

113TH CONGRESS
2^D SESSION

H. R. 5859

AN ACT

To impose sanctions with respect to the Russian Federation,
to provide additional assistance to Ukraine, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Ukraine Freedom Support Act of 2014”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Statement of policy regarding Ukraine.
- Sec. 4. Sanctions relating to the defense and energy sectors of the Russian Federation.
- Sec. 5. Sanctions on Russian and other foreign financial institutions.
- Sec. 6. Increased military assistance for the Government of Ukraine.
- Sec. 7. Expanded nonmilitary assistance for Ukraine.
- Sec. 8. Expanded broadcasting in countries of the former Soviet Union.
- Sec. 9. Support for Russian democracy and civil society organizations.
- Sec. 10. Report on non-compliance by the Russian Federation of its obligations under the INF Treaty.
- Sec. 11. Rule of construction.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
9 ABLE-THROUGH ACCOUNT.—The terms “account”,
10 “correspondent account”, and “payable-through ac-
11 count” have the meanings given those terms in sec-
12 tion 5318A of title 31, United States Code.

13 (2) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Foreign Relations
17 and the Committee on Banking, Housing, and
18 Urban Affairs of the Senate; and

1 (B) the Committee on Foreign Affairs and
2 the Committee on Financial Services of the
3 House of Representatives.

4 (3) DEFENSE ARTICLE; DEFENSE SERVICE;
5 TRAINING.—The terms “defense article”, “defense
6 service”, and “training” have the meanings given
7 those terms in section 47 of the Arms Export Con-
8 trol Act (22 U.S.C. 2794).

9 (4) FINANCIAL INSTITUTION.—The term “fi-
10 nancial institution” means a financial institution
11 specified in subparagraph (A), (B), (C), (D), (E),
12 (F), (G), (H), (I), (J), (M), or (Y) of section
13 5312(a)(2) of title 31, United States Code.

14 (5) FOREIGN FINANCIAL INSTITUTION.—The
15 term “foreign financial institution” has the meaning
16 given that term in section 561.308 of title 31, Code
17 of Federal Regulations (or any corresponding similar
18 regulation or ruling).

19 (6) FOREIGN PERSON.—The term “foreign per-
20 son” means any individual or entity that is not a
21 United States citizen, a permanent resident alien, or
22 an entity organized under the laws of the United
23 States or any jurisdiction within the United States.

24 (7) KNOWINGLY.—The term “knowingly”, with
25 respect to conduct, a circumstance, or a result,

1 means that a person has actual knowledge, or should
2 have known, of the conduct, the circumstance, or the
3 result.

4 (8) **RUSSIAN PERSON.**—The term “Russian per-
5 son” means—

6 (A) an individual who is a citizen or na-
7 tional of the Russian Federation; or

8 (B) an entity organized under the laws of
9 the Russian Federation.

10 (9) **SPECIAL RUSSIAN CRUDE OIL PROJECT.**—

11 The term “special Russian crude oil project” means
12 a project intended to extract crude oil from—

13 (A) the exclusive economic zone of the
14 Russian Federation in waters more than 500
15 feet deep;

16 (B) Russian Arctic offshore locations; or

17 (C) shale formations located in the Rus-
18 sian Federation.

19 **SEC. 3. STATEMENT OF POLICY REGARDING UKRAINE.**

20 It is the policy of the United States to further assist
21 the Government of Ukraine in restoring its sovereignty
22 and territorial integrity to deter the Government of the
23 Russian Federation from further destabilizing and invad-
24 ing Ukraine and other independent countries in Central
25 and Eastern Europe, the Caucasus, and Central Asia.

1 That policy shall be carried into effect, among other
2 things, through a comprehensive effort, in coordination
3 with allies and partners of the United States where appro-
4 priate, that includes economic sanctions, diplomacy, as-
5 sistance for the people of Ukraine, and the provision of
6 military capabilities to the Government of Ukraine that
7 will enhance the ability of that Government to defend itself
8 and to restore its sovereignty and territorial integrity in
9 the face of unlawful actions by the Government of the
10 Russian Federation.

11 **SEC. 4. SANCTIONS RELATING TO THE DEFENSE AND EN-**
12 **ERGY SECTORS OF THE RUSSIAN FEDERA-**
13 **TION.**

14 (a) SANCTIONS RELATING TO THE DEFENSE SEC-
15 TOR.—

16 (1) ROSOBORONEXPORT.—Except as provided
17 in subsection (d), not later than 30 days after the
18 date of the enactment of this Act, the President
19 shall impose 3 or more of the sanctions described in
20 subsection (c) with respect to Rosoboronexport.

21 (2) RUSSIAN PRODUCERS, TRANSFERORS, OR
22 BROKERS OF DEFENSE ARTICLES.—Except as pro-
23 vided in subsection (d), on and after the date that
24 is 45 days after the date of the enactment of this
25 Act, the President shall impose 3 or more of the

1 sanctions described in subsection (c) with respect to
2 a foreign person the President determines—

3 (A) is an entity—

4 (i) owned or controlled by the Govern-
5 ment of the Russian Federation or owned
6 or controlled by nationals of the Russian
7 Federation; and

8 (ii) that—

9 (I) knowingly manufactures or
10 sells defense articles transferred into
11 Syria or into the territory of a speci-
12 fied country without the consent of
13 the internationally recognized govern-
14 ment of that country;

15 (II) transfers defense articles
16 into Syria or into the territory of a
17 specified country without the consent
18 of the internationally recognized gov-
19 ernment of that country; or

20 (III) brokers or otherwise assists
21 in the transfer of defense articles into
22 Syria or into the territory of a speci-
23 fied country without the consent of
24 the internationally recognized govern-
25 ment of that country; or

1 (B) knowingly, on or after the date of the
2 enactment of this Act, assists, sponsors, or pro-
3 vides financial, material, or technological sup-
4 port for, or goods or services to or in support
5 of, an entity described in subparagraph (A)
6 with respect to an activity described in clause
7 (ii) of that subparagraph.

8 (3) SPECIFIED COUNTRY DEFINED.—

9 (A) IN GENERAL.—In this subsection, the
10 term “specified country” means—

11 (i) Ukraine, Georgia, and Moldova;

12 and

13 (ii) any other country designated by
14 the President as a country of significant
15 concern for purposes of this subsection,
16 such as Poland, Lithuania, Latvia, Esto-
17 nia, and the Central Asia republics.

18 (B) NOTICE TO CONGRESS.—The Presi-
19 dent shall notify the appropriate congressional
20 committees in writing not later than 15 days
21 before—

22 (i) designating a country as a country
23 of significant concern under subparagraph
24 (A)(ii); or

1 (ii) terminating a designation under
2 that subparagraph, including the termi-
3 nation of any such designation pursuant to
4 subsection (h).

5 (b) SANCTIONS RELATED TO THE ENERGY SEC-
6 TOR.—

7 (1) DEVELOPMENT OF SPECIAL RUSSIAN
8 CRUDE OIL PROJECTS.—Except as provided in sub-
9 section (d), on and after the date that is 45 days
10 after the date of the enactment of this Act, the
11 President may impose 3 or more of the sanctions de-
12 scribed in subsection (c) with respect to a foreign
13 person if the President determines that the foreign
14 person knowingly makes a significant investment in
15 a special Russian crude oil project.

16 (2) AUTHORIZATION FOR EXTENSION OF LI-
17 CENSING LIMITATIONS ON CERTAIN EQUIPMENT.—
18 The President, through the Bureau of Industry and
19 Security of the Department of Commerce or the Of-
20 fice of Foreign Assets Control of the Department of
21 the Treasury, as appropriate, may impose additional
22 licensing requirements for or other restrictions on
23 the export or reexport of items for use in the energy
24 sector of the Russian Federation, including equip-
25 ment used for tertiary oil recovery.

1 (3) CONTINGENT SANCTION RELATING TO
2 GAZPROM.—If the President determines that
3 Gazprom is withholding significant natural gas sup-
4 plies from member countries of the North Atlantic
5 Treaty Organization, or further withholds significant
6 natural gas supplies from countries such as Ukraine,
7 Georgia, or Moldova, the President shall, not later
8 than 45 days after making that determination, im-
9 pose the sanction described in subsection (c)(7) and
10 at least one additional sanction described in sub-
11 section (c) with respect to Gazprom.

12 (c) SANCTIONS DESCRIBED.—The sanctions the
13 President may impose with respect to a foreign person
14 under subsection (a) or (b) are the following:

15 (1) EXPORT-IMPORT BANK ASSISTANCE.—The
16 President may direct the Export-Import Bank of the
17 United States not to approve the issuance of any
18 guarantee, insurance, extension of credit, or partici-
19 pation in the extension of credit in connection with
20 the export of any goods or services to the foreign
21 person.

22 (2) PROCUREMENT SANCTION.—The President
23 may prohibit the head of any executive agency (as
24 defined in section 133 of title 41, United States
25 Code) from entering into any contract for the pro-

1 curement of any goods or services from the foreign
2 person.

3 (3) ARMS EXPORT PROHIBITION.—The Presi-
4 dent may prohibit the exportation or provision by
5 sale, lease or loan, grant, or other means, directly or
6 indirectly, of any defense article or defense service to
7 the foreign person and the issuance of any license or
8 other approval to the foreign person under section
9 38 of the Arms Export Control Act (22 U.S.C.
10 2778).

11 (4) DUAL-USE EXPORT PROHIBITION.—The
12 President may prohibit the issuance of any license
13 and suspend any license for the transfer to the for-
14 eign person of any item the export of which is con-
15 trolled under the Export Administration Act of 1979
16 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant
17 to the International Emergency Economic Powers
18 Act (50 U.S.C. 1701 et seq.)) or the Export Admin-
19 istration Regulations under subchapter C of chapter
20 VII of title 15, Code of Federal Regulations.

21 (5) PROPERTY TRANSACTIONS.—The President
22 may, pursuant to such regulations as the President
23 may prescribe, prohibit any person from—

24 (A) acquiring, holding, withholding, using,
25 transferring, withdrawing, transporting, or ex-

1 porting any property that is subject to the ju-
2 isdiction of the United States and with respect
3 to which the foreign person has any interest;

4 (B) dealing in or exercising any right,
5 power, or privilege with respect to such prop-
6 erty; or

7 (C) conducting any transaction involving
8 such property.

9 (6) BANKING TRANSACTIONS.—The President
10 may, pursuant to such regulations as the President
11 may prescribe, prohibit any transfers of credit or
12 payments between financial institutions or by,
13 through, or to any financial institution, to the extent
14 that such transfers or payments are subject to the
15 jurisdiction of the United States and involve any in-
16 terest of the foreign person.

17 (7) PROHIBITION ON INVESTMENT IN EQUITY
18 OR DEBT OF SANCTIONED PERSON.—The President
19 may, pursuant to such regulations as the President
20 may prescribe, prohibit any United States person
21 from transacting in, providing financing for, or oth-
22 erwise dealing in—

23 (A) debt—

24 (i) of longer than 30 days' maturity of
25 a foreign person with respect to which

1 sanctions are imposed under subsection (a)
2 or of longer than 90 days' maturity of a
3 foreign person with respect to which sanc-
4 tions are imposed under subsection (b);
5 and

6 (ii) issued on or after the date on
7 which such sanctions are imposed with re-
8 spect to the foreign person; or

9 (B) equity of the foreign person issued on
10 or after that date.

11 (8) EXCLUSION FROM THE UNITED STATES
12 AND REVOCATION OF VISA OR OTHER DOCUMENTA-
13 TION.—In the case of a foreign person who is an in-
14 dividual, the President may direct the Secretary of
15 State to deny a visa to, and the Secretary of Home-
16 land Security to exclude from the United States, the
17 foreign person, subject to regulatory exceptions to
18 permit the United States to comply with the Agree-
19 ment regarding the Headquarters of the United Na-
20 tions, signed at Lake Success June 26, 1947, and
21 entered into force November 21, 1947, between the
22 United Nations and the United States, or other ap-
23 plicable international obligations.

24 (9) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
25 FICERS.—In the case of a foreign person that is an

1 entity, the President may impose on the principal
2 executive officer or officers of the foreign person, or
3 on individuals performing similar functions and with
4 similar authorities as such officer or officers, any of
5 the sanctions described in this subsection applicable
6 to individuals.

7 (d) EXCEPTIONS.—

8 (1) IMPORTATION OF GOODS.—

9 (A) IN GENERAL.—The authority to block
10 and prohibit all transactions in all property and
11 interests in property under subsection (e)(5)
12 shall not include the authority to impose sanc-
13 tions on the importation of goods.

14 (B) GOOD DEFINED.—In this paragraph,
15 the term “good” has the meaning given that
16 term in section 16 of the Export Administration
17 Act of 1979 (50 U.S.C. App. 2415) (as contin-
18 ued in effect pursuant to the International
19 Emergency Economic Powers Act (50 U.S.C.
20 1701 et seq.)).

21 (2) ADDITIONAL EXCEPTIONS.—The President
22 shall not be required to apply or maintain the sanc-
23 tions under subsection (a) or (b)—

24 (A) in the case of procurement of defense
25 articles or defense services under existing con-

1 tracts, subcontracts, or other business agree-
2 ments, including ancillary or incidental con-
3 tracts for goods, or for services or funding (in-
4 cluding necessary financial services) associated
5 with such goods, as necessary to give effect to
6 such contracts, subcontracts, or other business
7 agreements, and the exercise of options for pro-
8 duction quantities to satisfy requirements es-
9 sential to the national security of the United
10 States—

11 (i) if the President determines in writ-
12 ing that—

13 (I) the foreign person to which
14 the sanctions would otherwise be ap-
15 plied is a sole source supplier of the
16 defense articles or services;

17 (II) the defense articles or serv-
18 ices are essential;

19 (III) alternative sources are not
20 readily or reasonably available; and

21 (IV) the national interests of the
22 United States would be adversely af-
23 fected by the application or mainte-
24 nance of such sanctions; or

1 (ii) if the President determines in
2 writing that—

3 (I) such articles or services are
4 essential to the national security
5 under defense coproduction agree-
6 ments; and

7 (II) the national interests of the
8 United States would be adversely af-
9 fected by the application or mainte-
10 nance of such sanctions;

11 (B) in the case of procurement, to eligible
12 products, as defined in section 308(4) of the
13 Trade Agreements Act of 1979 (19 U.S.C.
14 2518(4)), of any foreign country or instrumen-
15 tality designated under section 301(b)(1) of
16 that Act (19 U.S.C. 2511(b)(1));

17 (C) to products, technology, or services
18 provided under contracts, subcontracts, or other
19 business agreements (including ancillary or inci-
20 dental contracts for goods, or for services or
21 funding (including necessary financial services)
22 associated with such goods, as necessary to give
23 effect to such contracts, subcontracts, or other
24 business agreements) entered into before the
25 date on which the President publishes in the

1 Federal Register the name of the foreign person
2 with respect to which the sanctions are to be
3 imposed;

4 (D) to—

5 (i) spare parts that are essential to
6 United States products or production;

7 (ii) component parts, but not finished
8 products, essential to United States prod-
9 ucts or production; or

10 (iii) routine servicing and mainte-
11 nance of United States products, to the ex-
12 tent that alternative sources are not read-
13 ily or reasonably available;

14 (E) to information and technology essential
15 to United States products or production; or

16 (F) to food, medicine, medical devices, or
17 agricultural commodities (as those terms are
18 defined in section 101 of the Comprehensive
19 Iran Sanctions, Accountability, and Divestment
20 Act of 2010 (22 U.S.C. 8511)).

21 (e) NATIONAL SECURITY WAIVER.—

22 (1) IN GENERAL.—The President may waive
23 the application of sanctions under subsection (a) or
24 (b) with respect to a foreign person if the Presi-
25 dent—

1 (A) determines that the waiver is in the
2 national security interest of the United States;
3 and

4 (B) submits to the appropriate congress-
5 sional committees a report on the determination
6 and the reasons for the determination.

7 (2) FORM OF REPORT.—The report required by
8 paragraph (1)(B) shall be submitted in unclassified
9 form, but may include a classified annex.

10 (f) TRANSACTION-SPECIFIC NATIONAL SECURITY
11 WAIVER.—

12 (1) IN GENERAL.—The President may waive
13 the application of sanctions under subsection (a) or
14 (b) with respect to a specific transaction if the
15 President—

16 (A) determines that the transaction is in
17 the national security interest of the United
18 States; and

19 (B) submits to the appropriate congress-
20 sional committees a detailed report on the de-
21 termination and the specific reasons for the de-
22 termination that a waiver with respect to the
23 transaction is necessary and appropriate.

1 (2) FORM OF REPORT.—The report required by
2 paragraph (1)(B) shall be submitted in unclassified
3 form, but may include a classified annex.

4 (g) IMPLEMENTATION; PENALTIES.—

5 (1) IMPLEMENTATION.—The President may ex-
6 ercise all authorities provided under sections 203
7 and 205 of the International Emergency Economic
8 Powers Act (50 U.S.C. 1702 and 1704) to carry out
9 the purposes of this section.

10 (2) PENALTIES.—The penalties provided for in
11 subsections (b) and (c) of section 206 of the Inter-
12 national Emergency Economic Powers Act (50
13 U.S.C. 1705) shall apply to a person that violates,
14 attempts to violate, or conspires to violate, or causes
15 a violation of, subsection (a) or (b) of this section,
16 or an order or regulation prescribed under either
17 such subsection, to the same extent that such pen-
18 alties apply to a person that commits an unlawful
19 act described in section 206(a) of the International
20 Emergency Economic Powers Act.

21 (h) TERMINATION.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), this section, and sanctions imposed under
24 this section, shall terminate on the date on which
25 the President submits to the appropriate congres-

1 sional committees a certification that the Govern-
2 ment of the Russian Federation has ceased ordering,
3 controlling, or otherwise directing, supporting, or fi-
4 nancing, significant acts intended to undermine the
5 peace, security, stability, sovereignty, or territorial
6 integrity of Ukraine, including through an agree-
7 ment between the appropriate parties.

8 (2) APPLICABILITY WITH RESPECT TO SYRIA.—
9 The termination date under paragraph (1) shall not
10 apply with respect to the provisions of subsection (a)
11 relating to the transfer of defense articles into Syria
12 or sanctions imposed pursuant to such provisions.

13 **SEC. 5. SANCTIONS ON RUSSIAN AND OTHER FOREIGN FI-**
14 **NANCIAL INSTITUTIONS.**

15 (a) FACILITATION OF CERTAIN DEFENSE- AND EN-
16 ERGY-RELATED TRANSACTIONS.—The President may im-
17 pose the sanction described in subsection (c) with respect
18 to a foreign financial institution that the President deter-
19 mines knowingly engages, on or after the date of the en-
20 actment of this Act, in significant transactions involving
21 activities described in subparagraph (A)(ii) or (B) of sec-
22 tion 4(a)(2) or paragraph (1) or (3) of section 4(b) for
23 persons with respect to which sanctions are imposed under
24 section 4.

1 (b) FACILITATION OF FINANCIAL TRANSACTIONS ON
2 BEHALF OF SPECIALLY DESIGNATED NATIONALS.—The
3 President may impose the sanction described in subsection
4 (c) with respect to a foreign financial institution if the
5 President determines that the foreign financial institution
6 has, on or after the date that is 180 days after the date
7 of the enactment of this Act, knowingly facilitated a sig-
8 nificant financial transaction on behalf of any Russian
9 person included on the list of specially designated nation-
10 als and blocked persons maintained by the Office of For-
11 eign Assets Control of the Department of the Treasury,
12 pursuant to—

13 (1) this Act;

14 (2) Executive Order No. 13660 (79 Fed. Reg.
15 13,493), 13661 (79 Fed. Reg. 15,535), or 13662
16 (79 Fed. Reg. 16,169); or

17 (3) any other Executive order addressing the
18 crisis in Ukraine.

19 (c) SANCTION DESCRIBED.—The sanction described
20 in this subsection is, with respect to a foreign financial
21 institution, a prohibition on the opening, and a prohibition
22 or the imposition of strict conditions on the maintaining,
23 in the United States of a correspondent account or a pay-
24 able-through account by the foreign financial institution.

1 (d) NATIONAL SECURITY WAIVER.—The President
2 may waive the application of sanctions under this section
3 with respect to a foreign financial institution if the Presi-
4 dent—

5 (1) determines that the waiver is in the national
6 security interest of the United States; and

7 (2) submits to the appropriate congressional
8 committees a report on the determination and the
9 reasons for the determination.

10 (e) IMPLEMENTATION; PENALTIES.—

11 (1) IMPLEMENTATION.—The President may ex-
12 ercise all authorities provided under sections 203
13 and 205 of the International Emergency Economic
14 Powers Act (50 U.S.C. 1702 and 1704) to carry out
15 the purposes of this section.

16 (2) PENALTIES.—The penalties provided for in
17 subsections (b) and (c) of section 206 of the Inter-
18 national Emergency Economic Powers Act (50
19 U.S.C. 1705) shall apply to a person that violates,
20 attempts to violate, or conspires to violate, or causes
21 a violation of, subsection (a) or (b) of this section,
22 or an order or regulation prescribed under either
23 such subsection, to the same extent that such pen-
24 alties apply to a person that commits an unlawful

1 act described in section 206(a) of the International
2 Emergency Economic Powers Act.

3 (f) TERMINATION.—This section, and sanctions im-
4 posed under this section, shall terminate on the date on
5 which the President submits to the appropriate congres-
6 sional committees the certification described in section
7 4(h).

8 **SEC. 6. INCREASED MILITARY ASSISTANCE FOR THE GOV-**
9 **ERNMENT OF UKRAINE.**

10 (a) IN GENERAL.—The President is authorized to
11 provide defense articles, defense services, and training to
12 the Government of Ukraine for the purpose of countering
13 offensive weapons and reestablishing the sovereignty and
14 territorial integrity of Ukraine, including anti-tank and
15 anti-armor weapons, crew weapons and ammunition,
16 counter-artillery radars to identify and target artillery bat-
17 teries, fire control, range finder, and optical and guidance
18 and control equipment, tactical troop-operated surveillance
19 drones, and secure command and communications equip-
20 ment, pursuant to the provisions of the Arms Export Con-
21 trol Act (22 U.S.C. 2751 et seq.), the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant
23 provisions of law.

24 (b) REPORT REQUIRED.—Not later than 60 days
25 after the date of the enactment of this Act, the President

1 shall submit a report detailing the anticipated defense ar-
2 ticles, defense services, and training to be provided pursu-
3 ant to this section and a timeline for the provision of such
4 defense articles, defense services, and training, to—

5 (1) the Committee on Foreign Relations, the
6 Committee on Appropriations, and the Committee on
7 Armed Services of the Senate; and

8 (2) the Committee on Foreign Affairs, the
9 Committee on Appropriations, and the Committee on
10 Armed Services of the House of Representatives.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There are authorized to be
13 appropriated to the Secretary of State \$100,000,000
14 for fiscal year 2015, \$125,000,000 for fiscal year
15 2016, and \$125,000,000 for fiscal year 2017 to
16 carry out activities under this section.

17 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
18 thorized to be appropriated pursuant to paragraph
19 (1) shall remain available for obligation and expendi-
20 ture through the end of fiscal year 2018.

21 (d) AUTHORITY FOR THE USE OF FUNDS.—The
22 funds made available pursuant to subsection (c) for provi-
23 sion of defense articles, defense services, and training may
24 be used to procure such articles, services, and training

1 from the United States Government or other appropriate
2 sources.

3 (e) PROTECTION OF CIVILIANS.—It is the sense of
4 Congress that the Government of Ukraine should take all
5 appropriate steps to protect civilians.

6 **SEC. 7. EXPANDED NONMILITARY ASSISTANCE FOR**
7 **UKRAINE.**

8 (a) ASSISTANCE TO INTERNALLY DISPLACED PEO-
9 PLE IN UKRAINE.—

10 (1) IN GENERAL.—Not later than 30 days after
11 the date of the enactment of this Act, the Secretary
12 of State shall submit a plan, including actions by the
13 United States Government, other governments, and
14 international organizations, to meet the need for
15 protection of and assistance for internally displaced
16 persons in Ukraine, to—

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

21 (B) the Committee on Foreign Affairs, the
22 Committee on Appropriations, and the Com-
23 mittee on Energy and Commerce of the House
24 of Representatives.

1 (2) ELEMENTS.—The plan required by para-
2 graph (1) should include, as appropriate, activities
3 in support of—

4 (A) helping to establish a functional and
5 adequately resourced central registration system
6 in Ukraine that can ensure coordination of ef-
7 forts to provide assistance to internally dis-
8 placed persons in different regions;

9 (B) encouraging adoption of legislation in
10 Ukraine that protects internally displaced per-
11 sons from discrimination based on their status
12 and provides simplified procedures for obtaining
13 the new residency registration or other official
14 documentation that is a prerequisite to receiv-
15 ing appropriate social payments under the laws
16 of Ukraine, such as pensions and disability,
17 child, and unemployment benefits; and

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

21 (i) government agencies and inde-
22 pendent groups that can provide assistance
23 to such persons in various regions; and

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

4 (3) ASSISTANCE THROUGH INTERNATIONAL OR-
5 GANIZATIONS.—The President shall instruct the
6 United States permanent representative or executive
7 director, as the case may be, to the relevant United
8 Nations voluntary agencies, including the United
9 Nations High Commissioner for Refugees and the
10 United Nations Office for the Coordination of Hu-
11 manitarian Affairs, and other appropriate inter-
12 national organizations, to use the voice and vote of
13 the United States to support appropriate assistance
14 for internally displaced persons in Ukraine.

15 (b) ASSISTANCE TO THE DEFENSE SECTOR OF
16 UKRAINE.—The Secretary of State and the Secretary of
17 Defense should assist entities in the defense sector of
18 Ukraine to reorient exports away from customers in the
19 Russian Federation and to find appropriate alternative
20 markets for those entities in the defense sector of Ukraine
21 that have already significantly reduced exports to and co-
22 operation with entities in the defense sector of the Russian
23 Federation.

24 (c) ASSISTANCE TO ADDRESS THE ENERGY CRISIS
25 IN UKRAINE.—

1 (1) EMERGENCY ENERGY ASSISTANCE.—

2 (A) PLAN REQUIRED.—The Secretary of
3 State and the Secretary of Energy, in collabora-
4 tion with the Administrator of the United
5 States Agency for International Development
6 and the Administrator of the Federal Emer-
7 gency Management Agency, shall work with of-
8 ficials of the Government of Ukraine to develop
9 a short-term emergency energy assistance plan
10 designed to help Ukraine address the poten-
11 tially severe short-term heating fuel and elec-
12 tricity shortages facing Ukraine in 2014 and
13 2015.

14 (B) ELEMENTS.—The plan required by
15 subparagraph (A) should include strategies to
16 address heating fuel and electricity shortages in
17 Ukraine, including, as appropriate—

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

20 (ii) the repair or replacement of infra-
21 structure that could impede the trans-
22 mission of electricity or transportation of
23 fuel;

1 (iii) the prioritization of the transpor-
2 tation of fuel supplies to the areas where
3 such supplies are needed most;

4 (iv) streamlining emergency commu-
5 nications throughout national, regional,
6 and local governments to manage the po-
7 tential energy crisis resulting from heating
8 fuel and electricity shortages;

9 (v) forming a crisis management team
10 within the Government of Ukraine to spe-
11 cifically address the potential crisis, includ-
12 ing ensuring coordination of the team's ef-
13 forts with the efforts of outside govern-
14 mental and nongovernmental entities pro-
15 viding assistance to address the potential
16 crisis; and

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

21 (C) ASSISTANCE.—The Secretary of State,
22 the Secretary of Energy, and the Administrator
23 of the United States Agency for International
24 Development are authorized to provide assist-
25 ance in support of, and to invest in short-term

1 solutions for, enabling Ukraine to secure the
2 energy safety of the people of Ukraine during
3 2014 and 2015, including through—

4 (i) procurement and transport of
5 emergency fuel supplies, including reverse
6 pipeline flows from Europe;

7 (ii) provision of technical assistance
8 for crisis planning, crisis response, and
9 public outreach;

10 (iii) repair of infrastructure to enable
11 the transport of fuel supplies;

12 (iv) repair of power generating or
13 power transmission equipment or facilities;

14 (v) procurement and installation of
15 compressors or other appropriate equip-
16 ment to enhance short-term natural gas
17 production;

18 (vi) procurement of mobile electricity
19 generation units;

20 (vii) conversion of natural gas heating
21 facilities to run on other fuels, including
22 alternative energy sources; and

23 (viii) provision of emergency weather-
24 ization and winterization materials and
25 supplies.

1 (2) REDUCTION OF UKRAINE’S RELIANCE ON
2 ENERGY IMPORTS.—

3 (A) PLANS REQUIRED.—The Secretary of
4 State, in collaboration with the Secretary of
5 Energy and the Administrator of the United
6 States Agency for International Development,
7 shall work with officials of the Government of
8 Ukraine to develop medium- and long-term
9 plans to increase energy production and effi-
10 ciency to increase energy security by helping
11 Ukraine reduce its dependence on natural gas
12 imported from the Russian Federation.

13 (B) ELEMENTS.—The medium- and long-
14 term plans required by subparagraph (A)
15 should include strategies, as appropriate, to—

16 (i) improve corporate governance and
17 unbundling of state-owned oil and gas sec-
18 tor firms;

19 (ii) increase production from natural
20 gas fields and from other sources, includ-
21 ing renewable energy;

22 (iii) license new oil and gas blocks
23 transparently and competitively;

24 (iv) modernize oil and gas upstream
25 infrastructure; and

1 (v) improve energy efficiency.

2 (C) PRIORITIZATION.—The Secretary of
3 State, the Administrator of the United States
4 Agency for International Development, and the
5 Secretary of Energy should, during fiscal years
6 2015 through 2018, work with other donors, in-
7 cluding multilateral agencies and nongovern-
8 mental organizations, to prioritize, to the extent
9 practicable and as appropriate, the provision of
10 assistance from such donors to help Ukraine to
11 improve energy efficiency, increase energy sup-
12 plies produced in Ukraine, and reduce reliance
13 on energy imports from the Russian Federa-
14 tion, including natural gas.

15 (D) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There are authorized to be appro-
17 priated \$50,000,000 in the aggregate for fiscal
18 years 2016 through 2018 to carry out activities
19 under this paragraph.

20 (3) SUPPORT FROM THE OVERSEAS PRIVATE
21 INVESTMENT CORPORATION.—The Overseas Private
22 Investment Corporation shall—

23 (A) prioritize, to the extent practicable,
24 support for investments to help increase energy
25 efficiency, develop domestic oil and natural gas

1 reserves, improve and repair electricity infra-
2 structure, and develop renewable and other
3 sources of energy in Ukraine; and

4 (B) implement procedures for expedited re-
5 view and, as appropriate, approval, of applica-
6 tions by eligible investors (as defined in section
7 238 of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2198)) for loans, loan guarantees, and
9 insurance for such investments.

10 (4) SUPPORT BY THE WORLD BANK GROUP AND
11 THE EUROPEAN BANK FOR RECONSTRUCTION AND
12 DEVELOPMENT.—The President shall, to the extent
13 practicable and as appropriate, direct the United
14 States Executive Directors of the World Bank
15 Group and the European Bank for Reconstruction
16 and Development to use the voice, vote, and influ-
17 ence of the United States to encourage the World
18 Bank Group and the European Bank for Recon-
19 struction and Development and other international
20 financial institutions—

21 (A) to invest in, and increase their efforts
22 to promote investment in, projects to improve
23 energy efficiency, improve and repair electricity
24 infrastructure, develop domestic oil and natural

1 gas reserves, and develop renewable and other
2 sources of energy in Ukraine; and

3 (B) to stimulate private investment in such
4 projects.

5 (d) ASSISTANCE TO CIVIL SOCIETY IN UKRAINE.—

6 (1) IN GENERAL.—The Secretary of State and
7 the Administrator of the United States Agency for
8 International Development shall, directly or through
9 nongovernmental or international organizations,
10 such as the Organization for Security and Co-oper-
11 ation in Europe, the National Endowment for De-
12 mocracy, and related organizations—

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

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

19 (C) counter corruption and improve trans-
20 parency and accountability of institutions that
21 are part of the Government of Ukraine; and

22 (D) provide support for democratic orga-
23 nizing and election monitoring in Ukraine.

24 (2) STRATEGY REQUIRED.—Not later than 60
25 days after the date of the enactment of this Act, the

1 President shall submit a strategy to carry out the
2 activities described in paragraph (1) to—

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

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

9 (3) AUTHORIZATION OF APPROPRIATIONS.—

10 There are authorized to be appropriated to the Sec-
11 retary of State \$20,000,000 for fiscal year 2016 to
12 carry out this subsection.

13 (4) TRANSPARENCY REQUIREMENTS.—Any as-
14 sistance provided pursuant to this subsection shall
15 be conducted in as transparent of a manner as pos-
16 sible, consistent with the nature and goals of this
17 subsection. The President shall provide a briefing on
18 the activities funded by this subsection at the re-
19 quest of the committees specified in paragraph (2).

20 **SEC. 8. EXPANDED BROADCASTING IN COUNTRIES OF THE**
21 **FORMER SOVIET UNION.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Chairman of the
24 Broadcasting Board of Governors shall submit to Con-
25 gress a plan, including a cost estimate, for immediately

1 and substantially increasing, and maintaining through fis-
2 cal year 2017, the quantity of Russian-language broad-
3 casting into the countries of the former Soviet Union fund-
4 ed by the United States in order to counter Russian Fed-
5 eration propaganda.

6 (b) PRIORITIZATION OF BROADCASTING INTO
7 UKRAINE, GEORGIA, AND MOLDOVA.—The plan required
8 by subsection (a) shall prioritize broadcasting into
9 Ukraine, Georgia, and Moldova by the Voice of America
10 and Radio Free Europe/Radio Liberty.

11 (c) ADDITIONAL PRIORITIES.—In developing the plan
12 required by subsection (a), the Chairman shall consider—

13 (1) near-term increases in Russian-language
14 broadcasting for countries of the former Soviet
15 Union (other than the countries specified in sub-
16 section (b)), including Latvia, Lithuania, and Esto-
17 nia; and

18 (2) increases in broadcasting in other critical
19 languages, including Ukrainian and Romanian lan-
20 guages.

21 (d) BROADCASTING DEFINED.—In this section, the
22 term “broadcasting” means the distribution of media con-
23 tent via radio broadcasting, television broadcasting, and
24 Internet-based platforms, among other platforms.

25 (e) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Broadcasting Board of Gov-
3 ernors \$10,000,000 for each of fiscal years 2016
4 through 2018 to carry out activities under this sec-
5 tion.

6 (2) SUPPLEMENT NOT SUPPLANT.—Amounts
7 authorized to be appropriated pursuant to paragraph
8 (1) shall supplement and not supplant other
9 amounts made available for activities described in
10 this section.

11 **SEC. 9. SUPPORT FOR RUSSIAN DEMOCRACY AND CIVIL SO-**
12 **CIETY ORGANIZATIONS.**

13 (a) IN GENERAL.—The Secretary of State shall, di-
14 rectly or through nongovernmental or international orga-
15 nizations, such as the Organization for Security and Co-
16 operation in Europe, the National Endowment for Democ-
17 racy, and related organizations—

18 (1) improve democratic governance, trans-
19 parency, accountability, rule of law, and anti-corrup-
20 tion efforts in the Russian Federation;

21 (2) strengthen democratic institutions and polit-
22 ical and civil society organizations in the Russian
23 Federation;

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

1 (4) expand free and unfettered access to inde-
2 pendent media of all kinds in the Russian Federa-
3 tion, including through increasing United States
4 Government-supported broadcasting activities, and
5 assist with the protection of journalists and civil so-
6 ciety activists who have been targeted for free speech
7 activities.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Secretary of State
10 \$20,000,000 for each of fiscal years 2016 through 2018
11 to carry out the activities set forth in subsection (a).

12 (c) STRATEGY REQUIREMENT.—Not later than 60
13 days after the date of the enactment of this Act, the Presi-
14 dent shall submit a strategy to carry out the activities set
15 forth in subsection (a) to—

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

18 (2) the Committee on Foreign Affairs and the
19 Committee on Appropriations of the House of Rep-
20 resentatives.

21 (d) TRANSPARENCY REQUIREMENTS.—Any assist-
22 ance provided pursuant to this section shall be conducted
23 in as transparent of a manner as possible, consistent with
24 the nature and goals of this section. The President shall
25 provide a briefing on the activities funded by this section

1 at the request of the committees specified in subsection
2 (c).

3 **SEC. 10. REPORT ON NON-COMPLIANCE BY THE RUSSIAN**
4 **FEDERATION OF ITS OBLIGATIONS UNDER**
5 **THE INF TREATY.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) The Russian Federation is in violation of its
9 obligations under the Treaty between the United
10 States of America and the Union of Soviet Socialist
11 Republics on the Elimination of Their Intermediate-
12 Range and Shorter-Range Missiles, signed at Wash-
13 ington December 8, 1987, and entered into force
14 June 1, 1988 (commonly referred to as the “Inter-
15 mediate-Range Nuclear Forces Treaty” or “INF
16 Treaty”).

17 (2) This behavior poses a threat to the United
18 States, its deployed forces, and its allies.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the President should hold the Russian Fed-
22 eration accountable for being in violation of its obli-
23 gations under the INF Treaty; and

24 (2) the President should demand the Russian
25 Federation completely and verifiably eliminate the

1 military systems that constitute the violation of its
2 obligations under the INF Treaty.

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 90 days after
5 the date of the enactment of this Act, and every 90
6 days thereafter, the President shall submit to the
7 committees specified in subsection (d) a report that
8 includes the following elements:

9 (A) A description of the status of the
10 President's efforts, in cooperation with United
11 States allies, to hold the Russian Federation ac-
12 countable for being in violation of its obliga-
13 tions under the INF Treaty and obtain the
14 complete and verifiable elimination of its mili-
15 tary systems that constitute the violation of its
16 obligations under the INF Treaty.

17 (B) The President's assessment as to
18 whether it remains in the national security in-
19 terests of the United States to remain a party
20 to the INF Treaty, and other related treaties
21 and agreements, while the Russian Federation
22 is in violation of its obligations under the INF
23 Treaty.

24 (C) Notification of any deployment by the
25 Russian Federation of a ground launched bal-

1 listic or cruise missile system with a range of
2 between 500 and 5,500 kilometers.

3 (D) A plan developed by the Secretary of
4 State, in consultation with the Director of Na-
5 tional Intelligence and the Defense Threat Re-
6 duction Agency (DTRA), to verify that the Rus-
7 sian Federation has fully and completely dis-
8 mantled any ground launched cruise missiles or
9 ballistic missiles with a range of between 500
10 and 5,500 kilometers, including details on fa-
11 cilities that inspectors need access to, people in-
12 spectors need to talk with, how often inspectors
13 need the accesses for, and how much the
14 verification regime would cost.

15 (2) FORM.—The report required under para-
16 graph (1) shall be submitted in unclassified form but
17 may contain a classified annex.

18 (d) COMMITTEES SPECIFIED.—The committees spec-
19 ified in this subsection are—

20 (1) the Committee on Foreign Relations, the
21 Committee on Armed Services, and the Select Com-
22 mittee on Intelligence of the Senate; and

23 (2) the Committee on Foreign Affairs, the
24 Committee on Armed Services, and the Permanent

1 Select Committee on Intelligence of the House of
2 Representatives.

3 **SEC. 11. RULE OF CONSTRUCTION.**

4 Nothing in this Act or an amendment made by this
5 Act shall be construed as an authorization for the use of
6 military force.

 Passed the House of Representatives December 11,
2014.

Attest:

Clerk.

113TH CONGRESS
2^D SESSION

H. R. 5859

AN ACT

To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.