

115TH CONGRESS
1ST SESSION

S. 341

To provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, FEBRUARY 6), 2017

Mr. GRAHAM (for himself, Mr. CARDIN, Mr. MCCAIN, Mr. BROWN, Mr. RUBIO, and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, 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 “Russia Sanctions Re-
5 view Act of 2017”.

6 **SEC. 2. CODIFICATION OF EXECUTIVE ORDER 13694.**

7 Executive Order 13694 (80 Fed. Reg. 18077; relat-
8 ing to blocking the property of certain persons engaging

1 in significant malicious cyber-enabled activities), as in ef-
 2 fect on January 1, 2017, and any sanctions imposed pur-
 3 suant to that Executive order, shall remain in effect.

4 **SEC. 3. CODIFICATION OF EXECUTIVE ORDERS IMPOSING**
 5 **SANCTIONS IN RELATION TO THE SITUATION**
 6 **IN UKRAINE.**

7 (a) IN GENERAL.—The Executive orders specified in
 8 subsection (b), and sanctions imposed pursuant to such
 9 Executive orders, shall remain in effect.

10 (b) EXECUTIVE ORDERS SPECIFIED.—The Executive
 11 orders specified in this subsection are the following:

12 (1) Executive Order 13660 (79 Fed. Reg.
 13 13493; relating to blocking property of certain per-
 14 sons contributing to the situation in Ukraine) (as in
 15 effect on January 1, 2017).

16 (2) Executive Order 13661 (79 Fed. Reg.
 17 15535; relating to blocking property of additional
 18 persons contributing to the situation in Ukraine) (as
 19 in effect on January 1, 2017).

20 (3) Executive Order 13662 (79 Fed. Reg.
 21 16169; relating to blocking property of additional
 22 persons contributing to the situation in Ukraine) (as
 23 in effect on January 1, 2017).

24 (4) Executive Order 13685 (79 Fed. Reg.
 25 77357; relating to blocking property of certain per-

1 sons and prohibiting certain transactions with re-
 2 spect to the Crimea region of Ukraine) (as in effect
 3 on January 1, 2017).

4 **SEC. 4. CONGRESSIONAL OVERSIGHT OF SANCTIONS IM-**
 5 **POSED WITH RESPECT TO THE RUSSIAN FED-**
 6 **ERATION.**

7 (a) SUBMISSION TO CONGRESS OF POLICY CHANGES
 8 TO SANCTIONS ON THE RUSSIAN FEDERATION.—Before
 9 taking any action to waive, suspend, reduce, provide relief
 10 from, or otherwise limit the application of sanctions with
 11 respect to the Russian Federation, the President shall sub-
 12 mit to the appropriate congressional committees and lead-
 13 ership a report that—

14 (1) describes the proposed action; and
 15 (2) certifies that the Government of the Rus-
 16 sian Federation has ceased—

17 (A) ordering, controlling, or otherwise di-
 18 recting, supporting, or financing, significant
 19 acts intended to undermine the peace, security,
 20 stability, sovereignty, or territorial integrity of
 21 Ukraine, including through an agreement be-
 22 tween the appropriate parties; and

23 (B) cyberattacks against the United States
 24 Government and United States persons.

25 (b) PERIOD FOR REVIEW BY CONGRESS.—

1 (1) IN GENERAL.—During the 120-calendar day
2 period following submission by the President of a re-
3 port under subsection (a), the Committee on Foreign
4 Relations of the Senate and the Committee on For-
5 eign Affairs of the House of Representatives shall,
6 as appropriate, hold hearings and briefings and oth-
7 erwise obtain information in order to fully review the
8 report and the certification required by subsection
9 (a)(2).

10 (2) LIMITATION ON ACTIONS DURING INITIAL
11 CONGRESSIONAL REVIEW PERIOD.—Notwithstanding
12 any other provision of law, during the period for
13 congressional review provided for under paragraph
14 (1), the President may not waive, suspend, reduce,
15 provide relief from, or otherwise limit the application
16 of sanctions with respect to the Russian Federation.

17 (3) LIMITATION ON ACTIONS DURING PRESI-
18 DENTIAL CONSIDERATION OF A JOINT RESOLUTION
19 OF DISAPPROVAL.—Notwithstanding any other pro-
20 vision of law, if a joint resolution of disapproval
21 passes both Houses of Congress in accordance with
22 subsection (c), the President may not waive, sus-
23 pend, reduce, provide relief from, or otherwise limit
24 the application of sanctions with respect to the Rus-
25 sian Federation, for a period of 12 calendar days

1 following the date of passage of the joint resolution
2 of disapproval.

3 (4) LIMITATION ON ACTIONS DURING CONGRES-
4 SIONAL RECONSIDERATION OF A JOINT RESOLUTION
5 OF DISAPPROVAL.—Notwithstanding any other pro-
6 vision of law, if a joint resolution of disapproval
7 passes both Houses of Congress in accordance with
8 subsection (c), and the President vetoes the joint
9 resolution, the President may not waive, suspend, re-
10 duce, provide relief from, or otherwise limit the ap-
11 plication of sanctions with respect to the Russian
12 Federation, for a period of 10 calendar days fol-
13 lowing the date of the President’s veto.

14 (c) JOINT RESOLUTION OF DISAPPROVAL.—

15 (1) JOINT RESOLUTION OF DISAPPROVAL DE-
16 FINED.—In this subsection, the term “joint resolu-
17 tion of disapproval” means a joint resolution of ei-
18 ther House of Congress the sole matter after the re-
19 solving clause of which is as follows: “That Congress
20 disapproves of the action proposed by the President
21 in the report submitted to Congress under section
22 4(a) of the Russia Sanctions Review Act of 2017 on
23 _____.”, with the blank space being filled with
24 the appropriate date.

1 (2) EFFECT OF ENACTMENT.—Notwithstanding
 2 any other provision of law, the President may not
 3 take any action to waive, suspend, reduce, provide
 4 relief from, or otherwise limit the application of
 5 sanctions with respect to the Russian Federation, if
 6 a joint resolution of disapproval is enacted in accord-
 7 ance with this subsection.

8 (3) INTRODUCTION.—During the 120-calendar
 9 day period provided for under subsection (b)(1), a
 10 joint resolution of disapproval may be introduced—

11 (A) in the House of Representatives, by
 12 the majority leader or the minority leader; and

13 (B) in the Senate, by the majority leader
 14 (or the majority leader’s designee) or the mi-
 15 nority leader (or the minority leader’s des-
 16 ignee).

17 (4) FLOOR CONSIDERATION IN HOUSE OF REP-
 18 RESENTATIVES.—

19 (A) REPORTING AND DISCHARGE.—If a
 20 committee of the House of Representatives to
 21 which a joint resolution of disapproval has been
 22 referred has not reported the resolution within
 23 10 legislative days after the date of referral,
 24 that committee shall be discharged from further
 25 consideration thereof.

1 (B) PROCEEDING TO CONSIDERATION.—

2 Beginning on the third legislative day after
3 each committee to which a joint resolution of
4 disapproval has been referred reports it to the
5 House or has been discharged from further con-
6 sideration thereof, it shall be in order to move
7 to proceed to consider the resolution in the
8 House. All points of order against the motion
9 are waived. Such a motion shall not be in order
10 after the House has disposed of a motion to
11 proceed on the resolution. The previous ques-
12 tion shall be considered as ordered on the mo-
13 tion to its adoption without intervening motion.
14 The motion shall not be debatable. A motion to
15 reconsider the vote by which the motion is dis-
16 posed of shall not be in order.

17 (C) CONSIDERATION.—The joint resolution
18 of disapproval shall be considered as read. All
19 points of order against the resolution and
20 against its consideration are waived. The pre-
21 vious question shall be considered as ordered on
22 the resolution to final passage without inter-
23 vening motion except two hours of debate equal-
24 ly divided and controlled by the sponsor of the
25 resolution (or a designee) and an opponent. A

1 motion to reconsider the vote on passage of the
 2 resolution shall not be in order.

3 (5) CONSIDERATION IN THE SENATE.—

4 (A) COMMITTEE REFERRAL.—A joint reso-
 5 lution of disapproval introduced in the Senate
 6 shall be referred to the Committee on Foreign
 7 Relations.

8 (B) REPORTING AND DISCHARGE.—If the
 9 Committee on Foreign Relations has not re-
 10 ported a joint resolution of disapproval within
 11 10 session days after the date of referral of the
 12 resolution, that committee shall be discharged
 13 from further consideration of the resolution and
 14 the resolution shall be placed on the appro-
 15 priate calendar.

16 (C) PROCEEDING TO CONSIDERATION.—
 17 Notwithstanding Rule XXII of the Standing
 18 Rules of the Senate, it is in order at any time
 19 after the Committee on Foreign Relations re-
 20 ports the joint resolution of disapproval to the
 21 Senate or has been discharged from its consid-
 22 eration (even though a previous motion to the
 23 same effect has been disagreed to) to move to
 24 proceed to the consideration of the resolution,
 25 and all points of order against the resolution

(and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business until disposed of.

(D) DEBATE.—Debate on the joint resolution of disapproval, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order.

(E) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the joint resolution of disapproval and a single quorum call at the con-

1 clusion of the debate, if requested in accordance
2 with the rules of the Senate.

3 (F) RULINGS OF THE CHAIR ON PROCE-
4 DURE.—Appeals from the decisions of the Chair
5 relating to the application of the rules of the
6 Senate, as the case may be, to the procedure re-
7 lating to the joint resolution of disapproval shall
8 be decided without debate.

9 (G) CONSIDERATION OF VETO MES-
10 SAGES.—Debate in the Senate of any veto mes-
11 sage with respect to the joint resolution of dis-
12 approval, including all debatable motions and
13 appeals in connection with the resolution, shall
14 be limited to 10 hours, to be equally divided be-
15 tween, and controlled by, the majority leader
16 and the minority leader or their designees.

17 (6) RULES RELATING TO SENATE AND HOUSE
18 OF REPRESENTATIVES.—

19 (A) COORDINATION WITH ACTION BY
20 OTHER HOUSE.—If, before the passage by one
21 House of a joint resolution of disapproval of
22 that House, that House receives a joint resolu-
23 tion of disapproval from the other House, the
24 following procedures shall apply:

1 (i) The joint resolution of disapproval
 2 of the other House shall not be referred to
 3 a committee.

4 (ii) With respect to the joint resolu-
 5 tion of disapproval of the House receiving
 6 the joint resolution of disapproval from the
 7 other House—

8 (I) the procedure in that House
 9 shall be the same as if no joint resolu-
 10 tion of disapproval had been received
 11 from the other House; but

12 (II) the vote on passage shall be
 13 on the joint resolution of disapproval
 14 of the other House.

15 (B) TREATMENT OF A RESOLUTION OF
 16 OTHER HOUSE.—If one House fails to introduce
 17 a joint resolution of disapproval, the joint reso-
 18 lution of disapproval of the other House shall
 19 be entitled to expedited floor procedures under
 20 this subsection.

21 (C) TREATMENT OF HOUSE RESOLUTION
 22 IN SENATE.—If, following passage of the joint
 23 resolution of disapproval in the Senate, the
 24 Senate then receives a joint resolution of dis-
 25 approval from the House of Representatives,

1 the joint resolution of disapproval of the House
 2 shall not be debatable.

3 (D) APPLICATION TO REVENUE MEAS-
 4 URES.—The provisions of this paragraph shall
 5 not apply in the House of Representatives to a
 6 joint resolution of disapproval that is a revenue
 7 measure.

8 (7) RULES OF HOUSE OF REPRESENTATIVES
 9 AND SENATE.—This subsection is enacted by Con-
 10 gress—

11 (A) as an exercise of the rulemaking power
 12 of the Senate and the House of Representa-
 13 tives, respectively, and as such is deemed a part
 14 of the rules of each House, respectively, but ap-
 15 plicable only with respect to the procedure to be
 16 followed in that House in the case of a joint
 17 resolution of disapproval, and supersedes other
 18 rules only to the extent that it is inconsistent
 19 with such rules; and

20 (B) with full recognition of the constitu-
 21 tional right of either House to change the rules
 22 (so far as relating to the procedure of that
 23 House) at any time, in the same manner, and
 24 to the same extent as in the case of any other
 25 rule of that House.

1 (d) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES AND LEADERSHIP.—The term “appropriate
4 congressional committees and leadership” means—

5 (A) the Committee on Finance, the Com-
6 mittee on Banking, Housing, and Urban Af-
7 fairs, the Select Committee on Intelligence, the
8 Committee on Foreign Relations, and the ma-
9 jority and minority leaders of the Senate; and

10 (B) the Committee on Ways and Means,
11 the Committee on Financial Services, the Per-
12 manent Select Committee on Intelligence, the
13 Committee on Foreign Affairs, and the Speak-
14 er, the majority leader, and the minority leader
15 of the House of Representatives.

16 (2) UNITED STATES PERSON.—The term
17 “United States person” means—

18 (A) a United States citizen or an alien law-
19 fully admitted for permanent residence to the
20 United States; or

21 (B) an entity organized under the laws of
22 the United States or of any jurisdiction within
23 the United States, including a foreign branch of
24 such an entity.

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