

people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the “Heavenly Hundred” who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government’s unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine’s territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine’s defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation’s ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation’s commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State’s Crimea Declaration, announced on July 25, 2018, that rejects Russia’s attempted annexation of Crimea and pledges to maintain this policy until Ukraine’s territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine’s economic stability, and threatens to increase the country’s vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memo-

randum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine’s pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine’s democracy over the past five years, most visibly displayed in the conduct of the country’s recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine’s upcoming parliamentary elections.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 9:30 a.m., to conduct a hearing on the nomination of Mark T. Esper, of Virginia, to be Secretary of Defense.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 10 a.m., to conduct a hearing on the following nominations: Ann C. Fisher, of the District of Columbia, and Ashley Jay Elizabeth Poling, of North Carolina, both to be a Commissioner of the Postal Regulatory Commission, Catherine Bird, of Texas, to be General Counsel of the Federal Labor Relations Authority, and Rainey R. Brandt, and Shana Frost Matini, both to be an Associate Judge of the Superior Court of the District of Columbia.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. PAUL. Mr. President, I ask unanimous consent that the following interns in my office be granted floor privileges for the remainder of the Congress: Ava Kester, Taylor Ecleberry, Jesse Green, Zach Pennington, Hayden Crosby, Kathleen Dudgeon, and Samuel Grise.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKING THE FIFTH ANNIVERSARY OF UKRAINE’S REVOLUTION OF DIGNITY BY HONORING THE BRAVERY, DETERMINATION, AND SACRIFICE OF THE PEOPLE OF UKRAINE DURING AND SINCE THE REVOLUTION, AND CONDEMNING CONTINUED RUSSIAN AGGRESSION AGAINST UKRAINE

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 103, S. Res. 74.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 74) marking the fifth anniversary of Ukraine’s Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations without amendment and with an amendment to the preamble, as follows:

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovich to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovich regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the "dictatorship laws", were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them "anti-democratic";

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovich's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the "Heavenly Hundred";

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovich fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovich had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments

as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law On the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovich to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovich guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters; and

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(8) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(9) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(10) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(11) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements; and

(12) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence.

Mr. THUNE. Madam President, I ask unanimous consent that the Portman amendment to the resolution at the desk be considered and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 926) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to

fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine's democracy over the past five years, most visibly displayed in the conduct of the country's recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine's upcoming parliamentary elections.

Mr. THUNE. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on passage of the resolution.

The resolution, as amended, was agreed to.

Mr. THUNE. Madam President, I further ask unanimous consent that the committee-reported amendment to the preamble be withdrawn; that the Portman amendment to the preamble at the desk be considered and agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment to the preamble was withdrawn.

The amendment (No. 925) was agreed to as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovich to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovich regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the dictatorship laws, were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them anti-democratic;

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovich's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the Heavenly Hundred;

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovich fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovich had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law on the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovich to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovych guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters;

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933;

Whereas, on March 31, 2019 and April 21, 2019, Ukraine held the first and second rounds of its presidential election;

Whereas these elections were widely recognized by international observers as being free, fair, and conducted without serious, widespread irregularities;

Whereas the large turnout and civic activism related to the election highlight the ongoing support of the Ukrainian people for continued Western integration, political, economic, and judicial reform, and renewed anticorruption efforts;

Whereas Volodymyr Zelensky won Ukraine's presidential election and was inaugurated on May 20, 2019, concluding a peaceful transfer of power from former President Petro Poroshenko; and

Whereas parliamentary elections in Ukraine are scheduled for July 21, 2019: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution (S. Res. 74), as amended, and its preamble, as amended, was agreed to as follows:

S. RES. 74

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovych to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovych regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the dictatorship laws, were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them anti-democratic;

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovych's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the Heavenly Hundred;

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovych fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovych had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law On the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which

has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovych to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovych guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters;

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933;

Whereas, on March 31, 2019 and April 21, 2019, Ukraine held the first and second rounds of its presidential election;

Whereas these elections were widely recognized by international observers as being free, fair, and conducted without serious, widespread irregularities;

Whereas the large turnout and civic activism related to the election highlight the ongoing support of the Ukrainian people for continued Western integration, political, economic, and judicial reform, and renewed anticorruption efforts;

Whereas Volodymyr Zelensky won Ukraine's presidential election and was inaugurated on May 20, 2019, concluding a peaceful transfer of power from former President Petro Poroshenko; and

Whereas parliamentary elections in Ukraine are scheduled for July 21, 2019: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order

to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine's democracy over the past five years, most visibly displayed in the conduct of the country's recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine's upcoming parliamentary elections.

PAYMENT INTEGRITY INFORMATION ACT OF 2019

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 76, S. 375.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 375) to improve efforts to identify and reduce Governmentwide improper payments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. THUNE. Madam President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 375

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 "Payment Integrity Information Act of 2019".

SEC. 2. IMPROPER PAYMENTS.

(a) IN GENERAL.—Chapter 33 of title 31, United States Code, is amended by adding at the end the following:

"Subchapter IV—Improper Payments

"§ 3351. Definitions

"In this subchapter:

"(1) ANNUAL FINANCIAL STATEMENT.—The term 'annual financial statement' means the annual financial statement required under section 3515 of this title or similar provision of law.

"(2) COMPLIANCE.—The term 'compliance' means that an executive agency—

"(A) has—

"(i) published improper payments information with the annual financial statement of the executive agency for the most recent fiscal year; and

"(ii) posted on the website of the executive agency that statement and any accompanying materials required under guidance of the Office of Management and Budget;

"(B) if required, has conducted a program specific risk assessment for each program or activity that conforms with the requirements under section 3352(a);

"(C) if required, publishes improper payments estimates for all programs and activities identified under section 3352(a) in the accompanying materials to the annual financial statement;

"(D) publishes programmatic corrective action plans prepared under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement;

"(E) publishes improper payments reduction targets established under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed to be at risk, and has demonstrated improvements and developed a plan to meet the reduction targets; and

"(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 3352(c).

"(3) DO NOT PAY INITIATIVE.—The term 'Do Not Pay Initiative' means the initiative described in section 3354(b).

"(4) IMPROPER PAYMENT.—The term 'improper payment'—

"(A) means any payment that should not have been made or that was made in an incorrect amount, including an overpayment or underpayment, under a statutory, contractual, administrative, or other legally applicable requirement; and

"(B) includes—

"(i) any payment to an ineligible recipient;

"(ii) any payment for an ineligible good or service;

"(iii) any duplicate payment;

"(iv) any payment for a good or service not received, except for those payments where authorized by law; and

"(v) any payment that does not account for credit for applicable discounts.

"(5) PAYMENT.—The term 'payment' means any transfer or commitment for future transfer of Federal funds such as cash, securities, loans, loan guarantees, and insurance subsidies to any non-Federal person or entity or a Federal employee, that is made by a Federal agency, a Federal contractor, a Federal grantee, or a governmental or other organization administering a Federal program or activity.

"(6) PAYMENT FOR AN INELIGIBLE GOOD OR SERVICE.—The term 'payment for an ineligible good or service' includes a payment for any good or service that is rejected under any provision of any contract, grant, lease, cooperative agreement, or other funding mechanism.

"(7) RECOVERY AUDIT.—The term 'recovery audit' means a recovery audit described in section 3352(i).

"(8) STATE.—The term 'State' means each State of the United States, the District of Columbia, each territory or possession of the United States, and each Federally recognized Indian tribe.

"§ 3352. Estimates of improper payments and reports on actions to reduce improper payments

"(a) IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES.—

"(1) IN GENERAL.—The head of each executive agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget—

"(A) periodically review all programs and activities that the head of the executive agency administers; and

"(B) identify all programs and activities with outlays exceeding the statutory threshold dollar amount described in paragraph (3)(A)(i) that may be susceptible to significant improper payments.

"(2) FREQUENCY.—A review under paragraph (1) shall be performed for each program and activity that the head of an executive agency administers not less frequently than once every 3 fiscal years.

"(3) RISK ASSESSMENTS.—

"(A) DEFINITION OF SIGNIFICANT.—In this paragraph, the term 'significant' means that, in the preceding fiscal year, the sum of a program or activity's improper payments and payments whose propriety cannot be determined by the executive agency due to lacking or insufficient documentation may have exceeded—

"(i) \$10,000,000 of all reported program or activity payments of the executive agency made during that fiscal year and 1.5 percent of program outlays; or

"(ii) \$100,000,000.

"(B) SCOPE.—In conducting a review under paragraph (1), the head of each executive agency shall take into account those risk factors that are likely to contribute to a susceptibility to significant improper payments, such as—

"(i) whether the program or activity reviewed is new to the executive agency;

"(ii) the complexity of the program or activity reviewed;

"(iii) the volume of payments made through the program or activity reviewed;

"(iv) whether payments or payment eligibility decisions are made outside of the executive agency, such as by a State or local government;

"(v) recent major changes in program funding, authorities, practices, or procedures;