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[Congress Pushes Tougher Line on Russia](#)



On May 5th, US President Donald Trump signed [H.R. 244](#), his first major piece of legislation since taking office. Also known as the Consolidated Appropriations Act 2017, this legislation effectively funds the US government effective till September. It did not come from Trump's budget proposals, but rather from a series of Congressional compromises, as is [typical with US budgets](#).

Less typical is that this Act appears to substantially shape US policy on Russia. This is despite foreign policy traditionally being largely the preserve of the White House. The Republican Party, which holds a majority in both the Senate and the House of Representatives, has taken the initiative on US Russia policy for two main reasons. Partly because there are still empty chairs at the State Department, where the President has not announced his nominees to fill a number of senior positions related to policy formulation, and that has created a willingness in Congress to fill the vacuum. Partly, there is also a growing distrust among both Democrats and Republicans in Congress of the President's stance on Russia.

In fact, this new law could well be an indication that foreign policy making, at least where it concerns Russia, is set to shift to Congress for the foreseeable future. It limits Trump's room for manoeuvre in this regard quite

drastically. Section 7070(a) of H.R. 244 clearly lays out that “none of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.” It does not allow for any waivers, as other portions do. Effectively this prohibits the US from granting any aid or concessional spending to the Russian government, something that was already highly unlikely. Nevertheless, the inclusion of this language in the budget will spur certain Congressmen to seek similar language in future budgets. It is not expected to affect US dealings with Russian state-run corporations, though, given they are formally separate legal entities. Even so, it will certainly create headaches for Russian corporate lawyers and complicate any potential new contracts.

The bill includes the establishment of a US\$100m fund dedicated to countering Russian propaganda, as well as a ban on all funding to Crimea-based projects. This effectively puts into law [the language of various executive orders](#) sanctioning Russia over Crimea since 2014.

Section 7070(b)(1) reads: “None of the funds appropriated by this Act may be made available for assistance for the central government of a country that ... has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea”. This section on Crimea will provide headaches for a handful of states, most notable amongst them Afghanistan, a state entirely dependent on US funding for its day-to-day survival, given former president Hamid Karzai’s [endorsement of Russia’s annexation of Crimea](#). As a result, Afghanistan is all but guaranteed to formally withdraw its recognition of Crimea, albeit likely rather quietly. Other countries such as Armenia, Bolivia, and Zimbabwe that have had unclear positions on Crimea will also be pressured to take sides emphatically.

Other sections are even more striking in this regard. Section 7070(c)(1) reads: “None of the funds appropriated by this Act may be made available for assistance for the central government of a country ... has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.” This is particularly notable as it shows an impetus by Congress to take action where it apparently feels both the current — and previous — White House Administration has failed to act sufficiently. No sanctions were ever placed on Russia over its recognition of the two separatist statelets in 2008 — which most of the world still consider part of Georgian territory. Nor was Russia sanctioned for its actions in the war with Georgia that preceded its recognition of South Ossetia and Abkhazia. Although the law allows for the Secretary of State to waive these provisions, as it does with the Crimean measures, the immediate impact is significant. This is a large step to make in a dispute where Moscow’s involvement has received little international attention compared to other facets of Russian foreign policy.

Besides Russia, the only states to recognize Abkhazia and South Ossetia’s independence today are Venezuela, Nicaragua and Nauru. Two other Pacific island-states, Vanuatu and Tuvalu, previously recognized the pair’s independence but withdrew their recognition in 2013 and 2014 respectively. [Reports at the time suggested](#) these states were engaged in a bidding war between Moscow on one side, and Georgia and its allies on the other, in order to receive financial support in exchange for either recognition or non-recognition. The Consolidated Appropriations Act 2017 notably changes the rules of this game: accepting Russia’s ‘carrots’ is now countered with a clear US ‘stick’.

Nauru heavily relies on foreign aid and [has received](#) USAID support, Asian Development Bank support and direct American aid — all of which are now at risk. Nauru is likely to gently withdraw its recognition as a result. Meanwhile, Nicaragua, despite its close ties to Moscow and strained relations with the US, still receives significant US aid. As far as Venezuela is concerned, however, the move is unlikely to be a major immediate issue for the current government, given it [has consistently sought help from Russia](#) in managing its debt amid its current economic crisis. However, in the event of a change of power, it is quite likely the US would be the first port of call for ending its dramatic economic crisis through aid or loans. An issue like the sovereignty of two statelets in the Caucasus is remote to most ordinary Nicaraguans and Venezuelans — so ending their recognition of Abkhazia or South Ossetia would probably be one of the first things they would offer to the US across any negotiating table.

Clearly, there are differences on US sanctions policy with regards to Russia between the Trump Administration and Congress. While Trump has not sought to ease any existing sanctions on Russia, his [continued refusal to acknowledge the seriousness](#) of Russia’s intervention in the 2016 US presidential election

has fostered mistrust among many members of Congress. These divisions have been inflamed by regular media coverage of his potential ties to Moscow and the [bumbling responses](#) to related allegations by some [former campaign members](#).

It would appear as if Section 7070 of the Consolidated Appropriations Act 2017 is at the least symbolic of mistrust between the Trump Administration and the Republican-controlled Congress on Russia policy. It may also represent that Congress recognizes its stance on Russia actually diverges fundamentally from Trump's. This is implied by Congress effectively creating a new class of sanctions, despite Secretary of State Tillerson [not supporting](#) a British proposal at a G7 Summit in April to impose new sanctions on Russia. Section 7046(b) orders the Secretary of State to consult with Congress' Appropriations Committees if the president determines that providing funds to a state that has violated the Helsinki Accords (read: Russia) is in the US national interest. In other words, it specifically calls for Congress to be briefed on a decision that waives or runs counter to Section 7070.

Before its passage, Trump openly [criticized](#) the budget bill and implied a shutdown of government in September could be beneficial. These criticisms were vague and not directly aimed at the Russian portions of the legislation. Directly criticizing the Russia provisions would be politically risky, given ongoing Congressional hearings into Russia's alleged support for his presidential campaign. So far, however, the administration has remained silent on the law's Russian provisions, despite hosting Georgian Prime Minister Giorgi Kvirikashvili on May 8th. After the meeting, Kvirikashvili heaped [praise on the law](#), while the official White House readout of Kvirikashvili's visit [did not mention it](#). Highlighting that the US imposed its first ever sanctions on Abkhazia and South Ossetia would certainly have been a strong opportunity to counter the Washington narrative of Trump and Moscow being overly friendly. Reading between the lines is always difficult, particularly with this administration, but one inference that could be drawn is that the administration is not pleased at Congress' encroachment on Russia policy.

So it appears that the US Congress is set to take an activist role on Russia policy, even if President Trump disagrees with its view of Moscow. While Trump may still harbor [ambitions of reaching a 'good deal'](#) with Russia that could see sanctions lifted, Section 7070 of the Consolidated Appropriations Act 2017 makes it clear that Congress is unlikely to let him. Trump's scandals may only exacerbate this trend.

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