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1ST SESSION

S. 2537

To ensure that recent actions involving Ukraine are not withheld from Congress and the people of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2019

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To ensure that recent actions involving Ukraine are not withheld from Congress and the people of the United States, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ukraine Foreign As-
5 sistance Integrity and Accountability Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Since 2014, the United States Senate and
9 the United States House of Representatives, with
10 broad bipartisan support, have provided millions of

1 dollars in security and development assistance to
2 Ukraine as it defends against Kremlin aggression in
3 Crimea and eastern Ukraine.

4 (2) Security assistance for Ukraine has en-
5 hanced the army, national guard, and navy of
6 Ukraine and helped the country defend against Rus-
7 sian aggression.

8 (3) Since 2014, the United States has imposed
9 a series of sanctions on the Russian Federation in
10 response to its illegal occupation of Crimea and con-
11 tinued military operations in eastern Ukraine.

12 (4) Security and development assistance pro-
13 gramming have been designed, implemented, and sup-
14 ported by personnel at the Department of State, the
15 Department of Defense, and the United States
16 Agency for International Development.

17 (5) Before submitting notifications to obligate
18 funds to Congress, the Department of State has tra-
19 ditionally shared obligation notifications with the Of-
20 fice of Management and Budget, to be reviewed for
21 approximately 5 days.

22 (6) On June 21, 2019, the Department of State
23 sent a notification to the Office of Management and
24 Budget to obligate security assistance funding for
25 Ukraine.

1 (7) On September 22, 2019, President Donald
2 Trump acknowledged that he raised a 2020 United
3 States presidential candidate in a call with Ukrain-
4 ian President Volodymyr Zelensky.

5 (8) On September 11, 2019, the Department of
6 State sent a notification to the Committee on For-
7 eign Relations of the Senate to obligate security as-
8 sistance funding for Ukraine.

9 **SEC. 3. INVESTIGATION INTO WITHHOLDING OF UKRAINE**
10 **FOREIGN ASSISTANCE.**

11 (a) SENSE OF THE SENATE.—It is the sense of the
12 Senate that security assistance provided to the country of
13 Ukraine is in the vital national security interests of the
14 United States and is a critical component of United States
15 efforts to counter aggression and malign influence on the
16 part of the Government of the Russian Federation.

17 (b) INSPECTOR GENERAL INVESTIGATION.—

18 (1) IN GENERAL.—The Inspector General of
19 the Department of State shall immediately inves-
20 tigate and, not later than October 25, 2019, provide
21 to the Committee on Foreign Relations of the Sen-
22 ate and the Committee on Foreign Affairs of the
23 House of Representatives a report on inappropriate
24 interference into foreign assistance designated for
25 Ukraine.

1 (2) ELEMENTS.—The investigation and report
2 under this subsection shall include the following ele-
3 ments:

4 (A) An examination of when and how the
5 Department of State first learned \$141,500,000
6 in foreign military assistance for Ukraine would
7 be delayed, and the extent of the involvement of
8 the Secretary of State and other political ap-
9 pointees of the President in deciding to suspend
10 that assistance and implement that decision.

11 (B) An assessment of the reasons the Of-
12 fice of Management and Budget provided for
13 blocking the obligation of the foreign assistance
14 funds in question to Ukraine.

15 (C) A detailed explanation of why funds
16 were ultimately delayed, and who made that de-
17 cision.

18 (D) An assessment of whether the Depart-
19 ment of State communicated, internally or ex-
20 ternally, including with United States or
21 Ukrainian officials, about efforts or requests to
22 investigate any presidential candidates for the
23 2020 United States presidential election.

1 **SEC. 4. PRODUCTION OF ALL RECORDS RELATED TO INAP-**
2 **PROPRIATE INTERFERENCE IN THE PROVI-**
3 **SION OF FOREIGN ASSISTANCE TO UKRAINE.**

4 (a) IN GENERAL.—The Department of State shall
5 immediately search for, collect, and produce to the Com-
6 mittee on Foreign Relations of the Senate and the Com-
7 mittee on Foreign Affairs of the House of Representatives
8 the following records:

9 (1) All records in the Department of State’s
10 custody or control related to foreign military assist-
11 ance for Ukraine received, originating from, or cre-
12 ated since September 1, 2018.

13 (2) All records in the Department of State’s
14 custody or control related to efforts or requests to
15 investigate any presidential candidates for the 2020
16 United States presidential election.

17 (3) All records since September 1, 2018, re-
18 garding assistance to Ukraine, pertaining to the
19 President’s personal lawyer, or efforts or requests to
20 investigate any presidential candidates for the 2020
21 United States presidential election, between—

22 (A) the Department of State and the
23 White House;

24 (B) the Department of State and the Na-
25 tional Security Council; and

1 (C) the Department of State and the Of-
2 fice of Management and Budget.

3 (4) All records in the Department of State's
4 custody or control related to the President's personal
5 attorney, including—

6 (A) communications between the Depart-
7 ment and the President's personal attorney;

8 (B) records relating to any efforts by the
9 Department of State to support or facilitate
10 any activities or meetings for the President's
11 personal attorney, whether in the United
12 States, Ukraine, or elsewhere; and

13 (C) records relating to meetings between
14 the President's personal attorney and officials
15 of the Government of Ukraine.

16 (5) A list of Department of State officials who
17 were briefed by the President's personal attorney
18 about his communications with any officials of the
19 Government of Ukraine.

20 (6) All records in the Department of State's
21 custody or control related to the President's call on
22 July 25, 2019, with the President of Ukraine,
23 Volodymyr Zelensky.

1 (b) RECORD DEFINED.—In this section, the term
2 “record” means any written, typed, recorded, graphic,
3 printed, or audio material of any kind, including—

4 (1) documents, memoranda, cables, letters, fac-
5 similes, calendar items, or spreadsheets;

6 (2) transcripts, notes, or minutes of any meet-
7 ings, telephone conversations, or discussions; and

8 (3) electronic communications and attachments
9 thereto, including emails, text messages, instant
10 messages, direct messages (such as messages over
11 iMessage, WhatsApp, Signal, Viper, Facebook, or
12 Twitter) regardless of whether maintained, sent, or
13 received on a government or non-government (i.e.
14 personal) account.

15 **SEC. 5. IMMEDIATE OBLIGATION OF FUNDS APPRO-**
16 **RIATED FOR UKRAINE SECURITY ASSIST-**
17 **ANCE.**

18 (a) IN GENERAL.—The President shall immediately
19 obligate all funds appropriated—

20 (1) for the Ukraine Security Assistance Initia-
21 tive for fiscal year 2019 under section 9013 of the
22 Department of Defense Appropriations Act, 2019
23 (division A of Public Law 115–245); and

24 (2) for Foreign Military Financing Overseas
25 Contingency Operations for fiscal year 2018 and for

1 the Foreign Military Financing Program for fiscal
2 year 2019 and subject to Department of State con-
3 gressional notification 19–286, submitted on Sep-
4 tember 11, 2019.

5 (b) PURPOSES AND AUTHORITIES.—Amounts made
6 available pursuant to subsection (a) shall be available for
7 the same purposes and under the same authorities for
8 which such amounts were originally provided.

9 **SEC. 6. COUNTERING RUSSIAN INFLUENCE FUND.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated for the Countering Russian
12 Influence Fund described in section 7070(d) of the De-
13 partment of State, Foreign Operations, and Related Pro-
14 grams Appropriations Act, 2017 (division J of Public Law
15 115–31; 131 Stat. 706), \$250,000,000 for fiscal years
16 2020 and 2021.

17 (b) USE OF FUNDS.—Amounts in the Countering
18 Russian Influence Fund shall be used in countries of Eu-
19 rope and Eurasia the Secretary of State has determined
20 are vulnerable to malign influence by the Russian Federa-
21 tion to effectively implement, subject to the availability of
22 funds, the following goals:

23 (1) To assist in protecting critical infrastruc-
24 ture and electoral mechanisms from cyberattacks.

1 (2) To combat corruption, improve the rule of
2 law, and otherwise strengthen independent judi-
3 cialies and prosecutors general offices.

4 (3) To respond to the humanitarian crises and
5 instability caused or aggravated by the invasions and
6 occupations of Georgia, Moldova, and Ukraine by
7 the Russian Federation.

8 (4) To improve participatory legislative proc-
9 esses and legal education, political transparency and
10 competition, and compliance with international obli-
11 gations.

12 (5) To build the capacity of civil society, media,
13 and other nongovernmental organizations countering
14 the influence and propaganda of the Russian Fed-
15 eration to combat corruption, prioritize access to
16 truthful information, and operate freely in all re-
17 gions.

18 (6) To assist the Secretary of State in exe-
19 cuting the functions specified in section 1239(b) of
20 the National Defense Authorization Act for Fiscal
21 Year 2018 (Public Law 115–91; 10 U.S.C. 113
22 note) for the purposes of recognizing, understanding,
23 exposing, and countering propaganda and
24 disinformation efforts by foreign governments, in co-
25 ordination with the relevant regional Assistant Sec-

1 retary or Assistant Secretaries of the Department of
2 State.

3 (c) REVISION OF ACTIVITIES FOR WHICH AMOUNTS
4 MAY BE USED.—The Secretary of State may modify a
5 goal described in subsection (b) if, not later than 15 days
6 before revising such goal, the Secretary notifies the appro-
7 priate congressional committees of the revision.

8 (d) IMPLEMENTATION.—

9 (1) IN GENERAL.—The Secretary of State shall,
10 acting through the Coordinator of United States As-
11 sistance to Europe and Eurasia (authorized pursu-
12 ant to section 601 of the Support for East European
13 Democracy (SEED) Act of 1989 (22 U.S.C. 5461)
14 and section 102 of the Freedom for Russia and
15 Emerging Eurasian Democracies and Open Markets
16 Support Act of 1992 (22 U.S.C. 5812)), and in con-
17 sultation with the Administrator for the United
18 States Agency for International Development, the
19 Director of the Global Engagement Center of the
20 Department of State, the Secretary of Defense,
21 EUCOM, the Chief Executive Officer of the United
22 States Agency for Global Media, and the heads of
23 other relevant Federal agencies, coordinate and
24 carry out activities to achieve the goals described in
25 subsection (b).

1 (2) METHOD.—Activities to achieve the goals
2 described in subsection (b) shall be carried out
3 through—

4 (A) initiatives of the United States Gov-
5 ernment;

6 (B) Federal grant programs such as the
7 Information Access Fund;

8 (C) nongovernmental or international orga-
9 nizations; or

10 (D) support exchanges with countries fac-
11 ing state-sponsored disinformation and pressure
12 campaigns, particularly in Europe and Eurasia,
13 provided that a portion of the funds are made
14 available through a process whereby the Bureau
15 of Educational and Cultural Affairs of the De-
16 partment of State solicits proposals from posts
17 located in affected countries to counter state-
18 sponsored disinformation and hybrid threats,
19 promote democracy, and support exchanges
20 with countries facing state-sponsored
21 disinformation and pressure campaigns.

22 (3) REPORT ON IMPLEMENTATION.—

23 (A) IN GENERAL.—Not later than April 1
24 of each year, the Secretary of State, acting
25 through the Coordinator of United States As-

1 sistance to Europe and Eurasia, shall submit to
2 the appropriate congressional committees a re-
3 port on the programs and activities carried out
4 to achieve the goals described in subsection (b)
5 during the preceding fiscal year.

6 (B) ELEMENTS.—Each report required by
7 subparagraph (A) shall include, with respect to
8 each program or activity described in that sub-
9 paragraph—

10 (i) the amount of funding for the pro-
11 gram or activity;

12 (ii) the goal described in subsection
13 (b) to which the program or activity re-
14 lates; and

15 (iii) an assessment of whether or not
16 the goal was met.

17 (e) COORDINATION WITH GLOBAL PARTNERS.—

18 (1) IN GENERAL.—In order to maximize im-
19 pact, eliminate duplication, and speed the achieve-
20 ment of the goals described in subsection (b), the
21 Secretary of State shall ensure coordination with—

22 (A) the European Union and its institu-
23 tions;

1 (B) the governments of countries that are
2 members of the North Atlantic Treaty Organi-
3 zation or the European Union; and

4 (C) international organizations and quasi-
5 governmental funding entities that carry out
6 programs and activities that seek to accomplish
7 the goals described in subsection (b).

8 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion shall be construed to apply to or limit United States
10 foreign assistance not provided using amounts available in
11 the Countering Russian Influence Fund.

12 (g) EXPANSION OF PILOT PROGRAM.—

13 (1) IN GENERAL.—The Secretary of State shall
14 expand the pilot program required under section
15 254(g) of the Countering America’s Adversaries
16 Through Sanctions Act (22 U.S.C. 9543(g)) to hire
17 additional personnel within the Bureau for Democ-
18 racy, Human Rights, and Labor to develop and im-
19 plement programs focused on combating corruption,
20 improving rule of law, and building capacity of civil
21 society, political parties, and independent media.

22 (2) REPORT ON ENSURING ADEQUATE STAFF-
23 ING FOR GOVERNANCE ACTIVITIES.—Not later than
24 90 days after the date of the enactment of this Act,
25 the Secretary of State shall submit to the Committee

1 on Foreign Relations and the Committee on Appro-
 2 priations of the Senate and the Committee on For-
 3 eign Affairs and the Committee on Appropriations of
 4 the House of Representatives a report on implemen-
 5 tation of the pilot program required under section
 6 254(g) of the Countering Russian Influence in Eu-
 7 rope and Eurasia Act of 2017 (22 U.S.C. 9543(g)).

8 (h) APPROPRIATE CONGRESSIONAL COMMITTEES
 9 DEFINED.—In this section, the term “appropriate con-
 10 gressional committees” means—

11 (1) the Committee on Foreign Relations, the
 12 Committee on Banking, Housing, and Urban Af-
 13 fairs, and the Committee on Finance of the Senate;
 14 and

15 (2) the Committee on Foreign Affairs, the
 16 Committee on Financial Services, and the Com-
 17 mittee on Ways and Means of the House of Rep-
 18 resentatives.

19 **SEC. 7. COORDINATING AID AND ASSISTANCE ACROSS EU-**
 20 **ROPE AND EURASIA.**

21 It is the sense of Congress that—

22 (1) the Government of the Russian Federation
 23 has applied, and continues to apply traditional uses
 24 of force, intelligence operations, cyberattacks, and
 25 influence campaigns, including through the use of

1 corruption, disinformation, and cultural and social
2 influence, which represent clear and present threats
3 to the countries of Europe and Eurasia;

4 (2) in response, governments in Europe and
5 Eurasia should redouble efforts to build resilience
6 within their institutions, political systems, and civil
7 societies;

8 (3) the United States Government supports the
9 democratic and rule of law-based institutions that
10 the Government of the Russian Federation seeks to
11 undermine, including the North Atlantic Treaty Or-
12 ganization (NATO), the Organization for Security
13 and Cooperation in Europe, and the European
14 Union;

15 (4) the United States Government should con-
16 tinue to work with and strengthen such institutions,
17 including the European Union, as a partner against
18 aggression by the Government of the Russian Fed-
19 eration through the coordination of aid programs,
20 development assistance, and other efforts to counter
21 malign Russian influence;

22 (5) the United States Government should con-
23 tinue to work with the individual countries of Eu-
24 rope and Eurasia to bolster efforts to counter ma-
25 lign Russian influence in all its forms; and

1 (6) the United States Government should in-
2 crease assistance and diplomatic efforts in Europe,
3 including in European Union and NATO countries,
4 to address threats to fundamental human rights and
5 backsliding in rule of law protections, operating
6 space for independent media and civil society, and
7 other democratic institutions, whose strength is crit-
8 ical to defending against malign Russian influence
9 over the long term.

10 **SEC. 8. OFFICE OF SANCTIONS COORDINATION OF THE DE-**
11 **PARTMENT OF STATE.**

12 (a) IN GENERAL.—Section 1 of the State Depart-
13 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)
14 is amended—

15 (1) by redesignating subsection (g) as sub-
16 section (h); and

17 (2) by inserting after subsection (f) the fol-
18 lowing:

19 “(g) OFFICE OF SANCTIONS COORDINATION.—

20 “(1) IN GENERAL.—There is established, within
21 the Department of State, an Office of Sanctions Co-
22 ordination (referred to in this subsection as the ‘Of-
23 fice’).

24 “(2) HEAD.—The head of the Office shall—

1 “(A) have the rank and status of ambas-
2 sador;

3 “(B) be appointed by the President, by
4 and with the advice and consent of the Senate;
5 and

6 “(C) report to the Under Secretary for Po-
7 litical Affairs.

8 “(3) DUTIES.—The head of the Office shall—

9 “(A) serve as the principal advisor to the
10 senior management of the Department and the
11 Secretary regarding the role of the Department
12 in the development and implementation of sanc-
13 tions policy, including sanctions with respect to
14 the Russian Federation, Iran, North Korea,
15 and other countries;

16 “(B) represent the United States in diplo-
17 matic and multilateral fora on sanctions mat-
18 ters;

19 “(C) consult and closely coordinate with
20 the European Union to ensure the maximum ef-
21 fectiveness of sanctions imposed by the United
22 States and the European Union with respect to
23 the Russian Federation;

24 “(D) advise the Secretary directly and pro-
25 vide input with respect to all activities, policies,

1 and programs of all bureaus and offices of the
2 Department relating to the implementation of
3 sanctions policy; and

4 “(E) serve as the principal liaison of the
5 Department to other Federal agencies involved
6 in the design and implementation of sanctions
7 policy.

8 “(4) RULE OF CONSTRUCTION.—Nothing in
9 this subsection may be construed to preclude—

10 “(A) the Office from being elevated to a
11 Bureau within the Department; or

12 “(B) the head of the Office from being ele-
13 vated to level of an Assistant Secretary.”.

14 (b) REPORT REQUIRED.—Not later than 60 days
15 after the date of the enactment of this Act, the President
16 shall submit to the appropriate congressional committees
17 a report detailing the efforts of the Office of Sanctions
18 Coordination established under the amendments made by
19 subsection (a) to coordinate sanctions policy with the Eu-
20 ropean Union.

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
22 FINED.—In this section, the term “appropriate congres-
23 sional committees” means—

24 (1) the Committee on Foreign Relations, the
25 Committee on Banking, Housing, and Urban Af-

1 fairs, and the Committee on Finance of the Senate;
2 and

3 (2) the Committee on Foreign Affairs, the
4 Committee on Financial Services, and the Com-
5 mittee on Ways and Means of the House of Rep-
6 resentatives.

7 **SEC. 9. REPORT ON COORDINATION OF SANCTIONS BE-**
8 **TWEEN THE UNITED STATES AND EUROPEAN**
9 **UNION.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, and every 180 days
12 thereafter, the President shall submit to the appropriate
13 congressional committees a report that includes the fol-
14 lowing:

15 (1) A description of each instance, during the
16 period specified in subsection (b)—

17 (A) in which the United States has im-
18 posed sanctions with respect to a person for ac-
19 tivity related to the Russian Federation, but in
20 which the European Union has not imposed
21 corresponding sanctions; and

22 (B) in which the European Union has im-
23 posed sanctions with respect to a person for ac-
24 tivity related to the Russian Federation, but in

1 which the United States has not imposed cor-
2 responding sanctions.

3 (2) An explanation for the reason for each dis-
4 crepancy between sanctions imposed by the Euro-
5 pean Union and sanctions imposed by the United
6 States described in subparagraphs (A) and (B) of
7 paragraph (1).

8 (b) PERIOD SPECIFIED.—The period specified in this
9 subsection is—

10 (1) in the case of the first report submitted
11 under subsection (a), the period beginning on the
12 date of the enactment of this Act and ending on the
13 date the report is submitted; and

14 (2) in the case of a subsequent such report, the
15 180-day period preceding the submission of the re-
16 port.

17 (c) FORM OF REPORT.—The report required by sub-
18 section (a) shall be submitted in unclassified form but may
19 include a classified annex.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term “appropriate con-
22 gressional committees” means—

23 (1) the Committee on Foreign Relations, the
24 Committee on Banking, Housing, and Urban Af-

1 fairs, and the Committee on Finance of the Senate;
2 and

3 (2) the Committee on Foreign Affairs, the
4 Committee on Financial Services, and the Com-
5 mittee on Ways and Means of the House of Rep-
6 resentatives.

7 **SEC. 10. SANCTIONS WITH RESPECT TO THE RUSSIAN FED-**
8 **ERATION.**

9 (a) IN GENERAL.—Part 2 of subtitle A of title II of
10 the Countering America’s Adversaries Through Sanctions
11 Act (22 U.S.C. 9521 et seq.) is amended—

12 (1) by redesignating sections 235, 236, 237,
13 and 238 as sections 238, 239, 239B, and 239C, re-
14 spectively; and

15 (2) by inserting after section 234 the following:

16 **“SEC. 235. SANCTIONS WITH RESPECT TO TRANSACTIONS**
17 **WITH CERTAIN RUSSIAN POLITICAL FIGURES**
18 **AND OLIGARCHS.**

19 “On and after the date that is 180 days after the
20 date of the enactment of the Ukraine Foreign Assistance
21 Integrity and Accountability Act of 2019, the President
22 shall impose the sanctions described in section 224(b) with
23 respect to—

24 “(1) political figures, oligarchs, and other per-
25 sons that facilitate illicit and corrupt activities, di-

1 rectly or indirectly, on behalf of the President of the
2 Russian Federation, Vladimir Putin, and persons
3 acting for or on behalf of such political figures,
4 oligarchs, and persons;

5 “(2) Russian parastatal entities that facilitate
6 illicit and corrupt activities, directly or indirectly, on
7 behalf of the President of the Russian Federation,
8 Vladimir Putin;

9 “(3) family members of persons described in
10 paragraph (1) or (2) that derive significant benefits
11 from such illicit and corrupt activities; and

12 “(4) persons, including financial institutions,
13 engaging in significant transactions with persons de-
14 scribed in paragraph (1), (2), or (3).

15 **“SEC. 236. SANCTIONS WITH RESPECT TO TRANSACTIONS**
16 **WITH THE CYBER SECTOR OF THE RUSSIAN**
17 **FEDERATION.**

18 “On and after the date that is 60 days after the date
19 of the enactment of the Ukraine Foreign Assistance Integ-
20 rity and Accountability Act of 2019, the President shall
21 impose the sanctions described in section 224(b) with re-
22 spect to a person, including any financial institution, that
23 the President determines—

24 “(1) knowingly engages in significant trans-
25 actions with any person in the Russian Federation

1 that supports or facilitates malicious cyber activities;
2 or

3 “(2) is knowingly owned or controlled by, or
4 knowingly acts or purports to act for or on behalf
5 of, directly or indirectly, a person that engages in
6 significant transactions described in paragraph (1).

7 **“SEC. 237. SANCTIONS FOR VIOLATIONS BY THE RUSSIAN**
8 **FEDERATION OF FREEDOM OF NAVIGATION.**

9 “(a) DETERMINATION OF VIOLATION.—

10 “(1) IN GENERAL.—Not later than 90 days
11 after the date of the enactment of Ukraine Foreign
12 Assistance Integrity and Accountability Act of 2019,
13 and every 180 days thereafter, the Secretary of
14 State shall determine and certify to the committees
15 specified in subsection (d) whether the Government
16 of the Russian Federation, including the armed
17 forces or coast guard of the Russian Federation, has
18 interfered with the freedom of navigation of one or
19 more vessels in the Kerch Strait or elsewhere in a
20 manner inconsistent with international law during
21 the 180 days preceding the certification.

22 “(2) PUBLICATION OF CERTIFICATION.—Not
23 later than 15 days after submitting a certification
24 under paragraph (1), the Secretary shall publish the
25 certification in the Federal Register.

1 “(b) IMPOSITION OF SANCTIONS.—On and after the
2 date that is 90 days after the publication of a certification
3 under paragraph (2) of subsection (a) indicating that the
4 Government of the Russian Federation has interfered with
5 the freedom of navigation of one or more vessels as de-
6 scribed in paragraph (1) of that subsection, all entities
7 operating in the shipbuilding sector of the Russian Fed-
8 eration shall be subject to the same restrictions as an enti-
9 ty included on the list of specially designated nationals and
10 blocked persons maintained by the Office of Foreign As-
11 sets Control of the Department of the Treasury.

12 “(c) REMOVAL OF SANCTIONS.—The restrictions im-
13 posed pursuant to subsection (b) shall remain in effect
14 until the date on which the Secretary of State determines
15 and certifies to the committees specified in subsection (d)
16 that—

17 “(1) the Government of the Russian Federa-
18 tion, including the armed forces and coast guard of
19 the Russian Federation, has not interfered with the
20 freedom of navigation of any vessels in the Kerch
21 Strait or elsewhere in a manner inconsistent with
22 international law during the 3-year period preceding
23 the submission of that certification; and

1 “(2) the Government of the Russian Federation
2 has provided assurances that that Government will
3 not engage in such interference in the future.

4 “(d) COMMITTEES SPECIFIED.—The committees
5 specified in this subsection are—

6 “(1) the appropriate congressional committees;
7 and

8 “(2) the Committee on Appropriations of the
9 Senate and the Committee on Appropriations of the
10 House of Representatives.”.

11 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

12 (1) IMPLEMENTATION AND PENALTIES.—Part
13 2 of subtitle A of title II of the Countering Amer-
14 ica’s Adversaries Through Sanctions Act (22 U.S.C.
15 9521 et seq.), as amended by this section, is further
16 amended by inserting after section 239 the fol-
17 lowing:

18 **“SEC. 239A. IMPLEMENTATION AND PENALTIES.**

19 “(a) IMPLEMENTATION.—The President may exercise
20 all authorities provided to the President under sections
21 203 and 205 of the International Emergency Economic
22 Powers Act (50 U.S.C. 1702 and 1704) to carry out this
23 part.

24 “(b) PENALTIES.—A person that violates, attempts
25 to violate, conspires to violate, or causes a violation of this

1 part or any regulation, license, or order issued to carry
 2 out this part shall be subject to the penalties set forth
 3 in subsections (b) and (c) of section 206 of the Inter-
 4 national Emergency Economic Powers Act (50 U.S.C.
 5 1705) to the same extent as a person that commits an
 6 unlawful act described in subsection (a) of that section.”.

7 (2) CLERICAL AMENDMENT.—The table of con-
 8 tents for the Countering America’s Adversaries
 9 Through Sanctions Act is amended by striking the
 10 items relating to sections 235 through 238 and in-
 11 serting the following:

“Sec. 235. Sanctions with respect to transactions with certain Russian political
 figures and oligarchs.

“Sec. 236. Sanctions with respect to transactions with the cyber sector of the
 Russian Federation.

“Sec. 237. Sanctions for violations by the Russian Federation of freedom of
 navigation.

“Sec. 238. Sanctions described.

“Sec. 239. Exceptions, waiver, and termination.

“Sec. 239A. Implementation and penalties.

“Sec. 239B. Exception relating to activities of the National Aeronautics and
 Space Administration.

“Sec. 239C. Rule of construction.”.

12 (3) CONFORMING AMENDMENTS.—Part 2 of
 13 subtitle A of title II of the Countering America’s Ad-
 14 versaries Through Sanctions Act (22 U.S.C. 9521 et
 15 seq.), as amended by this section, is further amend-
 16 ed—

17 (A) in section 231, by striking subsection
 18 (e); and

19 (B) by striking “section 235” each place it
 20 appears and inserting “section 238”.

1 (4) GUIDANCE.—The President shall, in a
2 prompt and timely way, publish guidance on the im-
3 plementation of this section and the amendments
4 made by this section and any regulations prescribed
5 pursuant to this section or any such amendment.

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