

115TH CONGRESS
1ST SESSION

S. 1221

To counter the influence of the Russian Federation in Europe and Eurasia,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2017

Mr. CARDIN (for himself and Mr. COONS) introduced the following bill; which
was read twice and referred to the Committee on Foreign Relations

A BILL

To counter the influence of the Russian Federation in
Europe and Eurasia, 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 “Countering Russian
5 Influence in Europe and Eurasia Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Government of the Russian Federation
9 has sought to exert influence throughout Europe and
10 Eurasia, including in the former states of the Soviet

1 Union, by providing resources to political parties,
2 think tanks, and civil society groups that sow dis-
3 trust in democratic institutions and actors, promote
4 xenophobic and illiberal views, and otherwise under-
5 mine European unity. The Government of the Rus-
6 sian Federation has also engaged in well-documented
7 corruption practices as a means toward undermining
8 and buying influence in European and Eurasian
9 countries.

10 (2) The Government of the Russian Federation
11 has largely eliminated a once-vibrant Russian-lan-
12 guage independent media sector and severely curtails
13 free and independent media within the borders of
14 the Russian Federation. Russian-language media or-
15 ganizations that are funded and controlled by the
16 Government of the Russian Federation and dissemi-
17 nate information within and outside of the Russian
18 Federation routinely traffic in anti-Western
19 disinformation, while few independent, fact-based
20 media sources provide objective reporting for Rus-
21 sian-speaking audiences inside or outside of the Rus-
22 sian Federation.

23 (3) The Government of the Russian Federation
24 continues to violate its commitments under the
25 Memorandum on Security Assurances in connection

1 with Ukraine's Accession to the Treaty on the Non-
2 Proliferation of Nuclear Weapons, done at Budapest
3 December 5, 1994, and the Conference on Security
4 and Co-operation in Europe Final Act, concluded at
5 Helsinki August 1, 1975 (commonly referred to as
6 the "Helsinki Final Act"), which laid the ground-
7 work for the establishment of the Organization for
8 Security and Co-operation in Europe, of which the
9 Russian Federation is a member, by its illegal an-
10 nexation of Crimea in 2014, its illegal occupation of
11 South Ossetia and Abkhazia in Georgia in 2008, and
12 its ongoing destabilizing activities in eastern
13 Ukraine.

14 (4) The Government of the Russian Federation
15 continues to ignore the terms of the August 2008
16 ceasefire agreement relating to Georgia, which re-
17 quires the withdrawal of Russian Federation troops,
18 free access by humanitarian groups to the regions of
19 South Ossetia and Abkhazia, and monitoring of the
20 conflict areas by the European Union Monitoring
21 Mission.

22 (5) The Government of the Russian Federation
23 is failing to comply with the terms of the Minsk
24 Agreement to address the ongoing conflict in eastern
25 Ukraine, signed in Minsk, Belarus, on February 11,

1 2015, by the leaders of Ukraine, Russia, France,
2 and Germany, as well as the Minsk Protocol, which
3 was agreed to on September 5, 2014.

4 (6) The Government of the Russian Federation
5 is—

6 (A) in violation of the Treaty between the
7 United States of America and the Union of So-
8 viet Socialist Republics on the Elimination of
9 their Intermediate-Range and Shorter-Range
10 Missiles, signed at Washington December 8,
11 1987, and entered into force June 1, 1988
12 (commonly known as the “INF Treaty”); and

13 (B) failing to meet its obligations under
14 the Treaty on Open Skies, done at Helsinki
15 March 24, 1992, and entered into force Janu-
16 ary 1, 2002 (commonly known as the “Open
17 Skies Treaty”).

18 **SEC. 3. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) the Government of the Russian Federation
21 bears responsibility for the continuing violence in
22 Eastern Ukraine, including the death on April 24,
23 2017, of Joseph Stone, a citizen of the United
24 States working as a monitor for the Organization for
25 Security and Co-operation in Europe;

1 (2) the President should call on the Govern-
2 ment of the Russian Federation—

3 (A) to withdraw all of its forces from the
4 territories of Georgia, Ukraine, and Moldova;

5 (B) to return control of the borders of
6 those territories to their respective govern-
7 ments; and

8 (C) to cease all efforts to undermine the
9 popularly elected governments of those coun-
10 tries;

11 (3) the Government of the Russian Federation
12 has applied, and continues to apply, to the countries
13 and peoples of Georgia and Ukraine, traditional uses
14 of force, intelligence operations, and influence cam-
15 paigns, which represent clear and present threats to
16 the countries of Europe and Eurasia;

17 (4) in response, the countries of Europe and
18 Eurasia should redouble efforts to build resilience
19 within their institutions, political systems, and civil
20 societies;

21 (5) the United States supports the institutions
22 that the Government of the Russian Federation
23 seeks to undermine, including the North Atlantic
24 Treaty Organization and the European Union;

1 (6) a strong North Atlantic Treaty Organiza-
2 tion is critical to maintaining peace and security in
3 Europe and Eurasia;

4 (7) the United States should continue to work
5 with the European Union as a partner against ag-
6 gression by the Government of the Russian Federa-
7 tion, coordinating aid programs, development assist-
8 ance, and other counter-Russian efforts;

9 (8) the United States should encourage the es-
10 tablishment of a commission for media freedom
11 within the Council of Europe, modeled on the Venice
12 Commission regarding rule of law issues, that would
13 be chartered to provide governments with expert rec-
14 ommendations on maintaining legal and regulatory
15 regimes supportive of free and independent media
16 and an informed citizenry able to distinguish be-
17 tween fact-based reporting, opinion, and
18 disinformation;

19 (9) in addition to working to strengthen the
20 North Atlantic Treaty Organization and the Euro-
21 pean Union, the United States should work with the
22 individual countries of Europe and Eurasia—

23 (A) to identify vulnerabilities to aggres-
24 sion, disinformation, corruption, and so-called

1 hybrid warfare by the Government of the Rus-
2 sian Federation;

3 (B) to establish strategic and technical
4 plans for addressing those vulnerabilities;

5 (C) to ensure that the financial systems of
6 those countries are not being used to shield il-
7 licit financial activity by officials of the Govern-
8 ment of the Russian Federation or individuals
9 in President Vladimir Putin’s inner circle who
10 have been enriched through corruption;

11 (D) to investigate and prosecute cases of
12 corruption by Russian actors; and

13 (E) to work toward full compliance with
14 the Convention on Combating Bribery of For-
15 eign Public Officials in International Business
16 Transactions (commonly referred to as the
17 “Anti-Bribery Convention”) of the Organization
18 for Economic Co-operation and Development;
19 and

20 (10) the President of the United States should
21 use the authority of the President to impose sanc-
22 tions under—

23 (A) the Sergei Magnitsky Rule of Law Ac-
24 countability Act of 2012 (title IV of Public Law
25 112–208; 22 U.S.C. 5811 note); and

1 (B) the Global Magnitsky Human Rights
2 Accountability Act (subtitle F of title XII of
3 Public Law 114–328; 22 U.S.C. 2656 note).

4 **SEC. 4. STATEMENT OF POLICY.**

5 The United States, consistent with the principle of
6 *ex injuria jus non oritur*, supports the policy known as
7 the “Stimson Doctrine” and thus does not recognize terri-
8 torial changes effected by force, including the illegal inva-
9 sions and occupations of Abkhazia, South Ossetia, Crimea,
10 Eastern Ukraine, and Transnistria.

11 **SEC. 5. COORDINATING AID AND ASSISTANCE ACROSS EU-**
12 **ROPE AND EURASIA.**

13 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
14 are authorized to be appropriated for the Countering Rus-
15 sian Influence Fund \$250,000,000 for fiscal years 2018
16 and 2019.

17 (b) **MANAGEMENT OF THE FUND.**—Not later than 90
18 days after the date of the enactment of this Act, the Sec-
19 retary of State, in consultation with the Administrator of
20 the United States Agency for International Development
21 and, as appropriate, the Secretary of Homeland Security,
22 the Director of National Intelligence, and the Secretary
23 of Defense, shall establish a working group to administer
24 the Countering Russian Influence Fund in order to facili-
25 tate the achievement of the goals described in subsection

1 (c) while minimizing the expense to United States tax-
2 payers.

3 (c) USE OF FUNDS.—

4 (1) MANDATORY USE OF FUNDS.—Amounts in
5 the Countering Russian Influence Fund shall be
6 used for the following:

7 (A) To assist in protecting critical infra-
8 structure and electoral mechanisms from
9 cyberattacks in the following countries:

10 (i) Countries that are members of the
11 North Atlantic Treaty Organization or the
12 European Union that the Secretary of
13 State determines—

14 (I) are vulnerable to influence by
15 the Russian Federation; and

16 (II) lack the economic capability
17 to effectively respond to aggression by
18 the Russian Federation without the
19 support of the United States.

20 (ii) Countries that are participating in
21 the enlargement process of the North At-
22 lantic Treaty Organization or the Euro-
23 pean Union, including Albania, Bosnia and
24 Herzegovina, Georgia, Macedonia,
25 Moldova, Kosovo, Serbia, and Ukraine.

1 (B) To combat corruption, improve the
2 rule of law, and otherwise strengthen inde-
3 pendent judiciaries and prosecutors general of-
4 fices in the countries described in subparagraph
5 (A).

6 (2) DISCRETIONARY USE OF FUNDS.—Amounts
7 in the Countering Russian Influence Fund may be
8 used to seek to achieve the following, to the extent
9 practicable and as appropriate:

10 (A) Responding to the humanitarian crises
11 and instability caused or aggravated by the in-
12 vasions and occupations of Georgia and
13 Ukraine by the Russian Federation.

14 (B) Improving participatory legislative
15 processes and legal education, political trans-
16 parency and competition, and compliance with
17 international obligations in the countries de-
18 scribed in paragraph (1)(A).

19 (C) Building the capacity of civil society,
20 media, and other nongovernmental organiza-
21 tions countering the influence and propaganda
22 of the Russian Federation in the countries de-
23 scribed in paragraph (1)(A).

24 (d) IMPLEMENTATION.—

1 (1) IN GENERAL.—The Secretary of State, act-
2 ing through Coordinator of United States Assistance
3 to Europe and Eurasia (authorized pursuant to sec-
4 tion 601 of the Support for East European Democ-
5 racy (SEED) Act of 1989 (22 U.S.C. 5461) and
6 section 102 of the Freedom for Russia and Emerg-
7 ing Eurasian Democracies and Open Markets Sup-
8 port Act of 1992 (22 U.S.C. 5812)), shall coordinate
9 efforts to implement the goals described in sub-
10 section (c) and establish metrics relating to efforts
11 to achieve those goals.

12 (2) REPORT ON IMPLEMENTATION.—

13 (A) IN GENERAL.—Not later than April 1
14 of each year, the Secretary of State, acting
15 through the Coordinator of United States As-
16 sistance to Europe and Eurasia, shall submit to
17 the appropriate congressional committees a re-
18 port on the programs and activities carried out
19 to achieve the goals described in subsection (c)
20 during the preceding fiscal year.

21 (B) ELEMENTS.—Each report required by
22 subparagraph (A) shall include, with respect to
23 each program or activity described in that sub-
24 paragraph—

- 1 (i) the amount of funding for the pro-
2 gram or activity;
3 (ii) the goal described in subsection
4 (c) to which the program or activity re-
5 lates; and
6 (iii) an assessment of whether or not
7 the goal was met.

8 (e) COORDINATION WITH GLOBAL PARTNERS.—

9 (1) IN GENERAL.—In order to maximize cost
10 efficiency, eliminate duplication, and speed the
11 achievement of the goals described in subsection (c),
12 the working group established under subsection (b)
13 shall ensure coordination with—

14 (A) the European Union and its institu-
15 tions;

16 (B) the governments of countries that are
17 members of the North Atlantic Treaty Organi-
18 zation or the European Union; and

19 (C) international organizations and quasi-
20 governmental funding entities that carry out
21 programs and activities that seek to accomplish
22 the goals described in subsection (c).

23 (2) REPORT BY SECRETARY OF STATE.—Not
24 later than April 1 of each year, the Secretary of

1 State shall submit to the appropriate congressional
2 committees a report that includes—

3 (A) the amount of funding provided to
4 each country referred to in subsection (c) by—

5 (i) the European Union or its institu-
6 tions;

7 (ii) the government of each country
8 that is a member of the European Union
9 or the North Atlantic Treaty Organization;
10 and

11 (iii) international organizations and
12 quasi-governmental funding entities that
13 carry out programs and activities that seek
14 to accomplish the goals described in sub-
15 section (c); and

16 (B) an assessment of whether the funding
17 described in subparagraph (A) is commensurate
18 with funding provided by the United States for
19 those goals.

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

1 **SEC. 6. REPORT ON MEDIA ORGANIZATIONS CONTROLLED**
2 **AND FUNDED BY THE GOVERNMENT OF THE**
3 **RUSSIAN FEDERATION.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, and annually thereafter,
6 the President shall submit to the appropriate congres-
7 sional committees a report that includes a description of
8 media organizations that are controlled and funded by the
9 Government of the Russian Federation, and any affiliated
10 entities, whether operating within or outside the Russian
11 Federation, including broadcast and satellite-based tele-
12 vision, radio, Internet, and print media organizations.

13 (b) FORM OF REPORT.—The report required by sub-
14 section (a) shall be submitted in unclassified form but may
15 include a classified annex.

16 **SEC. 7. TERMINATION.**

17 The provisions of this Act shall terminate on the date
18 that is 5 years after the date of the enactment of this
19 Act.

20 **SEC. 8. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
21 **FINED.**

22 In this Act, the term “appropriate congressional com-
23 mittees” means—

24 (1) the Committee on Foreign Relations, the
25 Committee on Banking, Housing, and Urban Af-
26 fairs, the Committee on Armed Services, the Com-

1 mittee on Homeland Security and Governmental Af-
2 fairs, the Committee on Appropriations, and the Se-
3 lect Committee on Intelligence of the Senate; and

4 (2) the Committee on Foreign Affairs, the
5 Committee on Financial Services, the Committee on
6 Armed Services, the Committee on Homeland Secu-
7 rity, the Committee on Appropriations, and the Per-
8 manent Select Committee on Intelligence of the
9 House of Representatives.

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