

Editorial Notes

AMENDMENTS

2017—Par. (2)(A). Pub. L. 115–44, §228(b)(1), inserted “the Committee on Banking, Housing, and Urban Affairs,” before “the Committee on Foreign Relations”.

Par. (2)(B). Pub. L. 115–44, §228(b)(2), inserted “the Committee on Financial Services” before “the Committee on Foreign Affairs”.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 113–95, §1, Apr. 3, 2014, 128 Stat. 1088, provided that: “This Act [enacting this chapter] may be cited as the ‘Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014.’”

§ 8902. United States policy toward Ukraine

It is the policy of the United States—

(1) to condemn the unjustified military intervention of the Russian Federation in the Crimea region of Ukraine and its concurrent occupation of that region, as well as any other form of political, economic, or military aggression against Ukraine;

(2) to reaffirm the commitment of the United States to, and to remind Russia of its ongoing commitment to, the 1994 Budapest Memorandum on Security Assurances, which was executed jointly with the Russian Federation and the United Kingdom and explicitly secures the independence, sovereignty, and territorial integrity and borders of Ukraine, and to demand the immediate cessation of improper activities, including the seizures of airfields and other locations, and the immediate return of Russian forces to their barracks;

(3) to work with United States partners in the European Union, the North Atlantic Treaty Organization, and at the United Nations to ensure that all nations recognize and not undermine, nor seek to undermine, the independence, sovereignty, or territorial or economic integrity of Ukraine;

(4) to use all appropriate economic elements of United States national power, in coordination with United States allies, to protect the independence, sovereignty, and territorial and economic integrity of Ukraine;

(5) to support the people of Ukraine in their desire to forge closer ties with Europe, including signing an Association Agreement with the European Union as a means to address endemic corruption, consolidate democracy, and achieve sustained prosperity;

(6) to use the voice and vote of the United States to secure sufficient resources through the International Monetary Fund to support needed economic structural reforms in Ukraine under conditions that will reinforce a sovereign decision by the Government of Ukraine to sign and implement an association agreement with the European Union;

(7) to help the Government of Ukraine prepare for the presidential election in May 2014;

(8) to reinforce the efforts of the Government of Ukraine to bring to justice those responsible for the acts of violence against peaceful protestors and other unprovoked acts of violence related to the antigovernment protests in¹ that began on November 21, 2013;

(9) to support the efforts of the Government of Ukraine to recover and return to the Ukrainian state funds stolen by former President Yanukovich, his family, and other current and former members of the Ukrainian government and elites;

(10) to support the continued professionalization of the Ukrainian military;

(11) to condemn economic extortion by the Russian Federation against Ukraine, Moldova, Lithuania, and other countries in the region designed to obstruct closer ties between the European Union and the countries of the Eastern Partnership and to reduce the harmful consequences of such extortion;

(12) to condemn the continuing and longstanding pattern and practice by the Government of the Russian Federation of physical and economic aggression toward neighboring countries;

(13) to enhance and extend our security cooperation with, security assistance to, and military exercises conducted with, states in Central and Eastern Europe, including North Atlantic Treaty Organization (NATO) member countries, NATO aspirants, and appropriate Eastern Partnership countries;

(14) to reaffirm United States defense commitments to its treaty allies under Article V of the North Atlantic Treaty;

(15) that the continued participation of the Russian Federation in the Group of Eight (G–8) nations should be conditioned on the Government of the Russian Federation respecting the territorial integrity of its neighbors and accepting and adhering to the norms and standards of free, democratic societies as generally practiced by every other member nation of the G–8 nations;

(16) to explore ways for the United States Government to assist the countries of Central and Eastern Europe to diversify their energy sources and achieve energy security; and

(17) to ensure the United States maintains its predominant leadership position and influence within the International Monetary Fund, and to guarantee the International Monetary Fund has the resources and governance structure necessary to support structural reforms in Ukraine and respond to and prevent a potentially serious financial crisis in Ukraine or other foreign economic crises that threatens United States national security.

(Pub. L. 113–95, §3, Apr. 3, 2014, 128 Stat. 1088.)

§ 8903. Provision of costs of loan guarantees for Ukraine**(a) In general**

From the unobligated balance of amounts appropriated or otherwise made available under the heading “economic support fund” under the heading “Funds Appropriated to the President” in title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) [128 Stat. 479] and in Acts making appropriations for the Department of State, foreign operations, and related programs for preceding fiscal years (other than amounts designated pursuant to section 901(b)(2)(A) of title 2), amounts shall

¹ So in original.

be made available for the costs (as defined in section 661a of title 2) of loan guarantees for Ukraine that are hereby authorized to be provided under this chapter.

(b) Inapplicability of certain limitations

Amounts made available for the costs of loan guarantees for Ukraine pursuant to subsection (a) shall not be considered “assistance” for the purpose of provisions of law limiting assistance to Ukraine.

(Pub. L. 113–95, § 4, Apr. 3, 2014, 128 Stat. 1090.)

§ 8904. Recovery of assets linked to governmental corruption in Ukraine

(a) Asset recovery

The Secretary of State, in coordination with the Attorney General and the Secretary of the Treasury, shall assist, on an expedited basis as appropriate, the Government of Ukraine to identify, secure, and recover assets linked to acts of corruption by Viktor Yanukovich, members of his family, or other former or current officials of the Government of Ukraine or their accomplices in any jurisdiction through appropriate programs, including the Kleptocracy Asset Recovery Initiative of the Department of Justice.

(b) Coordination

Any asset recovery efforts undertaken pursuant to subsection (a) shall be coordinated through the relevant bilateral or multilateral entities, including, as appropriate, the Egmont Group of Financial Intelligence Units, the Stolen Asset Recovery Initiative of the World Bank Group and the United Nations Office on Drugs and Crime, the Camden Asset Recovery Inter-Agency Network, and the Global Focal Point Initiative of the International Criminal Police Organization (INTERPOL).

(c) Investigative assistance

The Secretary of State, in coordination with the Attorney General, shall assist the Government of Ukraine, the European Union, and other appropriate countries, on an expedited basis, with formal and informal investigative assistance and training, as appropriate, to support the identification, seizure, and return to the Government of Ukraine of assets linked to acts of corruption.

(d) Priority assigned

The Secretary of the Treasury shall ensure that the Financial Crimes Enforcement Network of the Department of the Treasury assists the Government of Ukraine, the European Union, and other appropriate countries under section 314(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (31 U.S.C. 5311 note).

(Pub. L. 113–95, § 5, Apr. 3, 2014, 128 Stat. 1090.)

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REFERENCES IN TEXT

Section 314(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, referred to in subsec. (d), is section 314(a) of Pub. L. 107–56,

which is set out as a note under section 5311 of Title 31, Money and Finance.

§ 8905. Democracy, civil society, governance, and technical assistance for Ukraine and other states in Central and Eastern Europe

(a) In general

The Secretary of State shall, subject to the availability of appropriations, directly or through nongovernmental organizations—

(1) improve democratic governance, transparency, accountability, rule of law, and anti-corruption efforts in Ukraine;

(2) support efforts by the Government of Ukraine to foster greater unity among the people and regions of the country;

(3) support the people and Government of Ukraine in preparing to conduct and contest free and fair elections, including through domestic and international election monitoring;

(4) assist in diversifying Ukraine’s economy, trade, and energy supplies, including at the national, regional, and local levels;

(5) strengthen democratic institutions and political and civil society organizations in Ukraine;

(6) expand free and unfettered access to independent media of all kinds in Ukraine and assist with the protection of journalists and civil society activists who have been targeted for free speech activities;

(7) support political and economic reform initiatives by Eastern Partnership countries; and

(8) support the efforts of the Government of Ukraine, civil society, and international organizations to enhance the economic and political empowerment of women in Ukraine and to prevent and address violence against women and girls in Ukraine, and support the inclusion of women in Ukraine in any negotiations to restore Ukraine’s security, independence, sovereignty, or territorial or economic integrity.

(b) Authorization of appropriations

There is authorized to be appropriated to the Secretary of State \$50,000,000 for fiscal year 2015 to carry out the activities set forth in subsection (a). Amounts appropriated for the activities set forth in subsection (a) shall be used pursuant to the authorization and requirements contained in this section. Additional amounts may be authorized to be appropriated under other provisions of law.

(c) Strategy requirement

Not later than 60 days after April 3, 2014, the President shall submit to the appropriate congressional committees a strategy to carry out the activities set forth in subsection (a).

(d) Notification requirement

(1) In general

Funds appropriated or otherwise made available pursuant to subsection (b) may not be obligated until 15 days after the date on which the President has provided notice of intent to obligate such funds to the appropriate congressional committees.

(2) Waiver

The President may waive the notification requirement under paragraph (1) if the Presi-