

**AMENDMENT TO RULES COMM. PRINT 116-57**

**OFFERED BY MR. ENGEL OF NEW YORK**

At the end of title XII, insert the following:

1 **Subtitle \_\_\_\_.—Additional Matters**  
2 **Relating to NATO Allies and**  
3 **Partners**

4 **SEC. 12\_\_\_. FOREIGN MILITARY LOAN AUTHORITY.**

5 (a) IN GENERAL.—Beginning in fiscal year 2021,  
6 subject to the notification requirements under subsection  
7 (b) and to the availability of appropriations, the President,  
8 acting through the Secretary of State, is authorized—

9 (1) to make direct loans under section 23 of the  
10 Arms Export Control Act (22 U.S.C. 2763) to  
11 NATO member countries that joined the alliance  
12 after March 1, 1999, notwithstanding the minimum  
13 interest rate required by subsection (c)(1) of such  
14 section; and

15 (2) to charge fees for such loans under para-  
16 graph (1), which shall be collected from borrowers in  
17 accordance with section 502(7) of the Congressional  
18 Budget Act of 1974 and which may be used to cover  
19 the costs of such loans as defined in section 502 of  
20 the Congressional Budget Act of 1974.

1 (b) NOTIFICATION.—A loan may not be made under  
2 the authority provided by subsection (a) unless the Sec-  
3 retary of State submits to the appropriate congressional  
4 committees a certification, not fewer than 15 days before  
5 entering into an agreement to make such loan, that—

6 (1) the recipient country is making demon-  
7 strable progress toward meeting its defense spending  
8 commitments in accordance with the 2014 NATO  
9 Wales Summit Declaration; and

10 (2) the government of such recipient country is  
11 respecting that country’s constitution and upholds  
12 democratic values such as freedom of religion, free-  
13 dom of speech, freedom of the press, the rule of law,  
14 and the rights of religious minorities.

15 (c) REPAYMENT.—A loan made under the authority  
16 provided by subsection (a) shall be repaid in not more than  
17 12 years, but may include a grace period of up to 1 year  
18 on the repayment of the principal.

19 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
20 DEFINED.—In this section, the term “appropriate con-  
21 gressional committees” means—

22 (1) the Committee on Foreign Affairs and the  
23 Committee on Appropriations of the House of Rep-  
24 resentatives; and

1           (2) the Committee on Foreign Relations and  
2           the Committee on Appropriations of the Senate.

3 **SEC. 12 \_\_\_\_. AUTHORIZATION OF REWARDS FOR PROVIDING**  
4                                   **INFORMATION ON FOREIGN ELECTION IN-**  
5                                   **TERFERENCE.**

6           Section 36 of the State Department Basic Authorities  
7 Act of 1956 (22 U.S.C. 2708) is amended—

8           (1) in subsection (a)(2), by inserting “foreign  
9           election interference,” before “transnational orga-  
10          nized crime”;

11          (2) in subsection (b)—

12                 (A) in paragraph (5), by striking “or (10)”  
13                 and inserting “(10), or (13)”;

14                 (B) in paragraph (11), by striking “or”  
15                 after the semicolon at the end;

16                 (C) in paragraph (12)—

17                         (i) by striking “sections” and insert-  
18                         ing “section”;

19                         (ii) by striking “or (b)(1)” and insert-  
20                         ing “or 2914(b)(1)”;

21                         (iii) by striking the period at the end  
22                         and inserting “; or”; and

23                 (D) by adding at the end the following new  
24                 paragraph:

1           “(13) the identification or location of a foreign  
2           person that knowingly engaged or is engaging in for-  
3           eign election interference.”; and

4           (3) in subsection (k)—

5           (A) by redesignating paragraphs (3)  
6           through (8) as paragraphs (5) through (10), re-  
7           spectively;

8           (B) by inserting after paragraph (2) the  
9           following new paragraphs:

10          “(3) FOREIGN PERSON.—The term ‘foreign per-  
11          son’ means—

12           “(A) an individual who is not a United  
13           States person; or

14           “(B) a foreign entity.

15          “(4) FOREIGN ELECTION INTERFERENCE.—The  
16          term ‘foreign election interference’ means conduct by  
17          a foreign person that—

18           “(A)(i) violates Federal criminal, voting  
19           rights, or campaign finance law; or

20           “(ii) is performed by any person acting as  
21           an agent of or on behalf of a foreign govern-  
22           ment or criminal enterprise; and

23           “(B) includes any covert, fraudulent, de-  
24           ceptive, or unlawful act or attempted act, or  
25           knowing use of information acquired by theft,

1           undertaken with the purpose or effect of under-  
2           mining public confidence in election processes  
3           or institutions, or influencing, undermining con-  
4           fidence in, or altering the result or reported re-  
5           sult of, a general or primary Federal, State, or  
6           local election or caucus, including—

7                       “(i) the campaign of a candidate; or

8                       “(ii) a ballot measure, including an  
9                       amendment, a bond issue, an initiative, a  
10                      recall, a referral, or a referendum.”; and

11                     (C) in paragraph (10), as so redesignated,  
12                     in subparagraph (A), by striking “and” after  
13                     the semicolon and inserting “or”.

14 **SEC. 12\_\_\_\_. REPORT ON NATO MEMBER CONTRIBUTIONS.**

15           (a) IN GENERAL.—Not later than 180 days after the  
16           date of the enactment of this Act, the Secretary of State,  
17           in coordination with the Administrator of the United  
18           States Agency for International Development, the Sec-  
19           retary of Defense, and the Director of National Intel-  
20           ligence, shall submit to the appropriate congressional com-  
21           mittees a report, in classified form but with an unclassi-  
22           fied annex, that provides an accounting in United States  
23           dollars and assesses the contributions of NATO member  
24           countries to the security of the alliance.

1 (b) MATTERS TO BE INCLUDED.— The report re-  
2 quired by subsection (a) shall also include the following  
3 with respect to each member country:

4 (1) Data for the following categories from 2014  
5 through 2019:

6 (A) Defense spending as a percentage of  
7 gross domestic product (GDP).

8 (B) Year-to-year percent change in defense  
9 spending as a percentage of GDP.

10 (C) Percentage of defense spending spent  
11 on major equipment.

12 (D) Year-to-year percent change in equip-  
13 ment spending as a percentage of defense  
14 spending.

15 (E) Total security assistance or equivalent  
16 assistance to other NATO member countries or  
17 members of the NATO Partnership for Peace  
18 program.

19 (F) Total economic and development as-  
20 sistance or equivalent assistance to critical  
21 NATO partners, such as Ukraine, Georgia,  
22 Bosnia and Herzegovina, Kosovo, Moldova, and  
23 others.

24 (2) Participation in or contributions to United  
25 States or NATO-led missions, exercises, and combat

1 and non-combat operations since March 24, 1999,  
2 such as the following:

3 (A) NATO’s Enhanced Forward Presence.

4 (B) Global Coalition Against ISIS.

5 (C) NATO’s Very High Readiness Joint  
6 Task Force.

7 (D) Operations in Afghanistan.

8 (3) Efforts to improve domestic conditions to  
9 facilitate military mobility in Europe, including rel-  
10 evant infrastructure and legal and regulatory condi-  
11 tions.

12 (4) Financial costs and benefits of the host  
13 countries of United States forces in Europe, includ-  
14 ing permanent basing.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
16 FINED.—In this section, the term “appropriate congres-  
17 sional committees” means—

18 (1) the Committee on Foreign Affairs and the  
19 Committee on Armed Services of the House of Rep-  
20 resentatives; and

21 (2) the Committee on Foreign Relations and  
22 the Committee on Armed Services of the Senate.

1 **SEC. 12 \_\_\_\_ . REPORT ON CAPABILITY AND CAPACITY RE-**  
2 **QUIREMENTS OF MILITARY FORCES OF**  
3 **UKRAINE AND RESOURCE PLAN FOR SECU-**  
4 **RITY ASSISTANCE.**

5 (a) REPORT.—Not later than 180 days after the date  
6 of the enactment of this Act, the Secretary of Defense and  
7 the Secretary of State shall jointly submit a report to the  
8 appropriate committees of Congress on the capability and  
9 capacity requirements of the military forces of the Govern-  
10 ment of Ukraine, which shall include the following:

11 (1) An identification of the capability gaps and  
12 capacity shortfalls of the military of Ukraine, includ-  
13 ing—

14 (A) an assessment of the requirements of  
15 the Ukrainian navy to accomplish its assigned  
16 missions; and

17 (B) an assessment of the requirements of  
18 the Ukrainian air force to accomplish its as-  
19 signed missions.

20 (2) An assessment of the relative priority as-  
21 signed by the Government of Ukraine to addressing  
22 such capability gaps and capacity shortfalls.

23 (3) An assessment of the capability gaps and  
24 capacity shortfalls that—



1 (A) could be addressed in a sufficient and  
2 timely manner by unilateral efforts of the Gov-  
3 ernment of Ukraine; or

4 (B) are unlikely to be addressed in a suffi-  
5 cient and timely manner solely through unilat-  
6 eral efforts.

7 (4) An assessment of the capability gaps and  
8 capacity shortfalls described in paragraph (3)(B)  
9 that could be addressed in a sufficient and timely  
10 manner by—

11 (A) the Ukraine Security Assistance Initia-  
12 tive of the Department of Defense;

13 (B) Department of Defense security assist-  
14 ance authorized by section 333 of title 10,  
15 United States Code;

16 (C) the Foreign Military Financing and  
17 Foreign Military Sales programs of the Depart-  
18 ment of State; or

19 (D) the provision of excess defense articles  
20 pursuant to the requirements of the Arms Ex-  
21 port Control Act (22 U.S.C. 2751 et seq.).

22 (5) An assessment of the human resource re-  
23 quirements of the Office of Defense Cooperation at  
24 the United States Embassy in Kyiv and any gaps in

1 its capacity to transmit and facilitate security assist-  
2 ance to Ukraine.

3 (6) Any recommendations the Secretaries deem  
4 appropriate concerning coordination of security as-  
5 sistance efforts of the Department of Defense and  
6 Department of State with respect to Ukraine.

7 (b) RESOURCE PLAN.—Not later than February 15,  
8 2022, the Secretary of State and Secretary of Defense  
9 shall jointly submit a report on resourcing United States  
10 security assistance with respect to Ukraine, which shall  
11 include the following:

12 (1) A plan to resource the following initiatives  
13 and programs with respect to Ukraine in fiscal year  
14 2023 and the four succeeding fiscal years to meet  
15 the most critical capability gaps and capacity short-  
16 falls of the military forces of Ukraine:

17 (A) The Ukraine Security Assistance Ini-  
18 tiative of the Department of Defense.

19 (B) Department of Defense security assist-  
20 ance authorized by section 333 of title 10,  
21 United States Code.

22 (C) The Foreign Military Financing and  
23 Foreign Military Sales programs of the Depart-  
24 ment of State.

1 (D) The provision of excess defense articles  
2 pursuant to the requirements of the Arms Ex-  
3 port Control Act (22 U.S.C. 2751 et seq.).

4 (2) With respect to the Ukrainian navy:

5 (A) A capability development plan, with  
6 milestones, describing the manner in which the  
7 United States will assist the Government of  
8 Ukraine in meeting the requirements described  
9 in subsection (a)(1)(A).

10 (B) A plan for United States cooperation  
11 with third countries and international organiza-  
12 tions that have the resources and ability to pro-  
13 vide immediate assistance to the Ukrainian  
14 navy, while maintaining interoperability with  
15 United States platforms to the greatest extent  
16 feasible.

17 (C) A plan to prioritize Excess Defense Ar-  
18 ticles for the Ukrainian navy to the maximum  
19 extent practicable during the time period de-  
20 scribed in paragraph (1).

21 (D) An assessment of how United States  
22 security assistance to the Ukrainian navy is in  
23 the national security interests of the United  
24 States.

25 (3) With respect to the Ukrainian air force—

1 (A) a capability development plan, with  
2 milestones, detailing how the United States will  
3 assist the Government of Ukraine in meeting  
4 the requirements described in subsection  
5 (a)(1)(B);

6 (B) a plan for United States cooperation  
7 with third countries and international organiza-  
8 tions that have the resources and ability to pro-  
9 vide immediate assistance to the Ukrainian air  
10 force, while maintaining interoperability with  
11 United States platforms to the greatest extent  
12 feasible;

13 (C) a plan to prioritize excess defense arti-  
14 cles for the Ukraine air force to the maximum  
15 extent practicable during the time period de-  
16 scribed in paragraph (1);

17 (D) an assessment of how United States  
18 security assistance to the Ukrainian air force is  
19 in the national security interests of the United  
20 States.

21 (4) An assessment of progress on defense insti-  
22 tutional reforms in Ukraine, including in the  
23 Ukrainian navy and air force, in the time period de-  
24 scribed in paragraph (1) that will be essential for—

1 (A) enabling effective use and sustainment  
2 of capabilities developed under security assist-  
3 ance authorities described in this section;

4 (B) enhancing the defense of Ukraine’s  
5 sovereignty and territorial integrity;

6 (C) achieving the Government of Ukraine’s  
7 stated goal of meeting NATO standards; and

8 (D) allowing Ukraine to achieve its full po-  
9 tential as a strategic partner of the United  
10 States.

11 (c) FORM.—The report required under subsection (a)  
12 and the resource plan required under subsection (b) shall  
13 each be submitted in a classified form with an unclassified  
14 summary.

15 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-  
16 FINED.—In this section, the term “appropriate commit-  
17 tees of Congress” means—

18 (1) the Armed Services Committees of the Sen-  
19 ate and House of Representatives;

20 (2) the Foreign Relations Committee of the  
21 Senate and the Foreign Affairs Committee of the  
22 House of Representatives; and

23 (3) the Appropriations Committees of the Sen-  
24 ate and House of Representatives.

1 **SEC. 12**\_\_\_\_. **EFFORTS TO COUNTER MALIGN AUTHORI-**  
2 **TARIAN INFLUENCE.**

3 (a) SENSE OF CONGRESS ON THE RELATIONSHIP  
4 BETWEEN RUSSIA AND SERBIA.—It is the sense of Con-  
5 gress that—

6 (1) the Government of Russia seeks to under-  
7 mine the security of the United States, its NATO al-  
8 lies, and other close partners in Europe;

9 (2) the Government of Russia seeks to under-  
10 mine the legitimate interests of the United States,  
11 NATO, the European Union, and other allied and  
12 partner governments in strategically significant re-  
13 gions;

14 (3) the values of the Government of Russia are  
15 inconsistent with the values of freedom, democracy,  
16 free speech, free press, the respect for the rule of  
17 law, and other ideals that underpin the international  
18 rules-based order formed on the basis of Western in-  
19 stitutions including NATO and the European Union;

20 (4) the Government of Russia continues its  
21 campaign to undermine and erode the values of  
22 NATO and the European Union, institutions that  
23 Serbia claims to strive to join;

24 (5) the Government of Serbia, particularly  
25 under the leadership of President Alexander Vucic,  
26 has acted in ways that do not comport with the val-

1       ues of the United States, NATO, the European  
2       Union, and member countries of each such organiza-  
3       tion;

4           (6) the Government of Serbia, particularly  
5       under the leadership of President Alexander Vucic,  
6       has continued to deepen its military ties and co-  
7       operation with the Government of Russia;

8           (7) the United States Government should, in its  
9       bilateral engagements with the Government of Ser-  
10      bia, stress the importance of Serbia reducing its  
11      military ties with Russia; and

12          (8) the Government of Serbia should be sanc-  
13      tioned under appropriate authorities of the Coun-  
14      tering America’s Adversaries Through Sanctions Act  
15      of 2017 if its deepened military ties have facilitated  
16      transactions between the Government of Serbia and  
17      the Government of Russia that are deemed “signifi-  
18      cant” for purposes of such Act.

19      (b) REPORT ON MALIGN RUSSIAN AND CHINESE IN-  
20      FLUENCE IN SERBIA.—Not later than 90 days after the  
21      date of the enactment of this Act, the Secretary of State,  
22      in consultation with the Secretary of Defense and the Ad-  
23      ministrators of the United States Agency for International  
24      Development, shall submit to the appropriate congres-  
25      sional committees an unclassified report, which may con-

1 tain a classified annex, assessing trends of malign influ-  
2 ence from the governments of Russia and China in Serbia  
3 including with respect to the following:

4 (1) Corruption of political institutions and po-  
5 litical leaders in Serbia by Russia or China.

6 (2) The use of propaganda, disinformation, and  
7 other information tools to promote stronger ties be-  
8 tween Serbia and Russia or China or to discourage  
9 Serbia from advancing toward greater integration  
10 with Western institutions like the European Union.

11 (3) The use of foreign assistance and associated  
12 media messaging to influence public opinion in Ser-  
13 bia with respect to Russia or China.

14 (4) The deepening of military-to-military co-  
15 operation or cooperation in other national security  
16 and law enforcement sectors between Serbia and  
17 Russia or China.

18 (5) The expansion of economic ties between  
19 Serbia and Russia or China, especially in the energy,  
20 mining, and industrial sectors.

21 (6) The use of religious or ethnic ties to deepen  
22 relations between Serbia and Russia.

23 (c) REPORT ON POTENTIAL CAATSA VIOLATIONS.—  
24 Not later than 60 days after the date of the enactment  
25 of this Act, the Secretary of State shall submit to the ap-



1 appropriate congressional committees an unclassified report,  
2 which may contain a classified annex, that lists each coun-  
3 try that has taken delivery of military equipment manufac-  
4 tured in Russia since the enactment of the Countering  
5 America’s Adversaries Through Sanctions Act of 2017,  
6 and determines whether any transactions described in the  
7 report constitute a significant transaction as described in  
8 such Act, including countries that have—

9 (1) purchased of Russian equipment from the  
10 Government of Russia;

11 (2) obtained Russian equipment provided by the  
12 Government of Russia as aid, assistance, or for re-  
13 lated purposes; or

14 (3) obtained Russian equipment provided by the  
15 Government of Russia as a gift.

16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
17 DEFINED.—In this section, the term “appropriate con-  
18 gressional committees” means—

19 (1) the Committee on Foreign Affairs and the  
20 Committee on Armed Services of the House of Rep-  
21 resentatives; and

22 (2) the Committee on Foreign Relations and  
23 the Committee on Armed Services of the Senate.

