

In the Senate of the United States,

September 20, 2002.

Resolved, That the bill from the House of Representatives (H.R. 2121) entitled “An Act to make available funds under the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to promote and strengthen democratic government and civil society in that country and to support independent media.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Russian Democracy Act*

3 *of 2002”.*

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) *FINDINGS.*—Congress makes the following findings:

3 (1) *Since the dissolution of the Soviet Union, the*
4 *leadership of the Russian Federation has publicly*
5 *committed itself to building—*

6 (A) *a society with democratic political in-*
7 *stitutions and practices, the observance of uni-*
8 *versally recognized standards of human rights,*
9 *and religious and press freedom; and*

10 (B) *a market economy based on inter-*
11 *nationally accepted principles of transparency,*
12 *accountability, and the rule of law.*

13 (2) *In order to facilitate this transition, the*
14 *international community has provided multilateral*
15 *and bilateral technical assistance, and the United*
16 *States' contribution to these efforts has played an im-*
17 *portant role in developing new institutions built on*
18 *democratic and liberal economic foundations and the*
19 *rule of law.*

20 (3)(A) *Since 1992, United States Government*
21 *democratic reform programs and public diplomacy*
22 *programs, including training, and small grants have*
23 *provided access to and training in the use of the*
24 *Internet, brought nearly 40,000 Russian citizens to*
25 *the United States, and have led to the establishment*
26 *of more than 65,000 nongovernmental organizations,*

1 *thousands of independent local media outlets, despite*
2 *governmental opposition, and numerous political par-*
3 *ties.*

4 *(B) These efforts contributed to the substantially*
5 *free and fair Russian parliamentary elections in*
6 *1995 and 1999.*

7 *(4) The United States has assisted Russian ef-*
8 *forts to replace its centrally planned, state-controlled*
9 *economy with a market economy and helped create*
10 *institutions and infrastructure for a market economy.*
11 *Approximately two-thirds of the Russian Federation's*
12 *gross domestic product is now generated by the pri-*
13 *vate sector, and the United States recognized Russia*
14 *as a market economy on June 7, 2002.*

15 *(5)(A) The United States has fostered grassroots*
16 *entrepreneurship in the Russian Federation by focus-*
17 *ing United States economic assistance on small- and*
18 *medium-sized businesses and by providing training,*
19 *consulting services, and small loans to more than*
20 *250,000 Russian entrepreneurs.*

21 *(B) There are now more than 900,000 small*
22 *businesses in the Russian Federation, producing 12 to*
23 *15 percent, depending on the estimate, of the gross do-*
24 *mestic product of the Russian Federation.*

1 (C) *United States-funded programs have contrib-*
2 *uted to fighting corruption and financial crime, such*
3 *as money laundering, by helping to—*

4 (i) *establish a commercial legal infrastruc-*
5 *ture;*

6 (ii) *develop an independent judiciary;*

7 (iii) *support the drafting of a new criminal*
8 *code, civil code, and bankruptcy law;*

9 (iv) *develop a legal and regulatory frame-*
10 *work for the Russian Federation’s equivalent of*
11 *the United States Securities and Exchange Com-*
12 *mission;*

13 (v) *support Russian law schools;*

14 (vi) *create legal aid clinics; and*

15 (vii) *bolster law-related activities of non-*
16 *governmental organizations.*

17 (6) *Because the capability of Russian democratic*
18 *forces and the civil society to organize and defend*
19 *democratic gains without international support is un-*
20 *certain, and because the gradual integration of the*
21 *Russian Federation into the global order of free-mar-*
22 *ket, democratic nations would enhance Russian co-*
23 *operation with the United States on a wide range of*
24 *political, economic, and security issues, the success of*
25 *democracy in Russia is in the national security inter-*

1 *est of the United States, and the United States Gov-*
2 *ernment should develop a far-reaching and flexible*
3 *strategy aimed at strengthening Russian society's*
4 *support for democracy and a market economy, par-*
5 *ticularly by enhancing Russian democratic institu-*
6 *tions and education, promoting the rule of law, and*
7 *supporting Russia's independent media.*

8 *(7) Since the tragic events of September 11,*
9 *2001, the Russian Federation has stood with the*
10 *United States and the rest of the civilized world in*
11 *the struggle against terrorism and has cooperated in*
12 *the war in Afghanistan by sharing intelligence and*
13 *through other means.*

14 *(8) United States-Russia relations have im-*
15 *proved, leading to a successful summit between Presi-*
16 *dent Bush and President Putin in May 2002, result-*
17 *ing in a "Foundation for Cooperation".*

18 *(b) PURPOSES.—The purposes of this Act are—*

19 *(1) to strengthen and advance institutions of*
20 *democratic government and of free and independent*
21 *media, and to sustain the development of an inde-*
22 *pendent civil society in the Russian Federation based*
23 *on religious and ethnic tolerance, internationally rec-*
24 *ognized human rights, and an internationally recog-*
25 *nized rule of law; and*

1 (2) to focus United States foreign assistance pro-
2 grams on using local expertise and to give local orga-
3 nizations a greater role in designing and imple-
4 menting such programs, while maintaining appro-
5 priate oversight and monitoring.

6 **SEC. 3. UNITED STATES POLICY TOWARD THE RUSSIAN**
7 **FEDERATION.**

8 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
9 that the United States Government should—

10 (1) recognize that a democratic and economically
11 stable Russian Federation is inherently less
12 confrontational and destabilizing in its foreign policy
13 and therefore that the promotion of democracy in
14 Russia is in the national security interests of the
15 United States; and

16 (2) continue and increase assistance to the demo-
17 cratic forces in the Russian Federation, including the
18 independent media, regional administrations, demo-
19 cratic political parties, and nongovernmental organi-
20 zations.

21 (b) *STATEMENT OF POLICY.*—It shall be the policy of
22 the United States—

23 (1) to facilitate Russia's integration into the
24 Western community of nations, including supporting
25 the establishment of a stable democracy and a market

1 *economy within the framework of the rule of law and*
2 *respect for individual rights, including Russia's mem-*
3 *bership in the appropriate international institutions;*

4 *(2) to engage the Government of the Russian*
5 *Federation and Russian society in order to strengthen*
6 *democratic reform and institutions, and to promote*
7 *transparency and good governance in all aspects of*
8 *society, including fair and honest business practices,*
9 *accessible and open legal systems, freedom of religion,*
10 *and respect for human rights;*

11 *(3) to advance a dialogue among United States*
12 *Government officials, private sector individuals, and*
13 *representatives of the Government of the Russian Fed-*
14 *eration regarding Russia's integration into the West-*
15 *ern community of nations;*

16 *(4) to encourage United States Government offi-*
17 *cial and private sector individuals to meet regularly*
18 *with democratic activists, human rights activists, rep-*
19 *resentatives of the independent media, representatives*
20 *of nongovernmental organizations, civic organizers,*
21 *church officials, and reform-minded politicians from*
22 *Moscow and all other regions of the Russian Federa-*
23 *tion;*

24 *(5) to incorporate democratic reforms, the pro-*
25 *motion of independent media, and economic reforms*

1 *in a broader United States dialogue with the Govern-*
2 *ment of the Russian Federation;*

3 *(6) to encourage the Government of the Russian*
4 *Federation to address, in a cooperative and trans-*
5 *parent manner consistent with internationally recog-*
6 *nized and accepted principles, cross-border issues, in-*
7 *cluding the nonproliferation of weapons of mass de-*
8 *struction, environmental degradation, crime, traf-*
9 *ficking, and corruption;*

10 *(7) to consult with the Government of the Rus-*
11 *sian Federation and the Russian Parliament on the*
12 *adoption of economic and social reforms necessary to*
13 *sustain Russian economic growth and to ensure Rus-*
14 *sia's transition to a fully functioning market economy*
15 *and membership in the World Trade Organization;*

16 *(8) to persuade the Government of the Russian*
17 *Federation to honor its commitments made to the Or-*
18 *ganization for Security and Cooperation in Europe*
19 *(OSCE) at the November 1999 Istanbul Conference,*
20 *and to conduct a genuine good neighbor policy toward*
21 *the other independent states of the former Soviet*
22 *Union in the spirit of internationally accepted prin-*
23 *ciples of regional cooperation; and*

24 *(9) to encourage the G-8 partners and inter-*
25 *national financial institutions, including the World*

1 *Bank, the International Monetary Fund, and the Eu-*
2 *ropean Bank for Reconstruction and Development, to*
3 *develop financial safeguards and transparency prac-*
4 *tices in lending to the Russian Federation.*

5 **SEC. 4. AMENDMENTS TO THE FOREIGN ASSISTANCE ACT**
6 **OF 1961.**

7 *(a) IN GENERAL.—*

8 *(1) DEMOCRACY AND RULE OF LAW.—Section*
9 *498(2) of the Foreign Assistance Act of 1961 (22*
10 *U.S.C. 2295(2)) is amended—*

11 *(A) in the paragraph heading, by striking*
12 *“DEMOCRACY” and inserting “DEMOCRACY AND*
13 *RULE OF LAW”;*

14 *(B) by striking subparagraphs (E) and (G);*

15 *(C) by redesignating subparagraph (F) as*
16 *subparagraph (I);*

17 *(D) by inserting after subparagraph (D) the*
18 *following:*

19 *“(E) development and support of grass-roots*
20 *and nongovernmental organizations promoting*
21 *democracy, the rule of law, transparency, and*
22 *accountability in the political process, including*
23 *grants in small amounts to such organizations;*

24 *“(F) international exchanges and other*
25 *forms of public diplomacy to promote greater un-*

1 *derstanding on how democracy, the public policy*
2 *process, market institutions, and an independent*
3 *judiciary function in Western societies;*

4 *“(G) political parties and coalitions com-*
5 *mitted to promoting democracy, human rights,*
6 *and economic reforms;*

7 *“(H) support for civic organizations com-*
8 *mitted to promoting human rights;”;* and

9 *(E) by adding at the end the following:*

10 *“(J) strengthened administration of justice*
11 *through programs and activities carried out in*
12 *accordance with section 498B(e), including—*

13 *“(i) support for nongovernmental orga-*
14 *nizations, civic organizations, and political*
15 *parties that favor a strong and independent*
16 *judiciary;*

17 *“(ii) support for local organizations*
18 *that work with judges and law enforcement*
19 *officials in efforts to achieve a reduction in*
20 *the number of pretrial detainees; and*

21 *“(iii) support for the creation of legal*
22 *associations or groups that provide training*
23 *in human rights and advocacy, public edu-*
24 *cation with respect to human rights-related*
25 *laws and proposed legislation, and legal as-*

1 *sistance to persons subject to improper gov-*
2 *ernment interference.”.*

3 (2) *INDEPENDENT MEDIA.*—*Section 498 of the*
4 *Foreign Assistance Act of 1961 (22 U.S.C. 2295) is*
5 *amended—*

6 (A) *by redesignating paragraphs (3)*
7 *through (13) as paragraphs (4) through (14), re-*
8 *spectively; and*

9 (B) *by inserting after paragraph (2) the fol-*
10 *lowing:*

11 “(3) *INDEPENDENT MEDIA.*—*Developing free and*
12 *independent media, including—*

13 “(A) *supporting all forms of independent*
14 *media reporting, including print, radio, and tel-*
15 *evision;*

16 “(B) *providing special support for, and un-*
17 *restricted public access to, nongovernmental*
18 *Internet-based sources of information, dissemina-*
19 *tion and reporting, including providing tech-*
20 *nical and other support for web radio services,*
21 *providing computers and other necessary re-*
22 *sources for Internet connectivity and training*
23 *new Internet users in nongovernmental civic or-*
24 *ganizations on methods and uses of Internet-*
25 *based media; and*

1 to offer courses through Internet-based off-site learn-
2 ing centers at Russian universities; and

3 (3) support the *Regional Initiatives (RI)* pro-
4 gram, which provides targeted assistance in those re-
5 gions of the Russian Federation that have dem-
6 onstrated a commitment to reform, democracy, and
7 the rule of law, and which promotes the concept of
8 such programs as a model for all regions of the Rus-
9 sian Federation.

10 (b) *RADIO FREE EUROPE/RADIO LIBERTY AND VOICE*
11 *OF AMERICA*.—*RFE/RL, Incorporated, and the Voice of*
12 *America should use new and innovative techniques, in co-*
13 *operation with local independent media sources and using*
14 *local languages as appropriate and as possible, to dissemi-*
15 *nate throughout the Russian Federation information relat-*
16 *ing to democracy, free-market economics, the rule of law,*
17 *and human rights.*

18 **SEC. 6. AUTHORIZATION OF ASSISTANCE FOR DEMOCRACY,**
19 **INDEPENDENT MEDIA, AND THE RULE OF**
20 **LAW.**

21 Of the amounts made available to carry out the provi-
22 sion of chapter 11 of part I of the Foreign Assistance Act
23 of 1961 (22 U.S.C. 2295 et seq.) and the *FREEDOM Sup-*
24 port Act for fiscal year 2003, \$50,000,000 is authorized to
25 be available for the activities authorized by paragraphs (2)

1 *and (3) of section 498 of the Foreign Assistance Act of 1961,*
2 *as amended by section 4(a) of this Act.*

3 **SEC. 7. PRESERVING THE ARCHIVES OF HUMAN RIGHTS AC-**
4 **TIVIST AND NOBEL PEACE PRIZE WINNER**
5 **ANDREI SAKHAROV.**

6 (a) *AUTHORIZATION.*—*The President is authorized, on*
7 *such terms and conditions as the President determines to*
8 *be appropriate, to make a grant to Brandeis University for*
9 *an endowment for the Andrei Sakharov Archives and*
10 *Human Rights Center for the purpose of collecting and pre-*
11 *serving documents related to the life of Andrei Sakharov*
12 *and the administration of such Center.*

13 (b) *FUNDING.*—*There is authorized to be appropriated*
14 *to the President to carry out subsection (a) not more than*
15 *\$1,500,000.*

16 **SEC. 8. EXTENSION OF LAW.**

17 *The provisions of section 108(c) of H.R. 3427, as en-*
18 *acted by section 1000(a)(7) of Public Law 106–113, shall*
19 *apply to United States contributions for fiscal year 2003*
20 *to the organization described in section 108(c) of H.R. 3427.*

Amend the title so as to read: “An Act to make available funds under the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to pro-

mote and strengthen democratic government and civil society and independent media in that country.”.

Attest:

Secretary.

107TH CONGRESS
2D SESSION

H. R. 2121

AMENDMENTS