

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby order as follows:

I hereby delegate to the Secretary of State the authority to prepare and submit to the Congress the reports and strategies required by subsections 6(b), 7(d), 9(c), and 10(c) of the Ukraine Freedom Support Act of 2014 (Public Law 113-272) (the “Act”).

Any reference in this memorandum to the Act shall be deemed to be a reference to any future Act that is the same or substantially the same as such provision.

BARACK OBAMA.

§ 8926. Expanded nonmilitary assistance for Ukraine

(a) Assistance to internally displaced people in Ukraine

(1) In general

Not later than 30 days after December 18, 2014, the Secretary of State shall submit a plan, including actions by the United States Government, other governments, and international organizations, to meet the need for protection of and assistance for internally displaced persons in Ukraine, to—

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

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(2) Elements

The plan required by paragraph (1) should include, as appropriate, activities in support of—

(A) helping to establish a functional and adequately resourced central registration system in Ukraine that can ensure coordination of efforts to provide assistance to internally displaced persons in different regions;

(B) encouraging adoption of legislation in Ukraine that protects internally displaced persons from discrimination based on their status and provides simplified procedures for obtaining the new residency registration or other official documentation that is a prerequisite to receiving appropriate social payments under the laws of Ukraine, such as pensions and disability, child, and unemployment benefits; and

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

(i) government agencies and independent groups that can provide assistance to such persons in various regions; and

(ii) evacuation assistance available to persons seeking to flee armed conflict areas.

(3) Assistance through international organizations

The President shall instruct the United States permanent representative or executive director, as the case may be, to the relevant United Nations voluntary agencies, including the United Nations High Commissioner for Refugees and the United Nations Office for the

Coordination of Humanitarian Affairs, and other appropriate international organizations, to use the voice and vote of the United States to support appropriate assistance for internally displaced persons in Ukraine.

(b) Assistance to the defense sector of Ukraine

The Secretary of State and the Secretary of Defense should assist entities in the defense sector of Ukraine to reorient exports away from customers in the Russian Federation and to find appropriate alternative markets for those entities in the defense sector of Ukraine that have already significantly reduced exports to and cooperation with entities in the defense sector of the Russian Federation.

(c) Assistance to address the energy crisis in Ukraine

(1) Emergency energy assistance

(A) Plan required

The Secretary of State and the Secretary of Energy, in collaboration with the Administrator of the United States Agency for International Development and the Administrator of the Federal Emergency Management Agency, shall work with officials of the Government of Ukraine to develop a short-term emergency energy assistance plan designed to help Ukraine address the potentially severe short-term heating fuel and electricity shortages facing Ukraine in 2014 and 2015.

(B) Elements

The plan required by subparagraph (A) should include strategies to address heating fuel and electricity shortages in Ukraine, including, as appropriate—

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

(ii) the repair or replacement of infrastructure that could impede the transmission of electricity or transportation of fuel;

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

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

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

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

(C) Assistance

The Secretary of State, the Secretary of Energy, and the Administrator of the United States Agency for International Development are authorized to provide assistance in support of, and to invest in short-term solu-

tions for, enabling Ukraine to secure the energy safety of the people of Ukraine during 2014 and 2015, including through—

- (i) procurement and transport of emergency fuel supplies, including reverse pipeline flows from Europe;
- (ii) provision of technical assistance for crisis planning, crisis response, and public outreach;
- (iii) repair of infrastructure to enable the transport of fuel supplies;
- (iv) repair of power generating or power transmission equipment or facilities;
- (v) procurement and installation of compressors or other appropriate equipment to enhance short-term natural gas production;
- (vi) procurement of mobile electricity generation units;
- (vii) conversion of natural gas heating facilities to run on other fuels, including alternative energy sources; and
- (viii) provision of emergency weatherization and winterization materials and supplies.

(2) Reduction of Ukraine's reliance on energy imports

(A) Plans required

The Secretary of State, in collaboration with the Secretary of Energy and the Administrator of the United States Agency for International Development, shall work with officials of the Government of Ukraine to develop medium- and long-term plans to increase energy production and efficiency to increase energy security by helping Ukraine reduce its dependence on natural gas imported from the Russian Federation.

(B) Elements

The medium- and long-term plans required by subparagraph (A) should include strategies, as appropriate, to—

- (i) improve corporate governance and unbundling of state-owned oil and gas sector firms;
- (ii) increase production from natural gas fields and from other sources, including renewable energy;
- (iii) license new oil and gas blocks transparently and competitively;
- (iv) modernize oil and gas upstream infrastructure; and
- (v) improve energy efficiency.

(C) Prioritization

The Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Energy should, during fiscal years 2015 through 2018, work with other donors, including multilateral agencies and nongovernmental organizations, to prioritize, to the extent practicable and as appropriate, the provision of assistance from such donors to help Ukraine to improve energy efficiency, increase energy supplies produced in Ukraine, and reduce reliance on energy imports from the Russian Federation, including natural gas.

(D) Authorization of appropriations

There are authorized to be appropriated \$50,000,000 in the aggregate for fiscal years

2016 through 2018 to carry out activities under this paragraph.

(3) Support from the United States International Development Finance Corporation

The United States International Development Finance Corporation shall—

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

(B) implement procedures for expedited review and, as appropriate, approval, of applications for loans, loan guarantees, and insurance for such investments.

(4) Support by the World Bank Group and the European Bank for Reconstruction and Development

The President shall, to the extent practicable and as appropriate, direct the United States Executive Directors of the World Bank Group and the European Bank for Reconstruction and Development to use the voice, vote, and influence of the United States to encourage the World Bank Group and the European Bank for Reconstruction and Development and other international financial institutions—

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

(B) to stimulate private investment in such projects.

(d) Assistance to civil society in Ukraine

(1) In general

The Secretary of State and the Administrator of the United States Agency for International Development shall, directly or through nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

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

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

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

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

(2) Strategy required

Not later than 60 days after December 18, 2014, the President shall submit a strategy to carry out the activities described in paragraph (1) to—

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

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

(3) Authorization of appropriations

There are authorized to be appropriated to the Secretary of State \$20,000,000 for fiscal year 2016 to carry out this subsection.

(4) Transparency requirements

Any assistance provided pursuant to this subsection shall be conducted in as transparent of a manner as possible, consistent with the nature and goals of this subsection. The President shall provide a briefing on the activities funded by this subsection at the request of the committees specified in paragraph (2).

(Pub. L. 113–272, §7, Dec. 18, 2014, 128 Stat. 2960; Pub. L. 115–254, div. F, title VI, §1470(r), Oct. 5, 2018, 132 Stat. 3518.)

Editorial Notes

AMENDMENTS

2018—Subsec. (c)(3). Pub. L. 115–254, §1470(r)(1), (2), substituted “United States International Development Finance Corporation” for “Overseas Private Investment Corporation” in heading and introductory provisions.

Subsec. (c)(3)(B). Pub. L. 115–254, §1470(r)(3), struck out “by eligible investors (as defined in section 2198 of this title)” after “of applications”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–254 effective at the end of the transition period, as defined in section 9681 of this title, see section 1470(w) of Pub. L. 115–254, set out as a note under section 905 of Title 2, The Congress.

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under subsec. (d) of this section delegated to Secretary of State by Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8927. Expanded broadcasting in countries of the former Soviet Union

(a) In general

Not later than 90 days after December 18, 2014, the Chairman of the Broadcasting Board of Governors shall submit to Congress a plan, including a cost estimate, for immediately and substantially increasing, and maintaining through fiscal year 2017, the quantity of Russian-language broadcasting into the countries of the former Soviet Union funded by the United States in order to counter Russian Federation propaganda.

(b) Prioritization of broadcasting into Ukraine, Georgia, and Moldova

The plan required by subsection (a) shall prioritize broadcasting into Ukraine, Georgia, and Moldova by the Voice of America and Radio Free Europe/Radio Liberty.

(c) Additional priorities

In developing the plan required by subsection (a), the Chairman shall consider—

(1) near-term increases in Russian-language broadcasting for countries of the former Soviet Union (other than the countries specified in subsection (b)), including Latvia, Lithuania, and Estonia; and

(2) increases in broadcasting in other critical languages, including Ukrainian and Romanian languages.

(d) Broadcasting defined

In this section, the term “broadcasting” means the distribution of media content via radio broadcasting, television broadcasting, and Internet-based platforms, among other platforms.

(e) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Broadcasting Board of Governors \$10,000,000 for each of fiscal years 2016 through 2018 to carry out activities under this section.

(2) Supplement not supplant

Amounts authorized to be appropriated pursuant to paragraph (1) shall supplement and not supplant other amounts made available for activities described in this section.

(Pub. L. 113–272, §8, Dec. 18, 2014, 128 Stat. 2964.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Broadcasting Board of Governors renamed United States Agency for Global Media pursuant to section 6204(a)(21) of this title. The renaming was effectuated by notice to congressional appropriations committees dated May 24, 2018, and became effective Aug. 22, 2018.

§ 8928. Support for Russian democracy and civil society organizations

(a) In general

The Secretary of State shall, directly or through nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

(1) improve democratic governance, transparency, accountability, rule of law, and anti-corruption efforts in the Russian Federation;

(2) strengthen democratic institutions and political and civil society organizations in the Russian Federation;

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

(4) expand free and unfettered access to independent media of all kinds in the Russian Federation, including through increasing United States Government-supported broadcasting activities, and assist with the protection of journalists and civil society activists who have been targeted for free speech activities.

(b) Authorization of appropriations

There are authorized to be appropriated to the Secretary of State \$20,000,000 for each of fiscal years 2016 through 2018 to carry out the activities set forth in subsection (a).

(c) Strategy requirement

Not later than 60 days after December 18, 2014, the President shall submit a strategy to carry out the activities set forth in subsection (a) to—