such a resolution at the end of the review process, if necessary, for expedited review and a vote by the full Senate.

I intend to consult with my colleagues on the Banking, Foreign Relations, and Intelligence Committees, and others, before making a judgment on whether to call for consideration, under expedited procedures provided for in CAATSA, of this disapproval resolution. I know my colleagues will carefully review the proposal, and I look forward to hearing their conclusions once that assessment is complete.

I ask unanimous consent that the Treasury Department's report provided pursuant to section 216 of CAATSA be printed in the RECORD.

Mr. PRESIDENT. Without objection, so ordered.

DEPARTMENT OF THE TREASURY,
Washington, DC, December 19, 2018.

Hon. SHERROD BROWN,
Ranking Member, Committee on Banking, Housing & Urban Affairs, U.S. Senate, Washington, DC.

DEAR RANKING MEMBER BROWN: With this letter, we wish to provide you with notification that Treasury intends to terminate the sanctions imposed on En+ Group plc (''En+''), UC Rusal plc (''Rusal''), and JSC EuroSibEnergo (''ESE'') in 30 days. En+, Rusal, and ESE have agreed to undertake significant restructuring and corporate governance changes to address the circumstances that led to their designation, including reducing Oleg Deripaska's direct and indirect shareholding stake in those entities to below 50 percent; overhauling the composition of those entities' boards of directors; taking restrictive steps related to their corporate governance; and agreeing to unprecedented transparency by undertaking extensive, ongoing auditing, certification, and reporting requirements. As part of this agreement, half of En+'s restructured board of directors will be comprised of U.S. or UK nationals and Rusal's current board chairman will step down. Deripaska will remain sanctioned. All of Deripaska's property and interests in property, including entities in which he owns a fifty percent or greater interest, will remain blocked, and foreign persons will continue to be subject to secondary sanctions should they knowingly facilitate a significant transaction for or on behalf of Deripaska or entities in which he owns a fifty percent or greater interest. None of the transactions to be undertaken to divest Deripaska of his interests in these companies will allow Deripaska to obtain cash either in return for shares relinquished in, or from future dividends he may receive from, En+, Rusal, or ESE. OFAC reserves the right to relist any or all of these companies should the change in circumstances represented by their implementation of the agreement with OFAC be reversed, including by a material breach of the terms of the agreement.

1. BACKGROUND

On April 6, 2018, OFAC designated seven Russian oligarchs, including Oleg Deripaska, and 12 companies they own or control. This action also targeted 17 senior government officials as well as a state-owned Russian weapons trading company and its subsidiary, a Russian bank. The April 6 action aggressively targeted Russian oligarchs and elites that further the Kremlin's global malign activities, including its attempts to subvert Western democracy, its support for the Assad regime, its malicious cyber activities, its occupation of Crimea, and its instigation of violence in Ukraine. This sanctions action was one of many that the Treasury Department has taken to target Russia's malign behavior. Under this Administration, Treasury has sanctioned 256 Russia-related individuals and entities, including 150 individuals and entities under Ukraine/Russia-related sanctions authorities codified by the Countering America's Adversaries Through Sanctions Act (CAATSA).

Among the 12 companies targeted on April 6, OFAC designated En+ for being owned or controlled by, directly or indirectly, Deripaska, and placed En+ on its list of Specially Designated Nationals and Blocked Persons (''SDN List'') pursuant to Executive Order 13661 of March 16, 2014, ''Blocking Property of Additional Persons Contributing to the Situation in Ukraine'' (''E.O. 13661'') and Executive Order 13662 of March 20, 2014, ''Blocking Property of Additional Persons Contributing to the Situation in Ukraine'' (''E.O. 13662''). OFAC also designated Rusal for being owned or controlled by, directly or indirectly, En+; Deripaska has a 0.01 percent direct ownership interest in Rusal, and his involvement was not a basis for the designation of Rusal. OFAC also designated ESE for being owned or controlled by, directly or indirectly, En+ and Deripaska. As with En+, OFAC placed both Rusal and ESE on the SDN List pursuant to E.O. 13661 and E.O. 13662.

The action on April 6 was among the most impactful targeted sanctions actions ever taken by OFAC and included many of the globally integrated companies the oligarchs rely on to generate their wealth. The designation of Rusal, the world's second largest aluminum producer, was felt immediately in global aluminum markets. The price of aluminum soared in the weeks following the designation, and Rusal subsidiaries in the United States, Ireland, Sweden, Jamaica, Guinea, and elsewhere faced imminent closure without limited sanctions mitigation in the form of OFAC general licenses.

2. EN+, RUSAL, AND ESE PETITION OFAC FOR DELISTING

As stated publicly by Treasury Secretary Steven T. Mnuchin, the designations of En+, Rusal, and ESE, as well as the follow-on collateral consequences, were not the primary aim of the April 6 sanctions against Deripaska. Rather, En+, Rusal, and ESE were designated due to their entanglement with Deripaska. Economic sanctions, including those in E.O. 13661 and E.O. 13662, are designed to change behavior. In this case, the objectives of the sanctions were to reduce Deripaska's ownership in and sever his control of these entities.

Upon their designation on April 6, 2018, En+, Rusal, and ESE (collectively, the ''Petitioners'') approached the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) to petition for delisting pursuant to 31 C.F.R. §501.807. The Petitioners, led by Lord Gregory Barker, the former Minister of State for Energy and Climate Change for the United Kingdom, have engaged in negotiations with OFAC extensively during the past eight months, while OFAC evaluated whether Petitioners were credibly able to make material changes in the structure and composition of the companies such to be eligible for delisting. Petitioners conducted themselves throughout in a cooperative and transparent manner. Petitioners submitted proposals whereby they would sever the ownership and control of Deripaska over Petitioners. Throughout the negotiations, OFAC pressed for terms that were targeted towards further restricting Deripaska. Ultimately, OFAC and the Petitioners were able to settle on terms acceptable to OFAC and implementable by Petitioners. As a result, Petitioners have agreed to undertake significant restructuring and corporate governance changes to address the circumstances that led to their designation, including significantly reducing Deripaska's direct and indirect shareholding stake in Petitioners; overhauling the composition of their boards of

directors; taking other restrictive steps related to their corporate governance; and agreeing to undertake extensive, ongoing auditing, certification, and reporting requirements.

3. CHANGE IN CIRCUMSTANCES WITH RESPECT TO EN+, RUSAL, AND ESE

Since their designation and following months of detailed negotiations with Treasury, OFAC has secured from Petitioners a binding agreement that severs Deripaska's control over these critical revenue-generating entities and reduces his ownership in these entities below 50 percent, thereby untangling and protecting these companies from the controlling influence of a Kremlin insider. The agreement between OFAC and the Petitioners is subject to approval by a number of stakeholders. Furthermore, the agreement reached between OFAC and the Petitioners will create an unprecedented level of transparency for the U.S. government into these global companies, along with the other substantial concessions obtained from them.

With the change in circumstances that led to the original designations of Petitioners, including Petitioners' ongoing substantial commitments, this letter serves as notification of Treasury's intention to terminate the sanctions imposed on En+, Rusal, and ESE in 30 days. Treasury also assesses that this action—a removal based on a change in factual circumstances that is in line with longstanding U.S. sanctions precedent and practice designed to change behavior—is not intended to significantly alter U.S. foreign policy.

We stress that Deripaska will remain sanctioned and on OFAC's SDN List. All of Deripaska's property and interests in property, including entities in which he owns a fifty percent or greater interest, will remain blocked. The result of OFAC's conditions for delisting is that Deripaska's investment in En+ is isolated and frozen. En+ is the linchpin underlying the designations of these companies, since Deripaska has virtually no direct ownership stake in Rusal, and none at all in ESE. Specifically, Deripaska's stake in En+ will be reduced from approximately 70 percent to 44.95 percent, and his stake cannot be increased in the future. Pursuant to the agreement, Deripaska's stake in En+ will be reduced through corporate restructuring transactions that do not involve the transfer of funds directly or indirectly to Deripaska, as well as by a donation of shares to a charitable foundation. None of the transactions to be undertaken consistent with the agreement will allow Deripaska to obtain cash either in return for his shares or from future dividends issued by En+, Rusal, or ESE. Future dividends to which Deripaska may be entitled due to his diminished ownership interests will be placed into a blocked account. Furthermore, foreign persons will be subject to secondary sanctions under section 228 of the CAATSA should they knowingly facilitate a significant transaction for or on behalf of Deripaska. Finally, OFAC has made it clear to the Petitioners that it reserves the right to relist any or all of the Petitioners should the change in circumstances represented by their implementation of the agreement with OFAC be reversed, including by a material breach of the terms of the agreement.

4. DETAILS OF THE RESTRUCTURING AGREED TO BY EN+, RUSAL, AND ESE

The significant restructuring and corporate governance changes agreed to by Petitioners have been documented in a ''Terms of Removal,'' which is a binding agreement between Petitioners and OFAC that remains in effect as long as Deripaska is on the SDN List. The foundation of this agreement is the role of En+ in the restructuring and corporate governance changes. Deripaska will have no direct ownership stake in ESE and will retain only a 0.01 percent direct ownership stake in Rusal. En+ will own and control Rusal and ESE, which operates to isolate and freeze Deripaska's indirect ownership in Rusal and ESE. Through the Terms of Removal, Petitioners agreed to implement the following:

Deripaska's ownership in En+ brought well below 50 percent. Deripaska's stake in En+ will fall from approximately 70 percent to 44.95 percent, and his stake cannot be increased. Pursuant to the Terms of Removal, VTB Bank or another non-SDN assignee approved by OFAC (''VTB Bank'') will take ownership of a block of Deripaska's shares in En+ pledged as collateral for previously issued obligations of entities controlled by Deripaska issued by VTB Bank. Deripaska's ownership interest in En+ will fall further as a result of a restructuring transaction whereby the Swiss company Glencore, or its subsidiary, swaps shares in Rusal for a direct ownership interest in En+. The end result of these corporate transactions will be a significant fall in Deripaska's ownership of En+, none of which involve the transfer of funds directly or indirectly to Deripaska. Deripaska will also donate a block of shares to a charitable foundation. None of the transactions to be undertaken consistent with the agreement will allow Deripaska to obtain cash either in return for his shares or from future dividends issued by En+, Rusal, or ESE.

Limited voting rights in En+. Deripaska will not be able to vote more than 35 percent of En+ shares, as Deripaska will assign any voting rights above 35 percent of En+ shares to a voting trust obligated to vote in the same manner as the majority of shares held by shareholders other than Deripaska. Furthermore, OFAC has identified several shareholders with professional or family ties to Deripaska. In all such cases, En+ has agreed to assign the voting rights under these shares to an independent third party with no personal or professional ties to Deripaska. Furthermore, VTB Bank will reassign voting rights associated with the shares it takes ownership of to an independent third party.

Independent board of directors for En+. En+ agreed to create a board of 12 directors with a majority of independent directors. Eight of the directors will be independent of Deripaska and selected through an agreed-to process that utilizes an executive search firm to select members with no business, professional, or family ties to Deripaska or any other designated person. With these changes, half of the En+ board will now be U.S. or UK nationals with extensive business expertise. OFAC has vetted the entire slate of the proposed new board members. Prior to designation, En+'s board was not majority-independent and consisted of 12 directors, of whom only three were independent non-executive directors. Deripaska will have the right to nominate no more than four directors. Replacements for these eight will be selected through the same process, with an opportunity for further review by OFAC. En+ has agreed that Directors nominated by Deripaska will not be permitted to sit on the Audit or Nominations committees.

Further extinguishment of control. To further extinguish potential avenues of control by Deripaska, Deripaska is required by the Terms of Removal to provide a deed letter to En+ that includes a number of binding legal commitments severing his ability to control En+. Specifically, the deed letter provides that En+ and Deripaska explicitly agree not to act in any manner or to enter into any arrangement, whether by contract, trust, or otherwise, that directly or indirectly provides Deripaska with the ability to exercise a controlling influence over the management or policies of En+ or any entity owned or controlled by En+, including Rusal and ESE. En+ also has agreed to certify that, besides the right to nominate four directors, it has not granted Deripaska or any of his relatives any rights beyond those of ordinary shareholders with respect to En+ and any entity owned or controlled by En+.

Ongoing transparency through auditing, certification, and reporting. The Petitioners have agreed to provide OFAC with an unprecedented level of transparency into the management and operation of these companies. En+ and Rusal agreed to comply with ongoing auditing, certification, and reporting requirements, including: (i) auditing En+'s and Rusal's engagements with and obligations to Deripaska and any entities controlled by Deripaska as well as certifications that such engagements have been terminated or do not constitute control by Deripaska; (ii) providing OFAC monthly certifications of compliance with the agreed upon Terms of Removal; (iii) providing OFAC quarterly company reports for En+ and Rusal; (iv) providing OFAC board minutes for En+ and Rusal; (v) immediately notifying OFAC of any change in the composition of the independent En+ board and certifying that any such change is consistent with the selection process outlined in the Terms of Removal; (vi) immediately notifying OFAC of any anticipated changes to the identity of any independent third party assigned voting rights in relation to En+ and certifying that such individual has no business, professional, or family ties to Deripaska or any other SDN; (vii) immediately notifying OFAC of any anticipated change in ownership of shares of En+ related to the Terms of Removal and certifying, inter alia, that the change is consistent with the Terms of Removal and that Deripaska's ownership shall not rise above 44.95 percent; (viii) immediately notifying OFAC of any anticipated changes to the constituent documents of any of the Petitioners and certifying the anticipated changes are consistent with the Terms of Removal.

In all cases, notifications and certifications required to be made under the Terms of Removal are designed to ensure that Deripaska cannot obtain increased influence over En+ or Rusal by changes in the management or ownership of En+. Furthermore, En+ has agreed that no entity owned or controlled by En+, including En+ and Rusal, will change its place of incorporation to Russia from any other jurisdiction without an affirmative vote of the new En+ board and certifications to OFAC.

En+ has agreed to respond fully and expeditiously to any request for information from OFAC regarding the Terms of Removal or general sanctions compliance. OFAC will continue to actively monitor the Petitioners' compliance with the Terms of Removal for any information suggesting that Deripaska, any entity in which he owns a 50 percent or greater interest, or any other blocked person seeks to influence the Petitioners. All of the information provided and certifications En+ is required to make under the Terms of Removal will be directed to OFAC's Office of Global Targeting, the office that develops evidentiary packages to designate individuals and entities and which manages the delisting process.

Additional commitments with respect to Rusal. OFAC designated Rusal for being owned or controlled by En+. Therefore, through the same binding agreement with OFAC, Rusal and En+ agreed that En+, once it is no longer subject to sanctions, shall continue to control Rusal through a 56.88 percent stake and that En+ shall retain its right to nominate the CEO of Rusal.

Deripaska will only retain a direct shareholding interest in Rusal of 0.01 percent and any dividends from this interest would be placed in a blocked account. En+ has committed to use its majority control of Rusal to create a board of 14 members, and a majority of those board members (eight) will be independent non-executive directors who have no business, professional, or family ties to Deripaska, or any other SDN. The Chairman of the Board of Rusal will be one of the independent non-executive directors, and the current Chairman of Rusal (Matthias Warnig) is stepping down as a condition of the delisting of Rusal and further will no longer be a member of the Rusal board. The other six directors will likewise have no business, professional, or family ties to Deripaska, or any other SDN, other than their professional backgrounds as employees of Rusal or En+. Deripaska will have no right to appoint any board members of Rusal. Prior to designation, Rusal's board was not majority-independent and consisted of 18 directors, of whom only six were independent non-executive directors. OFAC has vetted the current slate of directors for Rusal's board, will review any future independent director candidates, and will monitor all director appointments to ensure Rusal's ongoing compliance with the Terms of Removal. Rusal has also agreed to extensive certification and reporting requirements similar to those agreed to by En+. Furthermore, En+ has agreed that it will use its majority control of Rusal to provide ongoing auditing and monitoring of potential Deripaska involvement in Rusal.

Commitments with respect to ESE. OFAC designated ESE for being owned or controlled by En+ and Deripaska. ESE is a Russian power company and a wholly owned subsidiary of En+. It does not have an independent board of directors, and day-to-day management is the responsibility of the General Director, who is appointed and overseen by the En+ board of directors. The change in ownership and control of En+ described above would also extinguish Deripaska's control of ESE. Deripaska will not have any direct shareholding interest in ESE. Furthermore, ESE's General Director will provide OFAC with monthly certifications that he or she is not acting for or on behalf of Deripaska, or any other SDN, and that control over ESE rests with the General Director of ESE and En+. As a wholly owned subsidiary of En+, the reporting and certification requirements that En+ committed to will necessarily encompass ESE operations and management.

5. ONGOING OFAC MONITORING AND ENFORCEMENT

OFAC will continue to enforce its sanctions on Deripaska aggressively, including by closely monitoring the Petitioners' compliance with the Terms of Removal (''TOR''). Should one or all of the Petitioners fail to abide by the binding TOR, OFAC will consider all remedies at its disposal, including re-designating the offending entity.

Enforcement through complete transparency. The TOR agreed to between OFAC and Petitioners require unprecedented transparency. The Petitioners must regularly provide OFAC with information and certifications about their compliance with the TOR. This will supplement and be confirmed with the U.S. Government's own information.

The Petitioners are required to provide OFAC monthly certifications regarding independence from Deripaska and any other designated person; En+ and Rusal, which make extensive commitments in the TOR, are required to certify monthly to their compliance with respect to all elements of the TOR.

En+ and Rusal are required to submit to OFAC copies of their quarterly reports, board minutes, and audit reports related to Deripaska's or other designated persons' potential collateral involvement in En+ and Rusal.

En+ and Rusal are required to give OFAC notice of and an opportunity to respond to anticipated changes in the composition of their boards, as well as of anticipated changes to third parties assigned voting rights pursuant to the commitments in the TOR.

En+ and Rusal are required to commit to respond in full and on a timely basis to any additional questions from OFAC related to compliance with the TOR.

En+ and Rusal are required to agree that if OFAC provides En+/Rusal with information that bears on the compliance of En+/Rusal with any of the elements of the TOR—including with respect to the independence of any of the eight non-Deripaska appointed directors of En+ or with respect to any of the eight independent non-executive directors of Rusal—En+/Rusal will report to OFAC promptly on any actions that will be undertaken to remediate the issues identified by OFAC and will provide OFAC with an opportunity to respond or object to those actions.

OFAC reserves the right to relist any or all of the Petitioners to the extent that the change in circumstances represented by Petitioners' entering into and adhering to the TOR is reversed, including by a material breach of the TOR.

Additional mechanisms for enforcement. Over and above the TOR, OFAC retains broad authorities to potentially designate or bring an enforcement action for direct or indirect dealings with Deripaska or any other designated person in the course of dealing with the Petitioners.

Notwithstanding the delisting of the Petitioners, Deripaska remains sanctioned. OFAC, therefore, has the authority to designate any person for providing, directly or indirectly, material support to Deripaska, including, for example, an ''independent'' director who acts at Deripaska's behest.

Notwithstanding a delisting of the Petitioners, U.S. persons will continue to be prohibited from dealing, directly or indirectly, with Deripaska or any other designated person. OFAC's civil enforcement authorities and processes to address such a situation are described in detail in OFAC's Economic Sanctions Enforcement Guidelines, 31 C.F.R. part 501, app. A.

Notwithstanding a delisting of the Petitioners, non-U.S. persons will face potential secondary sanctions for knowingly facilitating significant transactions for or on behalf of Deripaska or any other person or entity subject to sanctions imposed by the United States with respect to the Russian Federation, as described in OFAC's guidance.

6. CONCLUSION

Treasury officials stand ready to engage and answer any questions that may arise upon review of this submission, Moreover, the Petitioners have confirmed their consent to the release of the proprietary information contained in the TOR to the appropriate congressional leadership and committees as may be necessary. Please feel free to reach out to Treasury's Office of Legislative Affairs at (202) 622–1900 if you would like to discuss this matter further.

Sincerely,

ANDREA M. GACKI,
Director, Office of Foreign Assets Control.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD. There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on December 19, 2018, relating to terminating sanctions imposed on En+ Group plc (''En+''), UC Rusal plc (''Rusal''), and JSC EuroSibEnergo (''ESE'').

The PRESIDING OFFICER. The Senator from Iowa.

REMEMBERING JOHN C. CULVER

Mr. GRASSLEY. Mr. President, I come to the Senate floor to pay my respects and to pay tribute to a fellow Iowan. This fellow Iowan served for 6 years right here in the U.S. Senate. In fact, the Iowan who brings me to the floor today is my predecessor, the Honorable John C. Culver.

I was sorry to learn that Senator Culver passed away the day after Christmas. I have no doubt that his spirit of public service and his commitment to civic engagement will carry on for generations to come. I will come back to this legacy in just a moment.

John and I had our differences, as he was a Democrat and I a Republican, but we shared a commitment to public service and to working to advance the interests of the people of the great State of Iowa. We both had the privilege of serving Iowans in both Houses of Congress. For a decade, John represented Iowa's Second District in the House of Representatives, from 1965 to 1975. I represented Iowa's Third District from 1975 to 1980. Then we both had the opportunity to represent the State of Iowa here in the U.S. Senate.

John made the decision to pursue a life of public service early in his life. After graduating from Franklin High School in Cedar Rapids, Senator Culver headed east to Boston, MA. He earned his undergraduate degree in American Government from Harvard University. He also played fullback for the Crimson football team. He was brawny and had a big build. In fact, he was even drafted to the NFL, but John punted a career on the gridiron and answered the call to a different vocation, and that was to public service.

First, he served for 3 years in the U.S. Marine Corps. Then, after earning his law degree from Harvard Law School, he returned home to Iowa and ran for public office.

When Senator Culver was serving in the U.S. House of Representatives, I was serving in the Iowa statehouse. Although we shared a passion for public service, we didn't share the same space on the political spectrum, but our constituents expected their elected officeholders to bring Iowa integrity to that job.

In politics, family is often a uniting factor. Senator Culver's son, Chet, served as the Governor of Iowa from 2007 to 2011. In fact, the last time I saw