

.....
(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R.

To strengthen security and deterrence in Europe and to hold the Russian Federation accountable for violations of the Intermediate-Range Nuclear Forces Treaty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Washington introduced the following bill; which was referred to the Committee on _____

A BILL

To strengthen security and deterrence in Europe and to hold the Russian Federation accountable for violations of the Intermediate-Range Nuclear Forces Treaty, 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. SHORT TITLE.**

4 This Act may be cited as the “Fostering Unity
5 Against Russian Aggression Act of 2017”.

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) General Curtis M. Scaparrotti, Commander
2 of the United States European Command, testified
3 before the House Armed Services Committee on
4 March 27, 2017, that “Today we face the most dy-
5 namic European security environment in history.”
6 and that “Russia’s malign actions are supported by
7 its diplomatic, information, economic, and military
8 initiatives.”.

9 (2) The Russian Federation continues to be in
10 violation of INF Treaty as a result of testing and
11 deploying a new nuclear-capable cruise missile.

12 (3) The Russian Federation has shifted to a
13 military doctrine that envisions using nuclear weap-
14 ons in an attempt to end a failing regional conven-
15 tional conflict. On June 25, 2015, Deputy Secretary
16 of Defense Robert Work and then-Vice-Chairman of
17 the Joint Chiefs of Staff Admiral James Winnefeld
18 testified before the House Armed Services Com-
19 mittee that “Russian military doctrine includes what
20 some have called an ‘escalate to de-escalate’ strat-
21 egy—a strategy that purportedly seeks to deescalate
22 a conventional conflict through coercive threats, in-
23 cluding limited nuclear use. We think that this label
24 is dangerously misleading. Anyone who thinks they
25 can control escalation through the use of nuclear

1 weapons is literally playing with fire. Escalation is
2 escalation, and nuclear use would be the ultimate es-
3 calation.”.

4 (4) General Scaparrotti noted in his March 27,
5 2017, testimony before the House Armed Services
6 Committee that “Moscow’s provocative rhetoric and
7 nuclear threats increase the likelihood of misunder-
8 standing and miscalculation.”.

9 (5) The Russian Federation continues to con-
10 duct ongoing influence campaigns aimed at under-
11 mining democracies around the world. According to
12 an assessment by the intelligence community, “Rus-
13 sian President Vladimir Putin ordered an influence
14 campaign in 2016 aimed at the U.S. presidential
15 election”, which included the use of the Russian
16 military intelligence organization. The intelligence
17 community also assessed that Russia would apply
18 lessons learned to future influence efforts worldwide,
19 including against United States allies and their elec-
20 tion systems.

21 (6) The Russian Federation continues its ag-
22 gression on its periphery. In 2008, the Russian Fed-
23 eration fomented conflict in Georgia. The Russian
24 Federation has also illegally occupied and attempted
25 to annex Crimea. Further, the Russian Federation is

1 directing combined Russian-Separatist units in east-
2 ern Ukraine, actively inciting violence and pro-
3 longing the most significant conflict in Europe.

4 (7) The investment of over \$5 billion in the Eu-
5 ropean Reassurance Initiative (ERI), now the Euro-
6 pean Deterrence Initiative (EDI), has proven suc-
7 cessful in significantly enhancing the ability of
8 United States forces, NATO allies, and regional
9 partners to deter Russian aggression. EDI has not
10 only assured our European allies and partners but
11 supported essential investments in NATO's military
12 capacity, interoperability, and agility.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) the Russian Federation should return to
16 compliance with the INF Treaty in a verifiable man-
17 ner as soon as possible;

18 (2) the risks of miscalculation in a crisis are ex-
19 acerbated by the Russian Federation's shift to a
20 military doctrine of “escalate to de-escalate”, low-
21 ering the threshold for Russian use of nuclear weap-
22 ons and thereby increasing the risk of using nuclear
23 weapons, potentially escalating in to a massive nu-
24 clear exchange;

1 (3) strengthening effective and credible conven-
2 tional deterrence, particularly on the northeastern
3 flank of NATO, is a political and military priority;

4 (4) NATO's formal adoption at the 2014 Wales
5 Summit of the goal for each member state to allo-
6 cate at least two percent of its gross domestic prod-
7 uct to its national defense budget within a decade
8 should be commended, as increased defense spending
9 by NATO member states is strongly encouraged to
10 maintain the alliance's strategic vitality through the
11 enhancement of its collective capacity;

12 (5) reaffirming support for the principle of col-
13 lective defense in Article 5 of the North Atlantic
14 Treaty for NATO allies is vital to a strong and
15 meaningful alliance and is not conditional;

16 (6) subversive and destabilizing activities by the
17 Russian Federation targeting NATO allies and part-
18 ners causes concern and should be condemned;

19 (7) strengthened deterrence efforts by NATO
20 allies, including NATO's Enhanced Forward Pres-
21 ence, should be commended and enhancing defense
22 cooperation efforts with NATO allies and partners
23 should be encouraged;

24 (8) European Deterrence Initiative (EDI) in-
25 vestments are long-term and, as such, Congress ex-

1 pects future budgets to reflect United States com-
2 mitment by planning for funding in the base budget,
3 and further EDI should build on United States pres-
4 ence by increasing the United States permanent
5 force posture; and

6 (9) credible deterrence requires steadfast co-
7 operation and joint action with NATO allies and
8 partners and other United States allies and partners
9 in Europe.

10 **SEC. 3. STRATEGY TO COUNTER THREATS BY THE RUSSIAN**
11 **FEDERATION.**

12 (a) STRATEGY REQUIRED.—The Secretary of De-
13 fense, in consultation with each of the Secretaries of the
14 military departments, the Joint Chiefs of Staff, and the
15 commanders of each of the regional and functional com-
16 batant commands, shall develop and implement a com-
17 prehensive strategy to counter threats by the Russian Fed-
18 eration.

19 (b) REPORT REQUIRED.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense shall submit to the congressional
23 defense committees a report on the strategy required
24 by subsection (a).

1 (2) ELEMENTS.—The report required by this
2 subsection shall include the following elements:

3 (A) An evaluation of strategic objectives
4 and motivations of the Russian Federation.

5 (B) A detailed description of Russian
6 threats to the national security of the United
7 States, including threats that may pose chal-
8 lenges below the threshold of armed conflict.

9 (C) A discussion of how the strategy com-
10 plements the National Defense Strategy and
11 the National Military Strategy.

12 (D) A discussion of the ends, ways, and
13 means inherent to the strategy.

14 (E) A discussion of the strategy's objec-
15 tives with respect to deterrence, escalation con-
16 trol, and conflict resolution.

17 (F) A description of the military activities
18 across geographic regions and military func-
19 tions and domains that are inherent to the
20 strategy.

21 (G) A description of the posture, forward
22 presence, and readiness requirements inherent
23 to the strategy.

1 (H) A description of the roles of the
2 United States Armed Forces in implementing
3 the strategy, including—

4 (i) the role of United States nuclear
5 capabilities;

6 (ii) the role of United States space ca-
7 pabilities;

8 (iii) the role of United States cyber
9 capabilities;

10 (iv) the role of United States conven-
11 tional ground forces;

12 (v) the role of United States naval
13 forces;

14 (vi) the role of United States air
15 forces; and

16 (vii) the role of United States special
17 operations forces.

18 (I) An assessment of contributions of
19 United States allies and partners in countering
20 Russian threats and a description of the roles
21 of allies and partners in implementing and sus-
22 taining the strategy.

23 (J) An assessment of the force require-
24 ments needed to implement and sustain the
25 strategy.

1 (K) A description of the logistical require-
2 ments needed to implement and sustain the
3 strategy.

4 (L) An assessment of the technological re-
5 search and development requirements needed to
6 implement and sustain the strategy.

7 (M) An assessment of the training and ex-
8 ercise requirements needed to implement and
9 sustain the strategy.

10 (N) An assessment of the budgetary re-
11 source requirements needed to implement and
12 sustain the strategy through December 31,
13 2030.

14 (O) A discussion of how the strategy pro-
15 vides a framework for future planning and in-
16 vestments in regional defense initiatives, includ-
17 ing the European Deterrence Initiative.

18 (3) FORM.—The report required by this sub-
19 section shall be submitted in unclassified form but
20 may contain a classified annex.

21 **SEC. 4. STRATEGY TO INCREASE CONVENTIONAL PRECI-**
22 **SION STRIKE WEAPON STOCKPILES IN THE**
23 **UNITED STATES EUROPEAN COMMAND'S**
24 **AREAS OF RESPONSIBILITY.**

25 (a) STRATEGY REQUIRED.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall develop and implement a strategy to increase
3 conventional precision strike weapon stockpiles in
4 the United States European Command’s areas of re-
5 sponsibility.

6 (2) ELEMENTS.—The strategy required by this
7 subsection shall include necessary increases in the
8 quantities of such stockpiles that the Secretary de-
9 termines will enhance deterrence and warfighting ca-
10 pability of the North Atlantic Treaty Organization
11 forces.

12 (b) REPORT REQUIRED.—

13 (1) IN GENERAL.—Not later than April 1,
14 2018, the Secretary of Defense shall submit to the
15 congressional defense committees a report on the
16 strategy required by subsection (a).

17 (2) FORM.—The report required by this sub-
18 section shall be submitted in unclassified form but
19 may contain a classified annex.

20 **SEC. 5. PLAN TO COUNTER THE MILITARY CAPABILITIES**
21 **OF THE RUSSIAN FEDERATION.**

22 (a) PLAN REQUIRED.—

23 (1) IN GENERAL.—The Secretary of Defense
24 shall develop and implement a plan to counter the
25 military capabilities of the Russian Federation.

1 (2) ELEMENTS.—The plan required by this
2 subsection shall include the following:

3 (A) Accelerating programs to improve the
4 capability of United States military forces to
5 operate in a Global Positioning System (GPS)-
6 denied or GPS-degraded environment.

7 (B) Accelerating programs of the Depart-
8 ment of the Army to counter Russian un-
9 manned aircraft systems, electronic warfare,
10 and long-range precision strike capabilities.

11 (C) Countering unconventional capabilities
12 and hybrid threats from the Russian Federa-
13 tion.

14 (D) Any other elements that the Secretary
15 determines to be appropriate.

16 (b) REPORT REQUIRED.—

17 (1) IN GENERAL.—Not later than April 1,
18 2018, the Secretary of Defense shall submit to the
19 congressional defense committees a report on the
20 plan required by subsection (a).

21 (2) FORM.—The report required by this sub-
22 section shall be submitted in unclassified form but
23 may contain a classified annex.

24 (c) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) the strategy for the Department of Defense
2 to counter unconventional warfare threats posed by
3 adversarial state and non-state actors required by
4 section 1097 of the National Defense Authorization
5 Act for Fiscal Year 2016 (Public Law 114–92) has
6 not yet been submitted to the congressional defense
7 committees and should be submitted without further
8 delay; and

9 (2) concerns persist over the growing sophis-
10 tication of unconventional and hybrid state-spon-
11 sored threats by the Russian Federation as dem-
12 onstrated through its advancement and integration
13 of conventional warfare, economic warfare, cyber
14 and information operations, intelligence operations,
15 and other activities to undermine United States na-
16 tional security objectives as well as the objectives of
17 United States allies and partners in Europe.

18 **SEC. 6. PLAN TO PROVIDE TRAINING TO THE NATIONAL SE-**
19 **CURITY FORCES OF UNITED STATES ALLIES**
20 **AND PARTNERS TO COUNTER CYBERSPACE**
21 **OPERATIONS AND INFORMATION OPER-**
22 **ATIONS OF THE RUSSIAN FEDERATION.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the establishment by the Commander of the
2 United States European Command of the inter-
3 agency Russian Information Group to counter Rus-
4 sian information operations against the United
5 States and United States allies and partners should
6 be supported and cooperation and synchronization of
7 efforts and activities with the Department of State's
8 Global Engagement Center and with the NATO
9 Strategic Communications Center of Excellence
10 should be encouraged;

11 (2) the Secretary of Defense should, to the ex-
12 tent appropriate, prioritize the transfer of funds as
13 authorized under section 1287(e) of the National
14 Defense Authorization Act for Fiscal Year 2017
15 (Public Law 114-328; 130 Stat. 2546) to the De-
16 partment of State's Global Engagement Center spe-
17 cifically for the purpose of countering Russia state-
18 sponsored propaganda aimed at undermining the na-
19 tional security interests of the United States and
20 United States allies and partners; and

21 (3) the Secretary of Defense should prioritize
22 providing funding to the NATO Cooperative Cyber
23 Defense Center of Excellence and the NATO Stra-
24 tegic Communication Center of Excellence or pur-
25 poses of enhancing cooperation with NATO allies to

1 counter cyberspace operations of the Russian Fed-
2 eration against the national security interests of the
3 United States and United States and allies and
4 partners.

5 (b) PLAN REQUIRED.—The Secretary of Defense
6 shall develop and implement a plan to provide training to
7 the national security forces of United States allies and
8 partners for the purpose of building the capacity of such
9 forces to counter cyberspace operations and information
10 operations of the Russian Federation.

11 (c) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than April 1,
13 2018, the Secretary of Defense shall submit to the
14 congressional defense committees a report on the
15 plan required by subsection (b).

16 (2) FORM.—The report required by this sub-
17 section shall be submitted in unclassified form but
18 may contain a classified annex.

19 **SEC. 7. REPORT ON MAINTAINING AND EXPANDING FOR-**
20 **WARD PRESENCE OF UNITED STATES MILI-**
21 **TARY FORCES AND PERSONNEL IN EUROPE.**

22 (a) REPORT REQUIRED.—Not later than April 1,
23 2018, the Secretary of Defense shall submit to the con-
24 gressional defense committees a report on the strategy of
25 the Department of Defense maintaining and expanding

1 forward presence of United States military forces and per-
2 sonnel in Europe.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following with respect to United
5 States European Command areas of responsibility:

6 (1) An assessment of the additional perma-
7 nently stationed forces in Europe required to meet
8 United States strategic requirements and the oper-
9 ational requirements of the geographic combatant
10 commander.

11 (2) An assessment of the infrastructure capac-
12 ity of existing European locations and their ability
13 to accommodate additional forces.

14 (3) An overview of new locations in Europe that
15 might be considered for permanently stationed forces
16 and the estimated cost and scope of infrastructure
17 investments, to include improvements to training
18 areas, which would be required at those locations to
19 support permanently stationed forces, including an
20 assessment of what infrastructure investments might
21 be provided by the host-nation as well as new con-
22 struction or modernization of existing facilities that
23 would be funded by the United States.

24 (4) A detailed list of investments in equipment,
25 supplies, logistics, storage, and maintenance, at cur-

1 rent and new locations in Europe, required to sup-
2 port additional permanently stationed forces.

3 (5) An assessment of the readiness advantages
4 and disadvantages associated with stationing addi-
5 tional permanent forces at European locations.

6 (6) A discussion of potential challenges with
7 stationing additional permanent forces or developing
8 new locations for permanently stationed forces as a
9 result of treaty obligations, international agree-
10 ments, or other legally binding instruments.

11 (c) FORM.—The report required by subsection (a)
12 shall be submitted in unclassified form but may include
13 a classified annex.

14 **SEC. 8. REPORT ON IMPROVING TRAINING AREAS IN THE**
15 **UNITED STATES EUROPEAN COMMAND'S**
16 **AREAS OF RESPONSIBILITY.**

17 (a) REPORT REQUIRED.—Not later than April 1,
18 2018, the Secretary of Defense, in coordination with the
19 Secretaries of the military departments, the Commander
20 of the United States European Command, and the Com-
21 mander of the United States Special Operations Com-
22 mand, shall submit to the congressional defense commit-
23 tees a report on the location, capabilities, and capacities
24 of training areas in the United States European Com-
25 mand's areas of responsibility, including air and ground

1 ranges, range complexes, military training routes, and spe-
2 cial-use areas.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following:

5 (1) An inventory of such training areas that are
6 utilized by United States Armed Forces or with re-
7 spect to which United States Armed Forces have ac-
8 cess.

9 (2) An overview of the capabilities and capacity
10 of such training areas to support permanent and ro-
11 tational forward presence of United States Armed
12 Forces.

13 (3) An assessment of any capability gaps of
14 such training areas that limit the ability to meet
15 training standards of United States Armed Forces.

16 (4) Details of current and planned investments
17 in training infrastructure to mitigate identified capa-
18 bility gaps, help meet United States training stand-
19 ards, and support additional permanent or rotational
20 forces in Europe, to be funded by the NATO, the
21 United States, or United States allies or partners.

22 **SEC. 9. SENSE OF CONGRESS ON ENHANCING MARITIME**
23 **CAPABILITIES.**

24 Congress notes the 2016 Force Structure Assessment
25 (FSA) that increased the requirement for fast attack sub-

1 marine (SSN) from 48 to 66 and supports an acquisition
2 plan that enhances maritime capabilities that address this
3 requirement.

4 **SEC. 10. PLAN TO REDUCE THE RISKS OF MISCALCULATION**
5 **AND UNINTENDED CONSEQUENCES THAT**
6 **COULD PRECIPITATE A NUCLEAR WAR.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the Russian Federation has adopted a dan-
9 gerous nuclear doctrine that includes a strategy of
10 “escalate to de-escalate”, which could lower the
11 threshold for Russian use of nuclear weapons in a
12 regional conflict; and

13 (2) such nuclear doctrine exacerbates the risks
14 of miscalculation and unintended consequences that
15 could precipitate a nuclear war.

16 (b) PLAN REQUIRED.—

17 (1) IN GENERAL.—Not later than March 1,
18 2018, the Secretary of Defense, in coordination with
19 the Chairman of the Joint Chief of Staff, the Com-
20 mander of the United States Strategic Command,
21 and the Commander of the United States European
22 Command, shall submit to the congressional defense
23 committees a plan that includes options to reduce
24 the risk of miscalculation and unintended con-
25 sequences that could precipitate a nuclear war.

1 (2) ELEMENTS.—The plan required under this
2 subsection shall include—

3 (A) an assessment of the value of military-
4 to-military dialog to reduce such risk; and

5 (B) any other recommendations the Sec-
6 retary determines to be appropriate.

7 **SEC. 11. PLAN TO IMPOSE SANCTIONS WITH RESPECT TO**
8 **THE RUSSIAN FEDERATION BY REASON OF**
9 **NON-COMPLIANCE BY THE RUSSIAN FEDERA-**
10 **TION WITH THE INF TREATY.**

11 (a) IN GENERAL.—Not later than April 1, 2018, the
12 President shall submit to the congressional defense com-
13 mittees a plan to impose sanctions with respect to the
14 Russia Federation by reason of non-compliance by the
15 Russian Federation with the INF Treaty.

16 (b) ELEMENTS.—The plan required under subsection
17 (a) should include expanding asset freezes and travel bans,
18 prohibiting financial transactions, prohibiting government-
19 to-government contracts, and any other sanctions that the
20 President determines to be appropriate.

21 (c) TERMINATION.—The plan required under sub-
22 section (a) shall provide for termination of sanctions de-
23 scribed in the plan beginning on the date on which the
24 President submits to the appropriate congressional com-

1 mitted a certification that the Russian Federation has
2 verifiably returned to compliance with the INF Treaty.

3 (d) COOPERATION.—The Secretary of State shall
4 seek to cooperate with United States allies and partners
5 to maximize the effect of sanctions described in the plan
6 required under subsection (a).

7 **SEC. 12. DEFINITIONS.**

8 In this Act:

9 (1) CONGRESSIONAL DEFENSE COMMITTEES.—

10 The term “congressional defense committees” has
11 the meaning given such term in section 101 of title
12 10, United States Code.

13 (2) INF TREATY.—The term “INF Treaty”
14 means the Treaty Between the United States of
15 America and the Union of Soviet Socialist Republics
16 on the Elimination of Their Intermediate- Range
17 and Shorter-Range Missiles, commonly referred to
18 as the Intermediate-Range Nuclear Forces (INF)
19 Treaty, signed at Washington, December 8, 1987,
20 and entered into force June 1, 1988.

21 (3) NATO.—The term “NATO” means the
22 North Atlantic Treaty Organization.