

[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To respond to and deter Russian attacks on the integrity of United States elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To respond to and deter Russian attacks on the integrity of United States elections, 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. SENSE OF CONGRESS.**

4 It is the sense of Congress that:

5 (1) The Intelligence Community Assessment of
6 “Russia’s Influence Campaign Targeting the 2016
7 US Presidential Election”, produced by the Central
8 Intelligence Agency (CIA), Federal Bureau of Inves-
9 tigation (FBI), and National Security Agency (NSA)

1 and published by the Office of the Director of Na-
2 tional Intelligence on January 6, 2017, found that—

3 (A) Russian President Vladimir Putin or-
4 dered an influence campaign in 2016 aimed at
5 the United States Presidential election;

6 (B) Russian efforts to influence the 2016
7 United States Presidential election represent
8 the most recent expression of Moscow’s long-
9 standing desire to undermine the United
10 States-led liberal democratic order, but these
11 activities demonstrated a significant escalation
12 in directness, level of activity, and scope of ef-
13 fort compared to previous operations; and

14 (C) Moscow will apply lessons learned from
15 its Putin-ordered campaign aimed at the United
16 States Presidential election to future influence
17 efforts worldwide, including against United
18 States allies and their election processes.

19 (2) In July 2018, FBI Director Chris Wray
20 publicly stated, “My view has not changed, which is
21 that Russia attempted to interfere with the last elec-
22 tion and that it continues to engage in malign influ-
23 ence operations to this day”. Director Wray also
24 stated that Russia’s malign influence operations rep-
25 resent “a threat that we need to take extremely seri-

1 ously and respond to with fierce determination and
2 focus”.

3 (3) In August 2018, Director of National Intel-
4 ligence Dan Coates publicly stated that “We con-
5 tinue to see a pervasive messaging campaign by Rus-
6 sia to try to weaken and divide the United States”.
7 In December 2018, Coates submitted the report of
8 the Intelligence Community on foreign interference
9 in the 2018 midterm elections, which found that
10 Russia continued to conduct influence activities and
11 messaging campaigns targeted at the United States
12 to promote its strategic interests.

13 (4) The Mueller report concluded that, “The
14 Russian government interfered in the 2016 presi-
15 dential election in a sweeping and systemic fashion”.

16 **SEC. 2. MANDATED SANCTIONS IN RESPONSE TO RUSSIA’S**
17 **INTERFERENCE IN 2016 AND 2018 UNITED**
18 **STATES ELECTIONS.**

19 (a) PROHIBITION ON TRANSACTIONS RELATING TO
20 NEW SOVEREIGN DEBT OF THE RUSSIAN FEDERA-
21 TION.—

22 (1) IN GENERAL.—Not later than 60 days after
23 the date of the enactment of this Act, the Secretary
24 of the Treasury shall prescribe regulations prohib-
25 iting United States persons from engaging in trans-

1 actions with, providing financing for, or otherwise
2 dealing in, Russian sovereign debt issued on or after
3 the date that is 90 days after such date of enact-
4 ment.

5 (2) RUSSIAN SOVEREIGN DEBT DEFINED.—In
6 this section, the term “Russian sovereign debt”
7 means—

8 (A) bonds issued by the Central Bank, the
9 National Wealth Fund, or the Federal Treasury
10 of the Russian Federation, or agents or affili-
11 ates of any of those entities, with a maturity of
12 more than 14 days;

13 (B) foreign exchange swap agreements
14 with the Central Bank, the National Wealth
15 Fund, or the Federal Treasury of the Russian
16 Federation with a duration of more than 14
17 days; and

18 (C) any other financial instrument, the du-
19 ration or maturity of which is more than 14
20 days, that—

21 (i) was issued by a Russian financial
22 institution on behalf of the Government of
23 the Russian Federation; or

1 (ii) the President determines other-
2 wise represents the sovereign debt of the
3 Government of the Russian Federation.

4 (b) SANCTIONS ON RUSSIAN FINANCIAL INSTITU-
5 TIONS.—On and after the date that is 90 days after the
6 date of the enactment of this Act, the Secretary of the
7 Treasury shall include on the Specially Designated Na-
8 tionals And Blocked Persons list (hereinafter in this Act
9 referred to as the “SDN List”) any Russian financial in-
10 stitution that the President determines has provided fi-
11 nancial or other support for interference by the Govern-
12 ment of the Russian Federation in the 2016 or 2018 elec-
13 tions held in the United States.

14 (c) SANCTIONS ON RUSSIAN PERSONS.—On and
15 after the date that is 90 days after the date of the enact-
16 ment of this Act, the Secretary of the Treasury shall in-
17 clude on the SDN List any Russian person that the Presi-
18 dent determines has provided financial or other support
19 for interference by the Government of the Russian Federa-
20 tion in the 2016 or 2018 elections held in the United
21 States.

22 (d) MANDATORY DISCLOSURE.—Not later than 90
23 days after the date of the enactment of this Act, the Sec-
24 retary of the Treasury shall prescribe regulations requir-
25 ing any United States person to disclose any equity inter-

1 est such person holds, on or after the date of the enact-
2 ment of this Act, in—

- 3 (1) Vnesheconombank (VEB);
- 4 (2) Sberbank;
- 5 (3) VTB Bank;
- 6 (4) Gazprombank;
- 7 (5) Rosselkhozbank; or
- 8 (6) Promsyvabank.

9 (e) SANCTIONS ON RUSSIA SUPPORTED ENERGY IN-
10 VESTMENTS.—

11 (1) IN GENERAL.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary
13 of the Treasury shall include on the SDN List any
14 energy project—

15 (A) that is not located within the Russian
16 Federation; and

17 (B) in which a person owned by the Rus-
18 sian Federation or a parasatal of the Russian
19 Federation invests not less than \$5,000,000
20 after the date that is 90 days after the date of
21 the enactment of this Act.

22 (2) RULES.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of
24 the Treasury shall issue rules that exempt from any
25 sanctions imposed pursuant to paragraph (1) any

1 energy project, complete or incomplete, in which the
2 Russian Federation is an investor on the date of the
3 enactment of this Act.

4 **SEC. 3. DETERRING RUSSIAN FROM ATTACKING UNITED**
5 **STATES ELECTIONS.**

6 (a) DETERMINATION OF FOREIGN INTERFERENCE IN
7 UNITED STATES ELECTIONS.—Not later than 60 days
8 after a United States election, the Director of National
9 Intelligence, in consultation with the Director of the Fed-
10 eral Bureau of Investigation, the Director of the National
11 Security Agency, the Director of the Central Intelligence
12 Agency, the Secretary of State, the Secretary of the Treas-
13 ury, the Attorney General, and the Secretary of Homeland
14 Security, shall—

15 (1) determine with a high level of confidence
16 whether or not the government of the Russian Fed-
17 eration, or any foreign person acting as an agent of
18 or on behalf of that government, knowingly engaged
19 in interference in the election; and

20 (2) submit to the appropriate congressional
21 committees and leadership a report on that deter-
22 mination, if the Director determines that such inter-
23 ference did occur.

24 (b) SANCTIONS IF THE RUSSIAN FEDERATION
25 INTERFERES IN A FUTURE UNITED STATES ELECTION.—

1 (1) PROHIBITION ON NEW INVESTMENT IN THE
2 RUSSIAN ENERGY SECTOR.—Within 90 days of a de-
3 termination of election interference by the govern-
4 ment of the Russian Federation pursuant to sub-
5 section (a), the Secretary of the Treasury shall issue
6 regulations that—

7 (A) prohibit any new investment by United
8 States person in—

9 (i) the energy sector of the Russian
10 Federation; and

11 (ii) any energy companies owned by
12 the Russian Federation;

13 (B) impose sanctions on any foreign per-
14 son that makes any new investment in—

15 (i) the energy sector of the Russian
16 Federation; and

17 (ii) any energy companies owned by
18 the Russian Federation; and

19 (C) allow for the routine maintenance of
20 existing energy projects in the Russian Federa-
21 tion.

22 (2) SANCTIONS ON FINANCIAL INSTITUTIONS
23 AND INVESTMENT FUNDS.—

24 (A) IN GENERAL.—Within 90 days of de-
25 termination of election interference, by the gov-

1 ernment of the Russian Federation pursuant to
2 subsection (a), the Secretary of the Treasury
3 shall impose sanctions on one or more financial
4 institutions and investment funds owned by the
5 Russian Federation that were not subject to
6 sanctions imposed by the United States prior to
7 the date of such determination of election inter-
8 ference.

9 (B) SELECTION.—In determining which fi-
10 nancial institution or investment fund to impose
11 sanctions upon pursuant to subparagraph (A),
12 one of the following shall be selected:

13 (i) The Russia Direct Investment
14 Fund.

15 (ii) Vnesheconombank (VEB).

16 (iii) Sberbank.

17 (iv) VTB Bank.

18 (v) Gazprombank.

19 (vi) Rosselkhozbank.

20 (vii) Promsyvabank.

21 (3) SANCTIONS ON DEFENSE FIRMS OWNED BY
22 THE RUSSIAN FEDERATION.—Within 90 days of a
23 determination of election interference, by the govern-
24 ment of the Russian Federation pursuant to sub-
25 section (a), the Secretary of the Treasury shall the

1 Secretary of the Treasury shall include on the SDN
2 List any defense firm owned by the Russian Federa-
3 tion, including Rostec.

4 **SEC. 4. STRENGTHENING THE COUNTERING AMERICA'S AD-**
5 **VERSARIES THROUGH SANCTIONS ACT.**

6 (a) PUBLICATION OF NAMES.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the enactment of this Act, the Secretary of the
9 Treasury shall publish the names of any entities in-
10 cluded in the classified report the Secretary of the
11 Treasury submitted to Congress pursuant to section
12 241 of the Countering America's Adversaries
13 Through Sanctions Act (Public Law 115-44; 131
14 Stat. 922).

15 (2) EXCEPTION.—The Secretary of the Treas-
16 ury may choose to not to disclose a name as re-
17 quired by paragraph (1) if the Director of National
18 Intelligence provides a certification to Congress
19 that—

20 (A) it is in the vital national security inter-
21 est of the United States not to disclose such
22 name; and

23 (B) disclosure of such name would cause
24 irreparable harm to United States intelligence
25 efforts.

1 (b) UPDATE.—Not later than 180 days after the date
2 of the enactment of this Act, and once during each year
3 thereafter, the Department of the Treasury shall provide
4 to Congress an updated version of the report the Secretary
5 of the Treasury submitted to Congress pursuant to section
6 241 of the Countering America’s Adversaries Through
7 Sanctions Act (Public Law 115-44; 131 Stat. 922).

8 (c) REMOVAL.—

9 (1) IN GENERAL.— Any a company or entity
10 that has been designated on the basis of being
11 owned or controlled by a person on the Specially
12 Designated Nationals And Blocked Persons list
13 (hereinafter referred to as the “SDN List”) under
14 the U.S. sanctions programs directed against Russia
15 (pursuant to Executive Order 13660, Executive
16 Order 13661, Executive Order 13662, the Coun-
17 tering America’s Adversaries Through Sanctions Act
18 (Public Law 115-44), or a Russian person sanc-
19 tioned under Executive Order 13757, Executive
20 Order 13694, or Executive Order 13848), and the
21 person who owns or controls the company or entity
22 remains on the SDN List, may not be removed from
23 the SDN List unless the sanctioned person and im-
24 mediate family members of the person (including a
25 spouse, ex-spouse, child, parent, sibling, or in-law of

1 the person), in aggregate, own less than 25 percent
2 of the shareholdings of the company or entity.

3 (2) WAIVER.—The Secretary of Treasury may
4 waive the requirements of paragraph (1) for an indi-
5 vidual company or entity if the President certifies to
6 Congress that doing so is in the vital national secu-
7 rity interests of the United States.

8 **SEC. 5. REQUIREMENT FOR THE DEPARTMENT OF THE**
9 **TREASURY TO PUBLISH A PUBLIC FINCEN**
10 **ADVISORY.**

11 To better assist United States and foreign financial
12 institutions in detecting and disrupting abuse of their in-
13 stitutions by illicit Russian actors, the Director of the Fi-
14 nancial Crimes Enforcement Network shall, not later than
15 90 days after the date of the enactment of this Act, issue
16 a public advisory to alert financial institutions of con-
17 tinuing widespread public corruption in the Russian Fed-
18 eration, provide financial red flags associated with the il-
19 licit flow of Russian funds, and alert financial institutions
20 to methods utilized by senior Russian political figures (and
21 their associates, family members, and front persons) to
22 move and hide corruption proceeds.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 The is authorized to be appropriated for the budget
3 of the Office of Terrorism and Financial Intelligence at
4 the Department of the Treasury—

5 (1) for fiscal year 2020, \$172,800,000;

6 (2) for fiscal year 2021, \$204,600,000;

7 (3) for fiscal year 2022, \$236,400,000;

8 (4) for fiscal year 2023, \$268,200,000; and

9 (5) for fiscal year 2024, \$300,000,000.