

# United States Senate

WASHINGTON, DC 20510

July 29, 2019

The Honorable James M. Inhofe  
Chairman  
Senate Committee on Armed Services  
228 Russell Senate Office Building  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Senate Committee on Armed Services  
228 Russell Senate Office Building  
Washington, DC 20510

The Honorable Adam Smith  
Chairman  
House Committee on Armed Services  
2216 Rayburn House Office Building  
Washington, DC

The Honorable Mac Thornberry  
Ranking Member  
House Committee on Armed Services  
2216 Rayburn House Office Building  
Washington, DC

Dear Chairman Inhofe, Chairman Smith, Ranking Member Reed, and Ranking Member Thornberry:

We write regarding the conference committee for the National Defense Authorization Act for Fiscal Year 2020 (NDAA). As conference negotiations begin, we urge you to ensure that the final conference report includes language to prevent future efforts by foreign governments and foreign actors to interfere in American elections by making it clear that such interference will be met with swift and severe consequences. Specifically, we ask that you strengthen an election security provision in the House NDAA to reflect our bipartisan DETER Act (S.1060).

The House NDAA includes an amendment sponsored by Representatives Brad Sherman and Maxine Waters, which includes key provisions from the DETER Act. The Sherman-Waters amendment:

- Prohibits U.S. firms from trading in new Russian sovereign debt within 90 days of enactment;
- Requires the Director of National Intelligence (DNI) to report to Congress on Russian interference 30 days following every U.S. federal election;
- Authorizes the administration to suspend sovereign debt sanctions on Russia if:
  - The DNI reports to Congress that Russia has not interfered in the last U.S. federal election;
  - Congress passes a joint resolution certifying the determination of the DNI; and,
- Requires the reimposition of sovereign debt sanctions, if suspended in a prior election cycle, to be reimposed immediately if the DNI:
  - Cannot determine that Russia has not interfered in a U.S. federal election; or,
  - Congress cannot pass a joint resolution certifying a DNI determination that Russia has not interfered in an election.

Although the Sherman-Waters amendment is a step in the right direction, we believe it should be modified and strengthened in two important ways. First, as the *Economist Intelligence Unit* points out, the impact of sanctions on Russia’s sovereign debt would be “limited” given Russia’s low stock of sovereign debt, forecasted balanced budget, and substantial foreign currency reserves.<sup>[1]</sup> Second, structuring sanctions as a consequence for future interference would serve as a more effective deterrent than applying a penalty in advance. For that reason, we ask that conference negotiators modify and strengthen the Sherman-Waters amendment with select provisions of the DETER Act. Specifically, we ask that the conferees:

- Make the sovereign debt sanctions contingent on a finding of election interference by the DNI;
- Include additional sanctions on Russia’s energy, banking and defense sectors, which would be contingent on a finding of interference by the DNI; and,
- Include sanctions on oligarchs and senior political figures the DNI determines to have contributed to election interference.

Russia’s efforts to manipulate the American people and undermine our democratic process in 2016 are undeniable. As we head into the 2020 election cycle, the Congress must do everything it can to deter attacks from the Kremlin or those seeking to follow their example. By making it clear in advance that attempts to interfere in our elections will be met with swift and severe sanctions, we can deter hostile foreign powers from taking such malign actions — but we must act now.

This conference committee represents this Congress’ best—potentially last—opportunity to enact meaningful legislation aimed at deterring Russia from a repeat performance of its 2016 presidential election interference. We ask that you seize this opportunity and include the provisions outlined above in the final conference report.

Thank you for your consideration.

Sincerely,



Chris Van Hollen  
United States Senator



Marco Rubio  
United States Senator

---

<sup>[1]</sup> Economist Intelligence Unit, “US proposes sanctions on Russian sovereign debt.” September 6, 2018.  
<https://www.eiu.com/industry/article/1317124115/us-proposes-sanctions-on-russian-sovereign-debt/2018-09-06>