

117TH CONGRESS
2D SESSION

S. 4509

To provide for security in the Black Sea region, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2022

Mrs. SHAHEEN (for herself, Mr. ROMNEY, Mr. COONS, Mr. TILLIS, Mr. CARDIN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for security in the Black Sea region, 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 “Black Sea Security
5 Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Black Sea region is of critical impor-
9 tance to the national security of six nations:

1 Ukraine, Georgia, Moldova, Romania, Bulgaria, and
2 Turkey.

3 (2) The Black Sea region has been a zone of in-
4 creasing tension and conflict on the eastern border
5 of the European Union and the North Atlantic Trea-
6 ty Organization (NATO) following President Vladi-
7 mir Putin's 2014 and 2022 invasions of Ukraine
8 and 2008 invasion of Georgia, which still has terri-
9 tories illegally occupied by the Russian Federation.

10 (3) Since the illegal attempted annexation of
11 Ukraine's Crimea region in 2014, the Russian Fed-
12 eration has enhanced the Black Sea Fleet to in-
13 crease its presence in the region, enhanced its air
14 and coastal defenses, disregarded international law
15 regarding freedom of navigation to interrupt in reg-
16 ular shipping routes, and threatened freedom of
17 navigation exercises in the Black Sea.

18 (4) Since its military interventions in the Black
19 Sea region starting in 2008, the Russian Federation
20 has undertaken persistent hybrid measures to fur-
21 ther destabilize the region through malign influence
22 campaigns.

23 (5) Since the 2022 invasion of Ukraine by the
24 Russian Federation, the unity among Black Sea
25 countries has strengthened, particularly among

1 NATO member countries Romania, Bulgaria, and
2 Turkey.

3 (6) The Russian Federation is leveraging its il-
4 legal claim over Black Sea waters and the territories
5 of Black Sea region states to execute military exer-
6 cises to threaten the territorial sovereignty of
7 Ukraine and kill innocent civilians.

8 (7) Russia has a long history of using its posi-
9 tion in the Black Sea and Crimea to threaten NATO
10 allies, including the HMS Defender incident of June
11 2021, when a British ship was harassed by Russian
12 ships while undertaking a freedom of navigation pa-
13 trol in waters near the Crimean Peninsula.

14 (8) While NATO has conducted routine exer-
15 cises in the region, the United States presence in the
16 Black Sea has decreased since Russia's annexation
17 of Crimea due to competing security priorities
18 among allies, a lack of available ships and resources,
19 and a lack of a clearly defined regional strategy.

20 (9) While, in February 2022, Turkey blocked
21 the entry of Russian warships into the Black Sea
22 pursuant to the Convention regarding the Regime of
23 the Straits, signed at Montreux, Switzerland July
24 20, 1936 (commonly known as the "Montreux Con-
25 vention"), the Montreux Convention does not ac-

1 count for the increase in size, weight, and capabilities
2 ties of modern warships, and Russia does not have
3 the same limits on tonnage as non-littoral states.

4 (10) Turkey has resisted attempts to change its
5 interpretation of the Montreux Convention to avoid
6 weakening their position in the region.

7 (11) While NATO has long recognized the strategic
8 importance of the Black Sea, Russia has
9 sought to capitalize on at times divergent priorities
10 among NATO members in the region to advance expansionist
11 claims.

12 (12) On February 24, 2022, Russian Federation
13 President Vladimir Putin instigated an
14 unprovoked, unjustified, and unlawful war violating
15 the territorial integrity of the sovereign country of
16 Ukraine and is using the Russian Federation's military
17 presence on the Black Sea to kill innocent
18 Ukrainian civilians.

19 (13) The Russian Federation's unprovoked war
20 on Ukraine has underscored the importance of the
21 Black Sea region to United States national security
22 interests.

23 (14) The Russian Federation's unprovoked war
24 has caused a food security crisis as 20,000,000–
25 30,000,000 tons of Ukrainian grain remain unable

1 to leave Ukraine in an efficient and secure manner.
2 The war has also impeded Ukraine's ability to
3 produce and transport next year's harvest.

4 (15) The Russian Federation's actions in and
5 around the Black Sea have also disrupted secure, re-
6 liable access to energy resources throughout Europe.
7 Notably, Gazprom suspended natural gas supplies to
8 Poland and Bulgaria on April 27, 2022, after the
9 two countries refused to abide by a March 31, 2022,
10 Russian decree that all payments be made in rubles,
11 in violation of the terms of their contracts with
12 Gazprom.

13 (16) The People's Republic of China (PRC)'s
14 coercive economic policies also threaten the economic
15 stability of the Black Sea region.

16 **SEC. 3. SENSE OF CONGRESS ON BLACK SEA SECURITY.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) it is in the interest of the United States to
20 prevent the spread of further armed conflict in Eu-
21 rope by recognizing the Black Sea region as an
22 arena of Russian aggression;

23 (2) the littoral members of the Black Sea are
24 critical in countering aggression by the Government

1 of the Russian Federation and maintaining the col-
2 lective security of the NATO alliance;

3 (3) the repeated, illegal, unprovoked, and vio-
4 lent attempts of the Russian Federation to expand
5 its territory and control access to the Mediterranean
6 through the Black Sea constitutes a threat to the
7 national security of the United States and the
8 NATO alliance;

9 (4) the United States condemns attempts by
10 the Russian Federation to change or alter bound-
11 aries in the Black Sea region by any means contrary
12 to international law;

13 (5) the United States and its allies should
14 robustly counter Russia's illegal territorial claims on
15 the Crimean Peninsula, along Ukraine's territorial
16 waters in the Black Sea and the Sea of Azov, in the
17 Black Sea's international waters, and in the terri-
18 tories it is illegally occupying in Ukraine;

19 (6) the United States should continue to work
20 within NATO and with NATO allies to develop a
21 long-term strategy to enhance security, establish a
22 permanent, sustainable presence in the eastern
23 flank, and bolster the democratic resilience of its al-
24 lies and partners in the region;

1 (7) the United States should also work with the
2 European Union in coordinating a strategy to sup-
3 port democratic initiatives and economic prosperity
4 in the region, which includes two European Union
5 members and four aspirant nations;

6 (8) the United States should explore efforts to
7 rebuild trust and bilateral relations with Turkey, a
8 key ally in the Black Sea region and a bulwark
9 against Iran;

10 (9) it is in the interest of the United States
11 that NATO adopt a robust strategy toward the
12 Black Sea, including by working with interested
13 partner countries in the region to advance common
14 security objectives;

15 (10) the United States should work to foster
16 dialogue among countries within the Black Sea re-
17 gion to improve communication and intelligence
18 sharing and increase cyber defense capabilities;

19 (11) countries with historic and economic ties
20 to Russia are looking to the United States and Eu-
21 rope to provide a positive economic presence in the
22 broader region as a counterbalance to the Russian
23 Federation's malign influence in the region;

1 (12) it is in the interest of the United States
2 to support and bolster the economic ties between the
3 United States and Black Sea partners;

4 (13) the United States should support the ini-
5 tiative undertaken by central and eastern European
6 states to advance the Three Seas Initiative Fund to
7 strengthen transport, energy, and digital infrastruc-
8 ture connectivity in the region between the Adriatic
9 Sea, Baltic Sea, and Black Sea;

10 (14) there are mutually beneficial opportunities
11 for increased investment and economic expansion,
12 particularly on energy, climate, and transport infra-
13 structure initiatives, between the United States and
14 Black Sea states and the broader region;

15 (15) improved economic ties between the United
16 States and the Black Sea states and the broader re-
17 gion can lead to a strengthened strategic partner-
18 ship;

19 (16) the United States must address the food
20 security challenges arising from closure of Ukraine's
21 Black Sea ports, as this global challenge will have
22 critical national security implications for the United
23 States, our partners, and allies;

24 (17) Russia has a brutal history of using hun-
25 ger as a weapon and must be stopped; and

1 (18) countering the PRC's coercive economic
2 pursuits remains an important policy imperative in
3 order to further integrate the Black Sea countries
4 into western economies and improve regional sta-
5 bility.

6 **SEC. 4. REPORT ON UNITED STATES POLICY TOWARD THE**
7 **BLACK SEA REGION.**

8 (a) IN GENERAL.—Not later than 120 days after the
9 date of the enactment of this Act, the National Security
10 Council, in coordination with the Department of State,
11 Department of Defense, the Department of the Treasury,
12 the Department of Commerce, the Department of Energy,
13 the United States Agency for International Development,
14 the Trade and Development Agency, the United States
15 Export-Import Bank, the Department of Agriculture, and
16 the United States International Development Finance
17 Corporation, shall deliver to the appropriate congressional
18 committees an interagency report that outlines current
19 United States efforts and policy options toward Black Sea
20 countries and the broader region and addresses the mat-
21 ters addressed in section 3, including NATO engagement
22 in the region.

23 (b) ELEMENTS.—The report required under sub-
24 section (a) shall include the following elements:

1 (1) An overview of ongoing efforts by relevant
2 United States Government agencies toward the
3 Black Sea region, both through bilateral initiatives
4 with Black Sea countries and any regional initiatives
5 toward the region, to provide military and security
6 assistance, economic support, and good governance
7 initiatives.

8 (2) A description of current efforts and policy
9 options that can be undertaken by the Department
10 of State, the United States International Develop-
11 ment Finance Corporation, the United States Ex-
12 port-Import Bank, the Trade and Development
13 Agency, the Department of Energy, the Department
14 of the Treasury, the Department of Commerce, and
15 the Department of Agriculture to promote economic
16 growth, integration, and quality infrastructure (in-
17 cluding for energy integration and independence) in
18 the Black Sea littoral states and the broader region.

19 (3) A breakdown of initiatives to provide the
20 following types of support, together with a break-
21 down of funding to support these efforts:

22 (A) Military assistance, including infra-
23 structure in support of enhanced deployments
24 and supply logistics in the region.

1 (B) Economic assistance, including support
2 for the food security crisis.

3 (C) Countering Russian disinformation and
4 propaganda in the Black Sea region.

5 (D) Energy diversification and regional
6 market integration and supply to reduce de-
7 pendence on energy from the Russian Federa-
8 tion and promote clean energy initiatives.

9 (E) Using economic statecraft tools, such
10 as trade and monetary policy, equity invest-
11 ments and debt financing and political risk in-
12 surance, to increase the United States bilateral
13 trade and investment in the region and oppor-
14 tunities for near-shoring production in the
15 broader region for the European market.

16 (F) Fostering greater regional cooperation.

17 (G) Increasing access to global capital
18 markets and enhancement of local and regional
19 sources of capital for critical infrastructure and
20 other investments.

21 (H) A plan for helping United States allies
22 in the region to accelerate their transitions
23 from legacy Russian military equipment and
24 promote NATO interoperability.

1 (I) Strengthening rule-of-law and anti-cor-
2 ruption efforts.

3 (J) Addressing the PRC's coercive eco-
4 nomic actions.

5 (4) An assessment of NATO engagement in the
6 region and policy options to address the changed re-
7 gional security environment, including NATO's pres-
8 ence in the region and an outline of NATO's
9 planned and recent military exercises in the region,
10 in particular those under Headquarters Multi-
11 national Division Southeast (in Romania) and the
12 four new battle groups in Romania, Bulgaria, Hun-
13 gary, and Slovakia.

14 **SEC. 5. UNITED STATES POLICY.**

15 It is the policy of the United States to—

16 (1) actively deter the threat of further Russian
17 escalation in the Black Sea region and defend free-
18 dom of navigation in the Black Sea to prevent the
19 spread of further armed conflict in Europe;

20 (2) advocate within NATO, among NATO al-
21 lies, and within the European Union to develop a
22 long-term coordinated strategy to enhance security,
23 establish a permanent, sustainable presence in the
24 eastern flank, and bolster the democratic resilience
25 of United States allies and partners in the region;

1 (3) support and bolster the economic ties be-
2 tween the United States and Black Sea partners,
3 and mobilize the United States International Devel-
4 opment Finance Corporation, the Export-Import
5 Bank, the Trade and Development Agency, the De-
6 partment of State, the United States Agency for
7 International Development, the Department of Agri-
8 culture, and the Department of Commerce to in-
9 crease United States presence and investment in
10 Black Sea countries;

11 (4) provide economic alternatives to the PRC's
12 coercive economic options that destabilize and fur-
13 ther erode economic integration of the Black Sea lit-
14 toral states;

15 (5) ensure that the United States continues to
16 support Black Sea countries to strengthen their
17 democratic institutions to prevent corruption and ac-
18 celerate their advancement into the Euroatlantic
19 community; and

20 (6) encourage the initiative undertaken by cen-
21 tral and eastern European states to advance the
22 Three Seas Initiative to strengthen transport, en-
23 ergy, and digital infrastructure connectivity in the
24 region between the Adriatic Sea, Baltic Sea, and
25 Black Sea.

1 **SEC. 6. BLACK SEA SECURITY AND DEVELOPMENT STRAT-**
2 **EGY.**

3 (a) BLACK SEA DEVELOPMENT AND SECURITY
4 STRATEGY.—No later than 360 days after the enactment
5 of this Act, drawing from the policy options developed in
6 the report in section 4, the National Security Council, in
7 coordination with the Department of State, the Depart-
8 ment of Defense, the United States International Develop-
9 ment Finance Corporation, the United States Agency for
10 International Development, the United States Export-Im-
11 port Bank, the Trade and Development Agency the De-
12 partment of Commerce, the Department of Energy, the
13 Department of Agriculture, and the Department of the
14 Treasury, shall direct an interagency strategy, based on
15 the findings of the report under section 4, to increase mili-
16 tary assistance and coordination with NATO and the Eu-
17 ropean Union, deepen economic ties, strengthen economic
18 and energy security and enhance security assistance with
19 Black Sea countries, and support efforts to bolster their
20 democratic resilience.

21 (b) PURPOSE AND OBJECTIVES.—The initiative es-
22 tablished under subsection (a) shall have the following
23 goals and objectives:

24 (1) Ensuring the efficient and effective delivery
25 of security assistance to the Black Sea states,
26 prioritizing assistance that will bolster defenses

1 against hybrid warfare and improve interoperability
2 with NATO forces.

3 (2) Bolstering United States support for the re-
4 gion's energy security and integration with Europe
5 and reducing their dependence on Russia while sup-
6 porting energy diversification.

7 (3) Mitigating the impact of economic coercion
8 by the Russian Federation and the PRC on Black
9 Sea states and identifying new opportunities for for-
10 eign direct investment from the United States and
11 cooperating countries and the enhancement of
12 United States business ties.

13 (4) Increasing high-level engagement between
14 the United States and the Black Sea states, and re-
15 inforcing economic growth, financing quality infra-
16 structure, and reinforcing trade with a focus on im-
17 proving high-level economic cooperation.

18 (5) Increasing coordination with the European
19 Union and the North Atlantic Treaty Organization
20 to maximize effectiveness and minimize duplication.

21 (c) ACTIVITIES.—

22 (1) SECURITY.—The strategy established under
23 subsection (a) shall include the following elements
24 related to security:

1 (A) A plan to increase interagency coordi-
2 nation toward the Black Sea region.

3 (B) A strategy for—

4 (i) the United States to increase
5 NATO's presence and capabilities in the
6 Black Sea region, including land and air
7 forces; or

8 (ii) a United States-led initiative with
9 NATO member countries to increase co-
10 ordination, presence, and regional engage-
11 ment among Black Sea countries.

12 (C) A strategy to increase military assist-
13 ance toward Black Sea countries, particularly
14 Ukraine, Romania, Bulgaria, and Georgia.

15 (D) Prioritization of intelligence, surveil-
16 lance, and reconnaissance systems to monitor
17 Russian operations in the Black Sea region, as
18 well as upgrading from air policing to air de-
19 fense missions.

20 (E) An assessment of the value of estab-
21 lishing a joint, multinational three-star head-
22 quarters on the Black Sea, responsible for plan-
23 ning, readiness, exercises, and coordination of
24 all military activity in the greater Black Sea re-
25 gion.

1 (F) An overview of Foreign Military Fi-
2 nancing, International Military Education and
3 Training, and other United States security as-
4 sistance to the region.

5 (G) A plan for communicating the changes
6 to NATO posture to the public in allied and
7 partner countries, as well as in the Russian
8 Federation and Belarus.

9 (H) A plan for combating Russian
10 disinformation and propaganda in the Black
11 Sea region, utilizing the resources of the United
12 States Government, including the Global En-
13 gagement Center.

14 (I) A plan to promote greater freedom of
15 navigation, working primarily with Turkey,
16 Ukraine, Romania, and Bulgaria to allow for
17 greater security and economic Black Sea access.

18 (2) ECONOMIC PROSPERITY.—The strategy es-
19 tablished under subsection (a) shall include the fol-
20 lowing elements related to economic prosperity:

21 (A) A strategy to foster dialogue between
22 experts from the United States and from the
23 Black Sea states on economic expansion, for-
24 eign direct investment, strengthening rule of

1 law initiatives, and mitigating economic coer-
2 cion by Russia and the PRC.

3 (B) A strategy for the United States Inter-
4 national Development Finance Corporation and
5 all Federal departments and agencies that con-
6 tribute to United States economic statecraft to
7 identify new opportunities for private invest-
8 ment in Black Sea states.

9 (C) An evaluation undertaken by United
10 States International Development Finance Cor-
11 poration to establish regional offices in Georgia,
12 Ukraine, or Romania.

13 (D) Assessments on energy diversification.
14 The assessment should focus on the immediate
15 need to replace energy supplies from Russia,
16 and recognize the long-term importance of
17 broader energy diversification, including clean
18 energy initiatives.

19 (E) Assessments of potential food security
20 solutions.

21 (3) DEMOCRATIC RESILIENCE.—The strategy
22 established under subsection (a) shall include the
23 following elements related to democratic resilience:

24 (A) A strategy to increase independent
25 media and United States-supported media ini-

1 tiatives to combat foreign malign influence in
2 the Black Sea region.

3 (B) Greater mobilization of initiatives
4 spearheaded by the Global Engagement Center
5 and the United States Agency for International
6 Development to counter Russian propaganda
7 and disinformation in the Black Sea region.

8 (4) REGIONAL CONNECTIVITY.—The strategy
9 established under subsection (a) shall promote re-
10 gional connectivity by sending high-level representa-
11 tives of the Department of State or other agency
12 partners to—

13 (A) the Black Sea region not less fre-
14 quently than twice a year; and

15 (B) major regional fora on infrastructure
16 and energy security, including the Three Seas
17 Initiative Summit.

18 (d) IDENTIFICATION OF NECESSARY PROGRAMS AND
19 RESOURCES.—No later than 360 days after the date of
20 the enactment of this Act, the interagency shall identify
21 any necessary program, policy, or budgetary resources re-
22 quired, by agency, to support implementation of the Black
23 Sea Security Strategy for fiscal years 2024, 2025, and
24 2026.

1 **SEC. 7. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Foreign Relations,
7 the Committee on Armed Services, and the
8 Committee on Appropriations of the Senate;
9 and

10 (B) the Committee on Foreign Affairs, the
11 Committee on Armed Services, and the Com-
12 mittee on Appropriations of the House of Rep-
13 resentatives.

14 (2) BLACK SEA STATES.—The term “Black Sea
15 states” means Turkey, Romania, Bulgaria, Moldova,
16 Ukraine, and Georgia.

17 (3) THREE SEAS INITIATIVE INVESTMENT
18 FUND COUNTRIES.— The term “Three Seas Initia-
19 tive Investment Fund countries” means Estonia,
20 Latvia, Lithuania, Poland, the Czech Republic, Slo-
21 vakia, Hungary, Slovenia, Austria, Croatia, Roma-
22 nia, and Bulgaria.

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