

**Public Law 118-50**

[Public Law 118–50]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–50. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT Making emergency supplemental appropriations for the fiscal year ending September 30, 2024, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ORGANIZATION OF ACT INTO DIVISIONS.**

(a) DIVISIONS.—This Act is organized into the following divisions:

(1) DIVISION A.—Israel Security Supplemental Appropriations Act, 2024.

(2) DIVISION B.—Ukraine Security Supplemental Appropriations Act, 2024.

(3) DIVISION C.—Indo-Pacific Security Supplemental Appropriations Act, 2024.

(4) DIVISION D.—21st Century Peace through Strength Act.

(5) DIVISION E.—FEND off Fentanyl Act.

(6) DIVISION F.—Rebuilding Economic Prosperity and Opportunity for Ukrainians Act.

(7) DIVISION G.—Other Matters.

(8) DIVISION H.—Protecting Americans from Foreign Adversary Controlled Applications Act.

(9) DIVISION I.—Protecting Americans’ Data from Foreign Adversaries Act of 2024.

(10) DIVISION J.—SHIP Act.

(11) DIVISION K.—Fight CRIME Act.

(12) DIVISION L.—MAHSA Act.

(13) DIVISION M.—Hamis and Other Palestinian Terrorist Groups International Financing Prevention Act.

(14) DIVISION N.—No Technology for Terror Act.

(15) DIVISION O.—Strengthening Tools to Counter the Use of Human Shields Act.

(16) DIVISION P.—Illicit Captagon Trafficking Suppression Act.

(17) DIVISION Q.—End Financing for Hamas and State Sponsors of Terrorism Act.

(18) DIVISION R.—Holding Iranian Leaders Accountable Act.

(19) DIVISION S.—Iran-China Energy Sanctions Act of 2023.

(20) DIVISION T.—Budgetary Effects.

#### SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

## DIVISION A—ISRAEL SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2024, and for other purposes, namely:

### TITLE I

#### DEPARTMENT OF DEFENSE OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

##### (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$4,400,000,000, to remain available until September 30, 2025, to respond to the situation in Israel: *Provided*, That the amount provided under this heading in this division may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to the government of Israel or identified and notified to Congress for provision to the government of Israel or to foreign countries that have provided support to Israel at the request of the United States: *Provided further*, That funds transferred pursuant to the preceding proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be

transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### PROCUREMENT

#### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$801,400,000, to remain available until September 30, 2026, to respond to the situation in Israel: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$5,200,000,000, to remain available until September 30, 2026, to respond to the situation in Israel and for related expenses: *Provided*, That of the total amount provided under this heading in this division, \$4,000,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome and David’s Sling defense systems to counter short-range rocket threats: *Provided further*, That of the total amount provided under this heading in this division, \$1,200,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Beam defense system to counter short-range rocket threats: *Provided further*, That funds in the preceding provisos shall be transferred pursuant to an exchange of letters and are in addition to funds provided pursuant to the U.S.-Israel Iron Dome Procurement Agreement, as amended: *Provided further*, That nothing under this heading in this division shall be construed to apply to amounts made available in prior appropriations Acts for the procurement of the Iron Dome and David’s Sling defense systems or for the procurement of the Iron Beam defense system: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### DEFENSE PRODUCTION ACT PURCHASES

For an additional amount for “Defense Production Act Purchases”, \$198,600,000, to remain available until expended, for activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533): *Provided*, That such amounts shall be obligated and expended by the Secretary of Defense as if delegated the necessary authorities conferred by the Defense Production Act of 1950: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to sec-

tion 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE(INCLUDING TRANSFERS OF FUNDS)

SEC. 101.

For an additional amount for the Department of Defense, \$2,440,000,000, to remain available until September 30, 2024, for transfer to military personnel accounts, operation and maintenance accounts, procurement accounts, research, development, test and evaluation accounts, and the Defense Working Capital Funds, in addition to amounts otherwise made available for such purpose, only for U.S. operations, force protection, deterrence, and the replacement of combat expenditures in the United States Central Command region: *Provided*, That none of the funds provided under this section may be obligated or expended until 30 days after the Secretary of Defense provides to the congressional defense committees an execution plan: *Provided further*, That not less than 15 days prior to any transfer of funds, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: *Provided further*, That upon transfer, the funds shall be merged with and available for the same purposes, and for the same time period, as the appropriation to which transferred: *Provided further*, That any transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE II

### DEPARTMENT OF HOMELAND SECURITY PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

##### OPERATIONS AND SUPPORT

For an additional amount for “Federal Emergency Management Agency—Operations and Support”, \$10,000,000, to remain available until September 30, 2027, for necessary expenses related to the administration of nonprofit security grants: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### FEDERAL ASSISTANCE

For an additional amount for “Federal Emergency Management Agency—Federal Assistance”, \$390,000,000, of which \$160,000,000 shall remain available until September 30, 2025, and \$230,000,000 shall remain available until September 30, 2026, for Nonprofit Security Grant Program under section 2009 of the Homeland Security Act of 2002 (6 U.S.C. 609a) for eligible nonprofit organizations to prevent, prepare for, protect against, and respond to

acts of terrorism or other threats: *Provided*, That the Administrator of the Federal Emergency Management Agency shall make programmatic adjustments as necessary to expedite the disbursement of, and provide flexibility in the use of, amounts made available under this heading in this division: *Provided further*, That notwithstanding any provision of 6 U.S.C. 609a, and in addition to amounts available under 6 U.S.C. 609a(c)(2), the Administrator of the Federal Emergency Management Agency may permit a State to use up to two percent of a grant awarded under this heading in this division to provide outreach and technical assistance to eligible nonprofit organizations to assist them with applying for Nonprofit Security Grant Program awards under this heading in this division: *Provided further*, That such outreach and technical assistance should prioritize rural and underserved communities and nonprofit organizations that are traditionally underrepresented in the Program: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### TITLE III

#### DEPARTMENT OF STATE AND RELATED AGENCYDEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC PROGRAMS

For an additional amount for “Diplomatic Programs”, \$150,000,000, to remain available until September 30, 2025, to respond to the situation in Israel and areas and countries impacted by the situation in Israel: *Provided*, That of the total amount provided under this heading in this division, \$100,000,000, to remain available until expended, shall be for Worldwide Security Protection, including to respond to the situation in Israel and areas impacted by the situation in Israel: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$4,000,000, to remain available until September 30, 2025: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Service”, \$50,000,000, to remain available until expended, to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized: *Provided*, That such amount is designated by the Congress as being for an emergency require-

ment pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL  
DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$3,000,000, to remain available until September 30, 2025: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for “International Disaster Assistance”, \$5,655,000,000, to remain available until expended, to address humanitarian needs, including the provision of emergency food and shelter, of vulnerable populations and communities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, \$3,495,000,000, to remain available until expended, to address humanitarian needs of vulnerable populations and communities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, \$75,000,000, to remain available until September 30, 2025, for assistance for the Middle East, following consultation with the appropriate congressional committees, including to enhance law enforcement capabilities, counter terrorism, combat narcotics trafficking, and meet other critical partner requirements: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PEACEKEEPING OPERATIONS

For an additional amount for “Peacekeeping Operations”, \$10,000,000, to remain available until September 30, 2025, including for a United States contribution to the Multinational Force and Observers mission in the Sinai to enhance force protection capabilities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## FUNDS APPROPRIATED TO THE PRESIDENT

## FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$3,500,000,000, to remain available until September 30, 2025, for assistance for Israel and for related expenses: *Provided*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading in this division shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up to \$769,300,000 may be available for the procurement in Israel of defense articles and defense services: *Provided further*, That the limitation in the preceding proviso may be exceeded, if agreed by the United States and Israel, following consultation with the Committees on Appropriations: *Provided further*, That any congressional notification requirement applicable to funds made available under this heading in this division for Israel may be waived if the Secretary of State determines that to do so is in the national security interest of the United States: *Provided further*, That up to \$5,000,000 of funds made available under this heading in this division, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL PROVISIONS—THIS TITLE(INCLUDING TRANSFERS OF FUNDS)

**SEC. 301.**

During fiscal year 2024, up to \$250,000,000 of funds deposited in the Consular and Border Security Programs account in any fiscal year that are available for obligation may be transferred to, and merged with, funds appropriated by any Act making appropriations for the Department of State, foreign operations, and related programs under the headings “Diplomatic Programs” (including for Worldwide Security Protection) and “Emergencies in the Diplomatic and Consular Service” for emergency evacuations or to prevent or respond to security situations and related requirements: *Provided*, That such transfer authority is in addition to any other transfer authority provided by law, and any such transfers are sub-

ject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

**SEC. 302.**

During fiscal year 2024, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting “\$7,800,000,000” for “\$100,000,000”.

**SEC. 303.**

During fiscal year 2024, section 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(2)(B)) shall be applied by substituting “\$400,000,000” for “\$200,000,000” in the matter preceding clause (i), and by substituting “\$150,000,000” for “\$75,000,000” in clause (i).

**SEC. 304.**

During fiscal year 2024, section 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2)) shall be applied by substituting “\$50,000,000” for “\$25,000,000”.

**SEC. 305.**

Section 12001 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287) is amended as follows:

(1) In paragraph (2) of subsection (a), by striking “armor” and all that follows through the end of the paragraph and inserting “defense articles that are in the inventory of the Department of Defense as of the date of transfer, are intended for use as reserve stocks for Israel, and are located in a stockpile for Israel as of the date of transfer”.

(2) In subsection (b), by striking “at least equal to the fair market value of the items transferred” and inserting “in an amount to be determined by the Secretary of Defense”.

(3) In subsection (c), by inserting before the comma in the first sentence the following: “, or as far in advance of such transfer as is practicable as determined by the President on a case-by-case basis during extraordinary circumstances impacting the national security of the United States”.

**SEC. 306.**

For fiscal year 2024, section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)) shall not apply to defense articles to be set aside, earmarked, reserved, or intended for use as reserve stocks in stockpiles in the State of Israel.

**SEC. 307. (a) Funds appropriated by this division under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” may be transferred to, and merged with, funds appropriated by this division under such headings.**

(b) Funds appropriated by this division under the headings “International Narcotics Control and Law Enforcement”, “Peacekeeping Operations”, and “Foreign Military Financing Program” may be transferred to, and merged with, funds appropriated by this division under such headings.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law, and are subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.



(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

**SEC. 308.**

None of the funds appropriated or otherwise made available by this division and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for a contribution, grant, or other payment to the United Nations Relief and Works Agency, notwithstanding any other provision of law.

**SEC. 309. (a) CERTIFICATION.**—The Secretary of State shall certify and report to the appropriate congressional committees not later than fifteen days after the date of enactment of this division, that—

(1) oversight policies, processes, and procedures have been established by the Department of State and the United States Agency for International Development, as appropriate, and are in use to prevent the diversion, misuse, or destruction of assistance, including through international organizations, to Hamas and other terrorist and extremist entities in Gaza; and

(2) such policies, processes, and procedures have been developed in coordination with other bilateral and multilateral donors and the Government of Israel, as appropriate.

(b) **OVERSIGHT POLICY AND PROCEDURES.**—The Secretary of State and the USAID Administrator shall submit to the appropriate congressional committees, concurrent with the submission of the certification required in subsection (a), a written description of the oversight policies, processes, and procedures for funds appropriated by this title that are made available for assistance for Gaza, including specific actions to be taken should such assistance be diverted, misused, or destroyed, and the role of Israel in the oversight of such assistance.

(c) **REQUIREMENT TO INFORM.**—The Secretary of State and USAID Administrator shall promptly inform the appropriate congressional committees of each instance in which funds appropriated by this title that are made available for assistance for Gaza have been diverted, misused, or destroyed, to include the type of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or USAID, as appropriate.

(d) **THIRD PARTY MONITORING.**—Funds appropriated by this title shall be made available for third party monitoring of assistance for Gaza, including end use monitoring, following consultation with the appropriate congressional committees.

(e) **OFFICES OF INSPECTORS GENERAL.**—

(1) **DEPARTMENT OF STATE.**—Of the funds appropriated by this title under the heading “**Office of Inspector General**” for the Department of State, \$4,000,000 shall be made available for the oversight and monitoring of assistance made available for Gaza by this title and in prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Of the funds appropriated by this title under the heading “**Office of Inspector General**” for USAID, \$3,000,000 shall be made available for the oversight and monitoring of assistance made available for Gaza by this title and in prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(f) REPORT.—Not later than 90 days after the initial obligation of funds appropriated by this title that are made available for assistance for Gaza, and every 90 days thereafter until all such funds are expended, the Secretary of State and the USAID Administrator shall jointly submit to the appropriate congressional committees a report detailing the amount and purpose of such assistance provided during each respective quarter, including a description of the specific entity implementing such assistance.

(g) ASSESSMENT.—Not later than 90 days after the date of enactment of this division and every 90 days thereafter until September 30, 2025, the Secretary of State, in consultation with the Director of National Intelligence and other heads of elements of the intelligence community that the Secretary considers relevant, shall submit to the appropriate congressional committees a report assessing whether funds appropriated by this title and made available for assistance for the West Bank and Gaza have been diverted by Hamas or other terrorist and extremist entities in the West Bank and Gaza: *Provided*, That such report shall include details on the amount and how such funds were made available and used by such entities: *Provided further*, That such report may be submitted in classified form, if necessary.

(h) CONSULTATION.—Not later than 30 days after the date of enactment of this division but prior to the initial obligation of funds made available by this title for humanitarian assistance for Gaza, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations on the amount and anticipated uses of such funds.

#### SEC. 310.

Prior to the initial obligation of funds made available in this title in this division, but not later than 15 days after the date of enactment of this division, the Secretary of State shall submit to the Committees on Appropriations—

(1) spend plans, as defined in section 7034(s)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117-328), at the country, account, and program level, for funds appropriated by this division under the headings “International Narcotics Control and Law Enforcement”, “Peacekeeping Operations” and “Foreign Military Financing Program”: *Provided*, That plans submitted pursuant to this paragraph shall include for each program notified—(A) total funding made available for such program, by account and fiscal year; (B) funding that remains unobligated for such program from prior year base or supplemental appropriations; (C) funding that is obligated but unexpended for such program; and (D) funding committed, but not yet notified for such program; and

(2) operating plans, as defined in section 7062 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117-328), for funds appropriated by this title under the headings “Diplomatic Programs” and “Emergencies in the Diplomatic and Consular Service”.

## TITLE IV—GENERAL PROVISIONS—THIS DIVISION

### SEC. 401.

Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

### SEC. 402.

No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

### SEC. 403.

Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

**SEC. 404. (a) Not later than 45 days after the date of enactment of this division, the Secretary of State, in consultation with the heads of other relevant Federal agencies, as appropriate, shall brief the appropriate congressional committees, in classified form, if necessary, on the status and welfare of hostages being held in Gaza.**

(b) For purposes of this section, the term “appropriate congressional committees” means the following:

(1) The Committees on Appropriations, Armed Services, and Foreign Relations of the Senate.

(2) The Select Committee on Intelligence of the Senate.

(3) The Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives.

(4) The Permanent Select Committee on Intelligence of the House of Representatives.

### SEC. 405.

Funds appropriated by this division for foreign assistance (including foreign military sales), for the Department of State, for broadcasting subject to supervision of United States Agency for Global Media, and for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for the purposes of section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

**SEC. 406.**

Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

**SEC. 407.**

Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

**SEC. 408. SPENDING REDUCTION ACCOUNT.**

\$0.

This division may be cited as the “Israel Security Supplemental Appropriations Act, 2024”.

## **DIVISION B—UKRAINE SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2024, and for other purposes, namely:

### **TITLE I**

#### **DEPARTMENT OF DEFENSE MILITARY PERSONNEL**

##### **MILITARY PERSONNEL, ARMY**

For an additional amount for “Military Personnel, Army”, \$207,158,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### **MILITARY PERSONNEL, MARINE CORPS**

For an additional amount for “Military Personnel, Marine Corps”, \$3,538,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### **MILITARY PERSONNEL, AIR FORCE**

For an additional amount for “Military Personnel, Air Force”, \$23,302,000, to remain available until December 31, 2024, to re-

spond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, SPACE FORCE

For an additional amount for “Military Personnel, Space Force”, \$4,192,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$4,887,581,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$976,405,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$69,045,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$371,475,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, SPACE FORCE

For an additional amount for “Operation and Maintenance, Space Force”, \$8,443,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related ex-

penses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$27,930,780,000, to remain available until December 31, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That of the total amount provided under this heading in this division, \$13,772,460,000, to remain available until September 30, 2025, shall be for the Ukraine Security Assistance Initiative: *Provided further*, That such funds for the Ukraine Security Assistance Initiative shall be available to the Secretary of Defense under the same terms and conditions as are provided for in section 8148 of the Department of Defense Appropriations Act, 2024 (division A of Public Law 118-47): *Provided further*, That of the total amount provided under this heading in this division, up to \$13,414,432,000, to remain available until September 30, 2025, may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to the government of Ukraine or identified and notified to Congress for provision to the government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States: *Provided further*, That funds transferred pursuant to the preceding proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$2,742,757,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being

for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$5,612,900,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$308,991,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$706,976,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$26,000,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$212,443,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$366,001,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$3,284,072,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for other expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$46,780,000, to remain available until September 30, 2026, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$18,594,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$13,825,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$406,834,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$194,125,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant



to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, \$8,000,000, to remain available until September 30, 2025, which shall be for operation and maintenance of the Office of the Inspector General, including the Special Inspector General for Operation Atlantic Resolve, to carry out reviews of the activities of the Department of Defense to execute funds appropriated in this division, including assistance provided to Ukraine: *Provided*, That the Inspector General of the Department of Defense shall provide to the congressional defense committees a briefing not later than 90 days after the date of enactment of this division: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RELATED AGENCIES

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for “Intelligence Community Management Account”, \$2,000,000, to remain available until September 30, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### GENERAL PROVISIONS—THIS TITLE(INCLUDING TRANSFERS OF FUNDS)

**SEC. 101. (a) Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Director of the Office of Management and Budget, transfer up to \$1,000,000,000 only between the appropriations or funds made available in this title to the Department of Defense to respond to the situation in Ukraine and for related expenses: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this subsection: *Provided further*, That such authority is in addition to any transfer authority otherwise provided by law and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2024 (division A of Public Law 118-47), except for monetary limitations concerning the amount of authority available.**

(b) Upon the determination by the Director of National Intelligence that such action is necessary in the national interest, the Director may, with the approval of the Director of the Office of Management and Budget, transfer up to \$250,000,000 only between the appropriations or funds made available in this title for the National Intelligence Program: *Provided*, That the Director of National Intelligence shall notify the Congress promptly of all transfers made pursuant to the authority in this subsection: *Provided further*, That such authority is in addition to any transfer au-

thority otherwise provided by law and is subject to the same terms and conditions as the authority provided in section 8091 of the Department of Defense Appropriations Act, 2024 (division A of Public Law 118-47), except for monetary limitations concerning the amount of authority available.

**SEC. 102.**

Not later than 60 days after the date of enactment of this division, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate on measures being taken to account for United States defense articles designated for Ukraine since the February 24, 2022, Russian invasion of Ukraine, particularly measures with regard to such articles that require enhanced end-use monitoring; measures to ensure that such articles reach their intended recipients and are used for their intended purposes; and any other measures to promote accountability for the use of such articles: *Provided*, That such report shall include a description of any occurrences of articles not reaching their intended recipients or used for their intended purposes and a description of any remedies taken: *Provided further*, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

**SEC. 103.**

Not later than 30 days after the date of enactment of this division, and every 30 days thereafter through fiscal year 2025, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing United States security assistance provided to Ukraine since the February 24, 2022, Russian invasion of Ukraine, including a comprehensive list of the defense articles and services provided to Ukraine and the associated authority and funding used to provide such articles and services: *Provided*, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

## TITLE II

### DEPARTMENT OF ENERGYENERGY PROGRAMS

#### SCIENCE

For an additional amount for “Science”, \$98,000,000, to remain available until expended, for acquisition, distribution, and equipment for development and production of medical, stable, and radioactive isotopes: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL  
NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, \$143,915,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL SALARIES AND EXPENSES

For an additional amount for “Federal Salaries and Expenses”, \$5,540,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### TITLE III

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

For an additional amount for “Refugee and Entrant Assistance”, \$481,000,000, to remain available until September 30, 2025, for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980: *Provided*, That amounts made available under this heading in this division may be used for grants or contracts with qualified organizations, including non-profit entities, to provide culturally and linguistically appropriate services, including wraparound services, housing assistance, medical assistance, legal assistance, and case management assistance: *Provided further*, That amounts made available under this heading in this division may be used by the Director of the Office of Refugee Resettlement (Director) to issue awards or supplement awards previously made by the Director: *Provided further*, That the Director, in carrying out section 412(c)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(A)) with amounts made available under this heading in this division, may allocate such amounts among the States in a manner that accounts for the most current data available: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL PROVISION—THIS TITLE

**SEC. 301. [8 U.S.C. 1101 note]**

Section 401(a)(1)(A) of the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117-128) is amended by striking “September 30, 2023” and inserting “September 30, 2024”: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**TITLE IV**DEPARTMENT OF STATE AND RELATED  
AGENCYDEPARTMENT OF STATE

## ADMINISTRATION OF FOREIGN AFFAIRS

## DIPLOMATIC PROGRAMS

For an additional amount for “Diplomatic Programs”, \$60,000,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and countries impacted by the situation in Ukraine: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$8,000,000, to remain available until September 30, 2025: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL  
DEVELOPMENT

## FUNDS APPROPRIATED TO THE PRESIDENT

## OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$39,000,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and countries impacted by the situation in Ukraine: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$10,000,000, to remain available until September 30, 2025: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## BILATERAL ECONOMIC ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

## TRANSITION INITIATIVES

For an additional amount for “Transition Initiatives”, \$25,000,000, to remain available until expended, for assistance for Ukraine and countries impacted by the situation in Ukraine: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## ECONOMIC SUPPORT FUND

For an additional amount for “Economic Support Fund”, \$7,899,000,000, to remain available until September 30, 2025: *Provided*, That of the total amount provided under this heading in this division, \$7,849,000,000 shall be for assistance for Ukraine, which may include budget support and which may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: *Provided further*, That none of the funds made available for budget support pursuant to the preceding proviso may be made available for the reimbursement of pensions: *Provided further*, That of the total amount provided under this heading in this division, \$50,000,000 shall be to prevent and respond to food insecurity: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For an additional amount for “Assistance for Europe, Eurasia and Central Asia”, \$1,575,000,000, to remain available until September 30, 2025, for assistance and related programs for Ukraine and other countries identified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801) and section 3(c) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5402(c)): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## INTERNATIONAL SECURITY ASSISTANCE

## DEPARTMENT OF STATE

## INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, \$300,000,000, to remain available until September 30, 2025, for assistance for Ukraine and countries impacted by the situation in Ukraine: *Provided*, That such funds may be made available to support the State Border Guard Service of Ukraine and National Police of Ukraine, including units supporting or under the command of the Armed Forces of Ukraine: *Provided further*, That such amount is designated by the Congress as being

for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-terrorism, Demining and Related Programs”, \$100,000,000, to remain available until September 30, 2025, for assistance for Ukraine and countries impacted by the situation in Ukraine: *Provided*, That not later than 60 days after the date of enactment of this division, the Secretary of State shall consult with the Committees on Appropriations on the prioritization of demining efforts and how such efforts will be coordinated with development activities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$1,600,000,000, to remain available until September 30, 2025, for assistance for Ukraine and countries impacted by the situation in Ukraine and for related expenses: *Provided*, That amounts made available under this heading in this division and unobligated balances of amounts made available under this heading in Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024 and prior fiscal years shall be available for the cost of loans and loan guarantees as authorized by section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117-103), subject to the terms and conditions provided in such section, or as otherwise authorized by law: *Provided further*, That loan guarantees made using amounts described in the preceding proviso for loans financed by the Federal Financing Bank may be provided notwithstanding any provision of law limiting the percentage of loan principal that may be guaranteed: *Provided further*, That up to \$5,000,000 of funds made available under this heading in this division, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE(INCLUDING TRANSFERS OF FUNDS)

SEC. 401.

During fiscal year 2024, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting “\$7,800,000,000” for “\$100,000,000”.

**SEC. 402.**

During fiscal year 2024, section 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(2)(B)) shall be applied by substituting “\$400,000,000” for “\$200,000,000” in the matter preceding clause (i), and by substituting “\$150,000,000” for “\$75,000,000” in clause (i).

**SEC. 403.**

During fiscal year 2024, section 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2)) shall be applied by substituting “\$50,000,000” for “\$25,000,000”.

**SEC. 404. (a) Funds appropriated by this division under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” to respond to the situation in Ukraine and in countries impacted by the situation in Ukraine may be transferred to, and merged with, funds made available under the headings “United States International Development Finance Corporation—Corporate Capital Account”, “United States International Development Finance Corporation—Program Account”, “Export-Import Bank of the United States—Program Account”, and “Trade and Development Agency” for such purpose.**

(b) The transfer authority provided by this section is in addition to any other transfer authority provided by law, and is subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) Upon a determination that all or part of the funds transferred pursuant to the authority provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

**SEC. 405.**

Section 1705 of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117-328) shall apply to funds appropriated by this division under the heading “**Economic Support Fund**” for assistance for Ukraine.

**SEC. 406.**

None of the funds appropriated or otherwise made available by this title in this division may be made available for assistance for the Governments of the Russian Federation or Belarus, including entities owned or controlled by such Governments.

**SEC. 407. (a) Section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117-103) is amended as follows:**

(1) in subsection (a), by striking “and North Atlantic Treaty Organization (NATO) allies” and inserting “, North Atlantic Treaty Organization (NATO) allies, major non-NATO allies, and the Indo-Pacific region”; by striking “\$4,000,000,000” and inserting “\$8,000,000,000”; and by striking “, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity”; and

(2) in subsection (b), by striking “and NATO allies” and inserting “, NATO allies, major non-NATO allies, and the Indo-Pacific region”; by striking “\$4,000,000,000” and inserting “\$8,000,000,000”; and by inserting at the end of the second proviso “except for guarantees of loans by the Federal Financing Bank”.

(b) Funds made available for the costs of direct loans and loan guarantees for major non-NATO allies and the Indo-Pacific region pursuant to section 2606 of division N of Public Law 117-103, as amended by subsection (a), may only be made available from funds appropriated by this division under the heading “**Foreign Military Financing Program**” and available balances from under such heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That such funds may only be made available if the Secretary of State certifies and reports to the appropriate congressional committees, not less than 15 days prior to the obligation of such funds, that such direct loan or loan guarantee is in the national security interest of the United States, is being provided in response to exigent circumstances, is addressing a mutually agreed upon emergency requirement of the recipient country, and the recipient country has a plan to repay such loan: *Provided further*, That not less than 60 days after the date of enactment of this division, the Secretary of State shall consult with such committees on the implementation of this subsection.

(c) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the Budget are designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 408.**

Funds appropriated under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” in this title in this division may be made available as contributions, following consultation with the Committees on Appropriations.

**SEC. 409.**

Prior to the initial obligation of funds made available in this title in this division, but not later than 15 days after the date of enactment of this division, the Secretary of State and USAID Administrator, as appropriate, shall submit to the Committees on Appropriations—

(1) spend plans, as defined in section 7034(s)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117-328), at the country, account, and program level, for funds appropriated by this division under the headings “Economic Support Fund”, “Transition Initiatives”, “Assistance for Europe, Eurasia and Central Asia”, “International Narcotics Control and Law Enforcement”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, and “Foreign Military Financing Program”: *Provided*, That plans submitted pursuant to this paragraph shall include for each program notified—(A) total funding made available for such program, by account and fiscal year; (B) funding that remains unobligated for such program from prior year base or supplemental appropriations; (C) funding that is obligated but unexpended for such program; and (D) funding committed, but not yet notified for such program; and

(2) operating plans, as defined in section 7062 of the Department of State, Foreign Operations, and Related Programs



Appropriations Act, 2023 (division K of Public Law 117-328), for funds appropriated by this title under the headings “Diplomatic Programs” and “Operating Expenses”.

## TITLE V—GENERAL PROVISIONS—THIS DIVISION

### SEC. 501.

Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

### SEC. 502.

No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

### SEC. 503.

Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

### SEC. 504.

Not later than 45 days after the date of enactment of this division, the Secretary of State and the Secretary of Defense, in consultation with the heads of other relevant Federal agencies, as appropriate, shall submit to the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate and the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives a strategy regarding United States support for Ukraine against aggression by the Russian Federation: *Provided*, That such strategy shall be multi-year, establish specific and achievable objectives, define and prioritize United States national security interests, and include the metrics to be used to measure progress in achieving such objectives: *Provided further*, That such strategy shall include an estimate, on a fiscal year-by-fiscal year basis, of the resources required by the United States to achieve such objectives, including to help hasten Ukrainian victory against Russia’s invasion forces in a manner most favorable to United States interests and objectives, and a description of the national security implications for the United States if those objectives are not met: *Provided further*, That such strategy shall describe how each specific aspect of U.S. assistance, including defense articles and U.S. foreign assistance, is intended at the tactical, operational, and strategic level to help Ukraine end the conflict as a democratic, independent, and sovereign country capable of deterring and defending its territory against future aggression: *Provided further*, That such strategy shall include a classified independent assessment from the Commander, U.S. European Command, describing any specific defense articles and services not yet provided to Ukraine that would result in meaningful battlefield gains in alignment with the strategy: *Provided further*, That such strategy shall include a classified assessment from the Chairman of the

Joint Chiefs of Staff that the provision of specific defense articles and services provided to Ukraine does not pose significant risk to the defense capabilities of the United States military: *Provided further*, That the Under Secretary of Defense for Acquisition & Sustainment in coordination with the Director, Cost Assessment and Program Evaluation provide an assessment of the executability and a production schedule for any specific defense articles recommended by the Commander, U.S. European Command that require procurement: *Provided further*, That such strategy shall include information on support to the Government of the Russian Federation from the Islamic Republic of Iran, the People's Republic of China, and the Democratic People's Republic of Korea, related to the Russian campaign in Ukraine, and its impact on such strategy: *Provided further*, That such strategy shall be updated not less than quarterly, as appropriate, until September 30, 2025, and such updates shall be submitted to such committees: *Provided further*, That unless otherwise specified by this section, such strategy shall be submitted in unclassified form but may include a classified annex.

**SEC. 505. (a) TRANSFER OF LONG-RANGE ATACMS REQUIRED.—As soon as practicable after the date of enactment of this division, the President shall transfer long range Army Tactical Missile Systems to the Government of Ukraine to assist the Government of Ukraine in defending itself and achieving victory against the Russian Federation.**

(b) NOTIFICATION.—If the President determines that executing the transfer of long-range Army Tactical Missile Systems to the Government of Ukraine pursuant to subsection (a) would be detrimental to the national security interests of the United States, the President may withhold such transfer and shall notify the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate, and the Committees on Appropriations and Foreign Affairs of the House of Representatives of such determination.

**SEC. 506. (a) IN-PERSON MONITORING.—The Secretary of State shall, to the maximum extent practicable, ensure that funds appropriated by this division under the headings “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, “International Narcotics Control and Law Enforcement”, and “Non-proliferation, Anti-terrorism, Demining and Related Programs” and made available for project-based assistance for Ukraine are subject to in-person monitoring by United States personnel or by vetted third party monitors.**

(b) CERTIFICATION.—Not later than 15 days prior to the initial obligation of funds appropriated by this division and made available for assistance for Ukraine under the headings “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, “International Narcotics Control and Law Enforcement”, “Non-proliferation, Anti-terrorism, Demining and Related Programs”, and “Foreign Military Financing Program”, the Secretary of State and the USAID Administrator shall jointly certify and report to the appropriate congressional committees that mechanisms for monitoring and oversight of funds are in place and functioning to ensure accountability of such funds to prevent waste, fraud, abuse, diversion, and corruption, including mechanisms such as use of third party monitors, enhanced end-use monitoring, external and inde-

pendent audits and evaluations, randomized spot checks, and regular reporting on outcomes achieved and progress made toward stated program objectives, consistent with the strategy required by section 504 of this title: *Provided*, That section 7015(e) of Public Law 118-47 shall apply to the certification requirement of this subsection.

(c) **COST MATCHING.**—Funds appropriated by this division and prior Acts for fiscal year 2024 under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” that are made available for contributions to the Government of Ukraine may not exceed 50 percent of the total amount provided for such assistance by all donors: *Provided*, That the President may waive the limitation in this subsection if the President determines and reports to the appropriate congressional committees that to do so is in the national security interest of the United States, including a detailed justification for such determination and an explanation as to why other donors to the Government of Ukraine are unable to meet or exceed such level: *Provided further*, That following such determination, the President shall submit a report to the Speaker and Minority Leader of the House of Representatives, the Majority and Minority Leaders of the Senate, and the appropriate congressional committees every 120 days while assistance is provided in reliance on the determination under the previous proviso detailing steps taken by the Department of State to increase other donor contributions and an update on the status of such contributions: *Provided further*, That the requirements of this subsection shall continue in effect until such funds are expended.

**SEC. 507. (a) ARRANGEMENT REQUIRED.**—**Notwithstanding any other provision of law, not later than 60 days after the date of the enactment of this division, the President shall enter into an arrangement with the Government of Ukraine relating to the repayment by Ukraine to the United States of economic assistance provided to Ukraine by the United States to respond to the situation in Ukraine, and for related expenses, that are made available under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” in title IV of this division.**

(b) **TERMS.**—Repayment required by the arrangement required by subsection (a) shall be at terms to be set by the President.

(c) **LIMITATION ON ARRANGEMENT TERMS.**—The arrangement required pursuant to subsection (a) may not provide for the cancellation of any or all amounts of indebtedness except as provided in subsection (d).

(d) **CANCELLATION OF INDEBTEDNESS.**—

(1) The President may not before November 15, 2024 take any action related to the indebtedness of the Government of Ukraine that cancels any indebtedness incurred by Ukraine pursuant to this section.

(2) At any time after November 15, 2024, the President may, subject to congressional review provided by section 508, cancel up to 50 percent of the total indebtedness incurred by Ukraine or anticipated to be incurred by Ukraine with respect to economic assistance and related expenses made available under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” in title IV of this divi-

sion. Upon completion of the congressional review process set forth in section 508, such cancellation shall be final and irrevocable.

(3) The President may, subject to congressional review provided by section 508, cancel any remaining indebtedness to the government of Ukraine under this section at any time after January 1, 2026. Upon completion of the congressional review process set forth in section 508, such cancellation shall be final and irrevocable.

**SEC. 508. (a) REPORT REQUIRED.—**

(1) **IN GENERAL.**—Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to Congress a written report that describes that action and the reason for that action.

(2) **ACTION DESCRIBED.**—An action described in this paragraph is an action related to the indebtedness of the Government of Ukraine authorized by section 507(d)(1).

**(b) CONGRESSIONAL REVIEW PERIOD.—**

(1) **2024.**—During calendar year 2024, if the President submits to Congress a report under subsection (a)(1), the President may not take any action with respect to the indebtedness of the Government of Ukraine until the earlier of—

(A) the date that is 10 calendar days after the date of such submission; or

(B) the date on which Congress has considered and failed to pass a joint resolution of disapproval, as provided in this section.

**(2) SUCCEEDING YEARS.—**

(A) **IN GENERAL.**—During calendar year 2025 or any calendar year thereafter, if the President submits to Congress a report under subsection (a)(1), the President may not take any action with respect to the indebtedness of the Government of Ukraine until the earlier of—

(i) the date that is 30 calendar days after the date of such submission, except as provided in subparagraph (B); or

(ii) the date on which Congress has considered and failed to pass a joint resolution of disapproval, as provided in this section.

(B) **EXCEPTION.**—The period for congressional review of a report submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted to Congress on or after July 10 and on or before September 7 in any calendar year.

(3) **VETO MESSAGE.**—If the President vetoes a joint resolution of disapproval, he may not take any action with respect to the indebtedness of Ukraine for 5 calendar days after the veto message is received by the appropriate House of Congress.

**(c) JOINT RESOLUTION OF DISAPPROVAL.**—In this section, the term “joint resolution” means only a joint resolution—

(1) that is introduced not later than 3 calendar days after the date on which a report of the President referred to in subsection (a)(1) is received by Congress;

(2) which does not have a preamble;

(3) the title of which is as follows: “Joint resolution relating to the disapproval of the Presidential report with respect to the indebtedness of the Government of Ukraine”; and

(4) the matter after the resolving clause of which is as follows: “That Congress disapproves the proposal relating to the indebtedness of the Government of Ukraine submitted by the President of the United States to Congress on \_\_\_\_\_”, with the blank space filled with the appropriate date of submission of the report under subsection (a)(1).

(d) FAST-TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(1) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report the joint resolution to the House of Representatives not later than 5 calendar days after the date on which Congress receives the report described in subsection (a)(1). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(2) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports the joint resolution to the House of Representatives or has been discharged from its consideration, it shall be in order, not later than the 6th calendar day after the date on which Congress receives the report described in subsection (a)(1), to move to proceed to consider the joint resolution in the House of Representatives. All points of order against the motion are waived. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(e) FAST-TRACK CONSIDERATION IN SENATE.—

(1) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(2) FLOOR CONSIDERATION.—

(A) IN GENERAL.—It shall not be in order to move to proceed to a joint resolution that has been placed on the calendar pursuant to paragraph (1) unless a motion signed by 16 Senators has been presented to the Senate. Thereafter, notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, during the periods described in

subparagraph (B) (even though a previous motion to the same effect has been disagreed to), for any Senator to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(B) PERIODS DESCRIBED.—The periods described in this subparagraph are the following:

(i) During calendar year 2024, the period beginning on the day after the date on which the joint resolution was placed on the calendar and ending on the 4th day after the date on which the joint resolution was placed on the calendar.

(ii) During succeeding years under subsection (b)(2)(A), the period beginning on the day after the date on which the joint resolution was placed on the calendar and ending 20 calendar days later.

(iii) During succeeding years under subsection (b)(2)(B), the period beginning on the day after the date on which the joint resolution was placed on the calendar and ending 50 calendar days later.

(C) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(D) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(E) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(F) ONE JOINT RESOLUTION OF DISAPPROVAL PER REVIEW PERIOD.—Only one joint resolution shall be in order during each of the review periods described in subsection (b), unless the additional joint resolution is a joint resolution of the House of Representatives considered under paragraph (2) or (3) of subsection (f).

(f) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(1) **COORDINATION WITH ACTION BY OTHER HOUSE.**—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the vote on passage shall be on the joint resolution of the other House.

(2) **TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.**—If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(3) **TREATMENT OF COMPANION MEASURES.**—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(4) **CONSIDERATION AFTER PASSAGE.**—

(A) **IN GENERAL.**—If Congress passes a joint resolution, the period beginning on the date on which the President is presented with the joint resolution and ending on the date on which the President takes action with respect to the joint resolution shall be disregarded in computing the 10-, 30-, or 60-calendar-day period described in subsection (b), but the President may not take any action with respect to the indebtedness of the Government of Ukraine during any such period.

(B) **VETOES.**—If the President vetoes the joint resolution, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(5) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—This subsection and subsections (c), (d), and (e) are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and supersede other rules only to the extent that they are inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

**SEC. 509.**

Funds appropriated by this division for foreign assistance (including foreign military sales), for the Department of State, for

broadcasting subject to supervision of United States Agency for Global Media, and for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for the purposes of section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

**SEC. 510.**

Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

**SEC. 511.**

Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

**SEC. 512. SPENDING REDUCTION ACCOUNT.**

\$0.

This division may be cited as the “Ukraine Security Supplemental Appropriations Act, 2024”.

## **DIVISION C—INDO-PACIFIC SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2024**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2024, and for other purposes, namely:

### **TITLE I**

#### **DEPARTMENT OF DEFENSE OPERATION AND MAINTENANCE**

##### **OPERATION AND MAINTENANCE, NAVY**

For an additional amount for “Operation and Maintenance, Navy”, \$557,758,000, to remain available until September 30, 2024, to support improvements to the submarine industrial base and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.



## OPERATION AND MAINTENANCE, DEFENSE-WIDE

## (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$1,900,000,000, to remain available until September 30, 2025, to respond to the situation in Taiwan and for related expenses: *Provided*, That such funds may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to Taiwan or identified and notified to Congress for provision to Taiwan or to foreign countries that have provided support to Taiwan at the request of the United States: *Provided further*, That funds transferred pursuant to the preceding proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT

## SHIPBUILDING AND CONVERSION, NAVY

For an additional amount for “Shipbuilding and Conversion, Navy”, \$2,155,000,000, to remain available until September 30, 2028, to support improvements to the submarine industrial base and for related expenses: *Provided*, That of the total amount provided under this heading in this division, funds shall be available as follows:

Columbia Class Submarine (AP), \$1,955,000,000; and  
Virginia Class Submarine (AP), \$200,000,000:

*Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$293,570,000, to remain available until September 30, 2026, to support improvements to the submarine industrial base and for related expenses: *Provided*, That such amount is designated by the Con-

gress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### DEFENSE PRODUCTION ACT PURCHASES

For an additional amount for “Defense Production Act Purchases”, \$132,600,000, to remain available until expended, for activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533): *Provided*, That such amounts shall be obligated and expended by the Secretary of Defense as if delegated the necessary authorities conferred by the Defense Production Act of 1950: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$7,000,000, to remain available until September 30, 2025, to support improvements to the submarine industrial base and for related expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### GENERAL PROVISIONS—THIS TITLE

##### SEC. 101.

For an additional amount for the Department of Defense, \$542,400,000, to remain available until September 30, 2024, for transfer to operation and maintenance accounts, procurement accounts, and research, development, test and evaluation accounts, in addition to amounts otherwise made available for such purpose, only for unfunded priorities of the United States Indo-Pacific Command for fiscal year 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code): *Provided*, That none of the funds provided under this section may be obligated or expended until 30 days after the Secretary of Defense, through the Under Secretary of Defense (Comptroller), provides the Committees on Appropriations of the House of Representatives and the Senate a detailed execution plan for such funds: *Provided further*, That not less than 15 days prior to any transfer of funds, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: *Provided further*, That upon transfer, the funds shall be merged with and available for the same purposes, and for the same time period, as the appropriation to which transferred: *Provided further*, That any transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE II

### DEPARTMENT OF DEFENSE

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$281,914,000, to remain available until September 30, 2028, to support improvements to the submarine industrial base and for related expenses: *Provided*, That not later than 60 days after the date of enactment of this division, the Secretary of the Navy, or their designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate an expenditure plan for funds provided under this heading in this division: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE III

### DEPARTMENT OF STATE AND RELATED AGENCY INTERNATIONAL SECURITY ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

#### FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$2,000,000,000 (increased by \$500,000,000) (reduced by \$500,000,000), to remain available until September 30, 2025, for assistance for the Indo-Pacific region and for related expenses: *Provided*, That amounts made available under this heading in this division and unobligated balances of amounts made available under this heading in Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024 and prior fiscal years shall be available for the cost of loans and loan guarantees as authorized by section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117-103), subject to the terms and conditions provided in such section, or as otherwise authorized by law: *Provided further*, That loan guarantees made using amounts described in the preceding proviso for loans financed by the Federal Financing Bank may be provided notwithstanding any provision of law limiting the percentage of loan principal that may be guaranteed: *Provided further*, That up to \$5,000,000 of funds made available under this heading in this division, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities:

*Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## INTERNATIONAL ASSISTANCE PROGRAMS

### MULTILATERAL ASSISTANCE

#### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For an additional amount for “Contribution to the International Development Association”, \$250,000,000, to remain available until expended, which shall be made available for a contribution to the International Development Association Special Program to Enhance Crisis Response Window: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### GENERAL PROVISIONS—THIS TITLE(INCLUDING TRANSFERS OF FUNDS)

##### SEC. 301.

During fiscal year 2024, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting “\$7,800,000,000” for “\$100,000,000”.

##### SEC. 302.

During fiscal year 2024, section 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(2)(B)) shall be applied by substituting “\$400,000,000” for “\$200,000,000” in the matter preceding clause (i), and by substituting “\$150,000,000” for “\$75,000,000” in clause (i).

##### SEC. 303.

During fiscal year 2024, section 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2)) shall be applied by substituting “\$50,000,000” for “\$25,000,000”.

##### SEC. 304. (a) Section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117-103) is amended as follows:

(1) in subsection (a), by striking “and North Atlantic Treaty Organization (NATO) allies” and inserting “, North Atlantic Treaty Organization (NATO) allies, major non-NATO allies, and the Indo-Pacific region”; by striking “\$4,000,000,000” and inserting “\$8,000,000,000”; and by striking “, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity”.

(2) in subsection (b), by striking “and NATO allies” and inserting “, NATO allies, major non-NATO allies, and the Indo-Pacific region”; by striking “\$4,000,000,000” and inserting “\$8,000,000,000”; and by inserting at the end of the second proviso “except for guarantees of loans by the Federal Financing Bank”.

(b) Funds made available for the costs of direct loans and loan guarantees for major non-NATO allies and the Indo-Pacific region pursuant to section 2606 of division N of Public Law 117-103, as

amended by subsection (a), may only be made available from funds appropriated by this division under the heading “**Foreign Military Financing Program**” and available balances from under such heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That such funds may only be made available if the Secretary of State certifies and reports to the appropriate congressional committees, not less than 15 days prior to the obligation of such funds, that such direct loan or loan guarantee is in the national security interest of the United States, is being provided in response to exigent circumstances, is addressing a mutually agreed upon emergency requirement of the recipient country, and the recipient country has a plan to repay such loan: *Provided further*, That not less than 60 days after the date of enactment of this division, the Secretary of State shall consult with such committees on the implementation of this subsection.

(c) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the Budget are designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 305.**

Prior to the initial obligation of funds made available in this title in this division, but not later than 15 days after the date of enactment of this division, the Secretary of State and the Secretary of the Treasury, as appropriate, shall submit to the Committees on Appropriations spend plans, as defined in section 7034(s)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117-328), at the country, account, and program level, for funds appropriated by this division under the headings “Foreign Military Financing Program” and “Contribution to the International Development Association”: *Provided*, That plans submitted pursuant to this paragraph shall include for each program notified—(A) total funding made available for such program, by account and fiscal year; (B) funding that remains unobligated for such program from prior year base or supplemental appropriations; (C) funding that is obligated but unexpended for such program; and (D) funding committed, but not yet notified for such program.

## **TITLE IV—GENERAL PROVISIONS—THIS DIVISION**

**SEC. 401.**

Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

**SEC. 402.**

No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

**SEC. 403.**

Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

**SEC. 404.**

Funds appropriated by this division for foreign assistance (including foreign military sales), for the Department of State, for broadcasting subject to supervision of United States Agency for Global Media, and for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for the purposes of section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

**SEC. 405.**

Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

**SEC. 406.**

Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

**SEC. 407. SPENDING REDUCTION ACCOUNT.**

\$0.

This division may be cited as the “Indo-Pacific Security Supplemental Appropriations Act, 2024”.

## **DIVISION D—21ST CENTURY PEACE THROUGH STRENGTH ACT**

**SEC. 1. SHORT TITLE.**

This division may be cited as the “21st Century Peace through Strength Act”.

**SEC. 2. TABLE OF CONTENTS.**

Sec. 1. Short title.

Sec. 2. Table of contents.

### **DIVISION E—FEND OFF FENTANYL ACT**

Sec. 3001. Short titles.

Sec. 3002. Sense of Congress.

Sec. 3003. Definitions.

## TITLE I—SANCTIONS MATTERS

## Subtitle A—Sanctions in Response to National Emergency Relating to Fentanyl Trafficking

- Sec. 3101. Finding; policy.
- Sec. 3102. Use of national emergency authorities; reporting.
- Sec. 3103. Imposition of sanctions with respect to fentanyl trafficking by transnational criminal organizations.
- Sec. 3104. Penalties; waivers; exceptions.
- Sec. 3105. Treatment of forfeited property of transnational criminal organizations.

## Subtitle B—Other Matters

- Sec. 3111. Ten-year statute of limitations for violations of sanctions.
- Sec. 3112. Classified report and briefing on staffing of office of foreign assets control.
- Sec. 3113. Report on drug transportation routes and use of vessels with mislabeled cargo.
- Sec. 3114. Report on actions of People's Republic of China with respect to persons involved in fentanyl supply chain.

## TITLE II—ANTI-MONEY LAUNDERING MATTERS

- Sec. 3201. Designation of illicit fentanyl transactions of sanctioned persons as of primary money laundering concern.
- Sec. 3202. Treatment of transnational criminal organizations in suspicious transactions reports of the financial crimes enforcement network.
- Sec. 3203. Report on trade-based money laundering in trade with Mexico, the People's Republic of China, and Burma.

## TITLE III—EXCEPTION RELATING TO IMPORTATION OF GOODS

- Sec. 3301. Exception relating to importation of goods.

## DIVISION F—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT

## TITLE I—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

## TITLE II—REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

- Sec. 101. Findings; sense of Congress.
- Sec. 102. Sense of Congress regarding importance of the Russian Federation providing compensation to Ukraine.
- Sec. 103. Prohibition on release of blocked Russian sovereign assets.
- Sec. 104. Authority to ensure compensation to Ukraine using seized Russian sovereign assets and Russian aggressor state sovereign assets.
- Sec. 105. International mechanism to use Russian sovereign assets and Russian aggressor state sovereign assets to provide for the reconstruction of Ukraine.
- Sec. 106. Report on use of transferred Russian sovereign assets for reconstruction.
- Sec. 107. Assessment by Secretary of State and Administrator of USAID on reconstruction and rebuilding needs of Ukraine.
- Sec. 108. Extensions.

## DIVISION G—OTHER MATTERS

- Sec. 1. Report and imposition of sanctions to harmonize with allied sanctions.
- Sec. 2. Inclusion of information on emerging technological developments in annual China Military Power report.

## DIVISION H—PROTECTING AMERICANS FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS ACT

- Sec. 1. Short title.
- Sec. 2. Prohibition of foreign adversary controlled applications.
- Sec. 3. Judicial review.

DIVISION I—PROTECTING AMERICANS' DATA FROM FOREIGN  
ADVERSARIES ACT OF 2024

- Sec. 1. Short title.  
Sec. 2. Prohibition on transfer of personally identifiable sensitive data of United States individuals to foreign adversaries.

DIVISION J—SHIP ACT

- Sec. 1. Short title.  
Sec. 2. Statement of policy.  
Sec. 3. Imposition of sanctions with respect to Iranian petroleum.  
Sec. 4. Report on Iranian petroleum and petroleum products exports.  
Sec. 5. Strategy to counter role of the People's Republic of China in evasion of sanctions with respect to Iran.  
Sec. 6. Definitions.

DIVISION K—FIGHT CRIME ACT

- Sec. 1. Short title.  
Sec. 2. Findings.  
Sec. 3. Statement of policy.  
Sec. 4. Report.  
Sec. 5. Sanctions to combat the proliferation of Iranian missiles.  
Sec. 6. Report to identify, and designation as foreign terrorist organizations of, Iranian persons that have attacked United States citizens using unmanned combat aerial vehicles.  
Sec. 7. Definitions.

DIVISION L—MAHSA ACT

- Sec. 1. Short title.  
Sec. 2. Imposition of sanctions on Iran's supreme leader's office, its appointees, and any affiliated persons.  
Sec. 3. Severability.

DIVISION M—HAMAS AND OTHER PALESTINIAN TERRORIST GROUPS  
INTERNATIONAL FINANCING PREVENTION ACT

- Sec. 1. Short title.  
Sec. 2. Statement of policy.  
Sec. 3. Imposition of sanctions with respect to foreign persons supporting acts of terrorism or engaging in significant transactions with senior members of Hamas, Palestinian Islamic jihad and other Palestinian terrorist organizations.  
Sec. 4. Imposition of measures with respect to foreign states providing support to Hamas, Palestinian Islamic jihad and other Palestinian terrorist organizations.  
Sec. 5. Reports on activities to disrupt global fundraising, financing, and money laundering activities of Hamas, Palestinian Islamic jihad, al-aqsa martyrs brigade, the lion's den or any affiliate or successor thereof.  
Sec. 6. Termination.  
Sec. 7. Definitions.

DIVISION N—NO TECHNOLOGY FOR TERROR ACT

- Sec. 1. Short title.  
Sec. 2. Application of foreign-direct product rules to Iran.

DIVISION O—STRENGTHENING TOOLS TO COUNTER THE USE OF HUMAN  
SHIELDS ACT

- Sec. 1. Short title.  
Sec. 2. Statement of policy.  
Sec. 3. Modification and extension of Sanctioning the Use of Civilians as Defenseless Shields Act.  
Sec. 4. Report on countering the use of human shields.  
Sec. 5. Confronting asymmetric and malicious cyber activities.  
Sec. 6. Sanctions with respect to threats to current or former United States officials.

DIVISION P—ILLICIT CAPTAGON TRAFFICKING SUPPRESSION ACT

- Sec. 1. Short title.



- Sec. 2. Findings.  
 Sec. 3. Statement of policy.  
 Sec. 4. Imposition of sanctions with respect to illicit captagon trafficking.  
 Sec. 5. Determinations with respect to the government of Syria, hizballah, and networks affiliated with the government of Syria or hizballah.  
 Sec. 6. Definitions.

DIVISION Q—END FINANCING FOR HAMAS AND STATE SPONSORS OF  
TERRORISM ACT

- Sec. 1. Short title.  
 Sec. 2. Report on financing for Hamas.  
 Sec. 3. Multilateral Strategy to Disrupt Hamas Financing.

DIVISION R—HOLDING IRANIAN LEADERS ACCOUNTABLE ACT

- Sec. 1. Short title.  
 Sec. 2. Findings.  
 Sec. 3. Report on financial institutions and assets connected to certain Iranian officials.  
 Sec. 4. Restrictions on certain financial institutions.  
 Sec. 5. Exceptions for national security; implementation authority.  
 Sec. 6. Sunset.  
 Sec. 7. Definitions.

DIVISION S—IRAN-CHINA ENERGY SANCTIONS ACT OF 2023

- Sec. 1. Short title.  
 Sec. 2. Sanctions on foreign financial institutions with respect to the purchase of petroleum products and unmanned aerial vehicles from Iran.

DIVISION T—BUDGETARY EFFECTS

- Sec. 1. Budgetary effects.

## DIVISION E—FEND OFF FENTANYL ACT

**SEC. 3001. [21 U.S.C. 2341 note] SHORT TITLES.**

This division may be cited as the “Fentanyl Eradication and Narcotics Deterrence Off Fentanyl” or the “FEND Off Fentanyl Act”.

**SEC. 3002. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the proliferation of fentanyl is causing an unprecedented surge in overdose deaths in the United States, fracturing families and communities, and necessitating a comprehensive policy response to combat its lethal flow and to mitigate the drug’s devastating consequences;

(2) the trafficking of fentanyl into the United States is a national security threat that has killed hundreds of thousands of United States citizens;

(3) transnational criminal organizations, including cartels primarily based in Mexico, are the main purveyors of fentanyl into the United States and must be held accountable;

(4) precursor chemicals sourced from the People’s Republic of China are—

(A) shipped from the People’s Republic of China by legitimate and illegitimate means;

(B) transformed through various synthetic processes to produce different forms of fentanyl; and

- (C) crucial to the production of illicit fentanyl by transnational criminal organizations, contributing to the ongoing opioid crisis;
- (5) the United States Government must remain vigilant to address all new forms of fentanyl precursors and drugs used in combination with fentanyl, such as Xylazine, which attribute to overdose deaths of people in the United States;
- (6) to increase the cost of fentanyl trafficking, the United States Government should work collaboratively across agencies and should surge analytic capability to impose sanctions and other remedies with respect to transnational criminal organizations (including cartels), including foreign nationals who facilitate the trade in illicit fentanyl and its precursors from the People's Republic of China; and
- (7) the Department of the Treasury should focus on fentanyl trafficking and its facilitators as one of the top national security priorities for the Department.

**SEC. 3003. [21 U.S.C. 2341] DEFINITIONS.**

In this division:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

- (A) the Committee on Banking, Housing, and Urban Affairs of the Senate;
- (B) the Committee on Foreign Relations of the Senate;
- (C) the Committee on Financial Services of the House of Representatives; and
- (D) the Committee on Foreign Affairs of the House of Representatives.

(2) **FOREIGN PERSON.**—The term “foreign person”—

- (A) means—
- (i) any citizen or national of a foreign country; or
- (ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and
- (B) does not include the government of a foreign country.

(3) **KNOWINGLY.**—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) **TRAFFICKING.**—The term “trafficking”, with respect to fentanyl, fentanyl precursors, or other related opioids, has the meaning given the term “opioid trafficking” in section 7203(8) of the Fentanyl Sanctions Act (21 U.S.C. 2302(8)).

(5) **TRANSNATIONAL CRIMINAL ORGANIZATION.**—The term “transnational criminal organization” includes—

- (A) any organization designated as a significant transnational criminal organization under part 590 of title 31, Code of Federal Regulations;
- (B) any of the organizations known as—
- (i) the Sinaloa Cartel;
- (ii) the Jalisco New Generation Cartel;
- (iii) the Gulf Cartel;

- (iv) the Los Zetas Cartel;
- (v) the Juarez Cartel;
- (vi) the Tijuana Cartel;
- (vii) the Beltran-Leyva Cartel; or
- (viii) La Familia Michoacana; or

(C) any successor organization to an organization described in subparagraph (B) or as otherwise determined by the President.

(6) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

## TITLE I—SANCTIONS MATTERS

### Subtitle A—Sanctions in Response to National Emergency Relating to Fentanyl Trafficking

#### SEC. 3101. [21 U.S.C. 2351] FINDING; POLICY.

(a) FINDING.—Congress finds that international trafficking of fentanyl, fentanyl precursors, or other related opioids constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and is a national emergency.

(b) POLICY.—It shall be the policy of the United States to apply economic and other financial sanctions to those who engage in the international trafficking of fentanyl, fentanyl precursors, or other related opioids to protect the national security, foreign policy, and economy of the United States.

#### SEC. 3102. [21 U.S.C. 2352] USE OF NATIONAL EMERGENCY AUTHORITIES; REPORTING.

(a) IN GENERAL.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch pursuant to this subtitle and any national emergency declared with respect to the trafficking of fentanyl and trade in other illicit drugs, including—

(A) the issuance of any new or revised regulations, policies, or guidance;

(B) the imposition of sanctions;

(C) the collection of relevant information from outside parties;

(D) the issuance or closure of general licenses, specific licenses, and statements of licensing policy by the Office of Foreign Assets Control;

(E) a description of any pending enforcement cases; and

(F) the implementation of mitigation procedures.

(2) **FORM OF REPORT.**—Each report required under paragraph (1) shall be submitted in unclassified form, but may include the matters required under subparagraphs (C), (D), (E), and (F) of such paragraph in a classified annex.

**SEC. 3103. [21 U.S.C. 2353] IMPOSITION OF SANCTIONS WITH RESPECT TO FENTANYL TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (b) with respect to any foreign person the President determines—

(1) is knowingly involved in the significant trafficking of fentanyl, fentanyl precursors, or other related opioids, including such trafficking by a transnational criminal organization; or

(2) otherwise is knowingly involved in significant activities of a transnational criminal organization relating to the trafficking of fentanyl, fentanyl precursors, or other related opioids.

(b) **SANCTIONS DESCRIBED.**—The President, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), may block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this division, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch with respect to the foreign persons identified under subsection (a).

**SEC. 3104. [21 U.S.C. 2354] PENALTIES; WAIVERS; EXCEPTIONS.**

(a) **PENALTIES.**—Any person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or any regulation, license, or order issued to carry out this subtitle shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(b) **NATIONAL SECURITY WAIVER.**—The President may waive the application of sanctions under this subtitle with respect to a foreign person if the President determines that such waiver is in the national security interest of the United States.

(c) **EXCEPTIONS.**—

(1) **EXCEPTION FOR INTELLIGENCE ACTIVITIES.**—This subtitle shall not apply with respect to activities subject to the re-

porting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION FOR COMPLIANCE WITH INTERNATIONAL OBLIGATIONS AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this subtitle shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist law enforcement activity of the United States.

(3) HUMANITARIAN EXEMPTION.—The President may not impose sanctions under this subtitle with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

**SEC. 3105. [21 U.S.C. 2355] TREATMENT OF FORFEITED PROPERTY OF TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

**(a) TRANSFER OF FORFEITED PROPERTY TO FORFEITURE FUNDS.—**

(1) IN GENERAL.—Any covered forfeited property shall be deposited into the Department of the Treasury Forfeiture Fund established under section 9705 of title 31, United States Code, or the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(2) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this division, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on any deposits made under paragraph (1) during the 180-day period preceding submission of the report.

(3) COVERED FORFEITED PROPERTY DEFINED.—In this subsection, the term “covered forfeited property” means property—

(A) forfeited to the United States under chapter 46 or section 1963 of title 18, United States Code; and

(B) that belonged to or was possessed by an individual affiliated with or connected to a transnational criminal organization subject to sanctions under—

(i) this subtitle;

(ii) the Fentanyl Sanctions Act (21 U.S.C. 2301 et seq.); or

(iii) Executive Order 14059 (50 U.S.C. 1701 note; relating to imposing sanctions on foreign persons involved in the global illicit drug trade).

(b) BLOCKED ASSETS UNDER TERRORISM RISK INSURANCE ACT OF 2002.—Nothing in this subtitle may be construed to affect the treatment of blocked assets of a terrorist party described in section 201(a) of the Terrorism Risk Insurance Act of 2002 (28 U.S.C. 1610 note).

## Subtitle B—Other Matters

### SEC. 3111. TEN-YEAR STATUTE OF LIMITATIONS FOR VIOLATIONS OF SANCTIONS.

(a) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended by adding at the end the following:

“(d) STATUTE OF LIMITATIONS.—

“(1) TIME FOR COMMENCING PROCEEDINGS.—

“(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained unless commenced within 10 years after the latest date of the violation upon which the civil fine, penalty, or forfeiture is based.

“(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action, suit, or proceeding includes the issuance of a pre-penalty notice or finding of violation.

“(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (c) unless the indictment is found or the information is instituted within 10 years after the latest date of the violation upon which the indictment or information is based.”.

(b) TRADING WITH THE ENEMY ACT.—Section 16 of the Trading with the Enemy Act (50 U.S.C. 4315) is amended by adding at the end the following:

“(d) STATUTE OF LIMITATIONS.—

“(1) TIME FOR COMMENCING PROCEEDINGS.—

“(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained unless commenced within 10 years after the latest date of the violation upon which the civil fine, penalty, or forfeiture is based.

“(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action, suit, or proceeding includes the issuance of a pre-penalty notice or finding of violation.

“(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (a) unless the indictment is found or the information is instituted within 10 years after the latest date of the violation upon which the indictment or information is based.”.

### SEC. 3112. CLASSIFIED REPORT AND BRIEFING ON STAFFING OF OFFICE OF FOREIGN ASSETS CONTROL.

Not later than 180 days after the date of the enactment of this division, the Director of the Office of Foreign Assets Control shall provide to the appropriate congressional committees a classified report and briefing on the staffing of the Office of Foreign Assets Control, disaggregated by staffing dedicated to each sanctions program and each country or issue.

**SEC. 3113. REPORT ON DRUG TRANSPORTATION ROUTES AND USE OF VESSELS WITH MISLABELED CARGO.**

Not later than 180 days after the date of the enactment of this division, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on efforts to target drug transportation routes and modalities, including an assessment of the prevalence of false cargo labeling and shipment of precursor chemicals without accurate tracking of the customers purchasing the chemicals.

**SEC. 3114. REPORT ON ACTIONS OF PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO PERSONS INVOLVED IN FENTANYL SUPPLY CHAIN.**

Not later than 180 days after the date of the enactment of this division, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on actions taken by the Government of the People's Republic of China with respect to persons involved in the shipment of fentanyl, fentanyl analogues, fentanyl precursors, precursors for fentanyl analogues, and equipment for the manufacturing of fentanyl and fentanyl-laced counterfeit pills.

## **TITLE II—ANTI-MONEY LAUNDERING MATTERS**

**SEC. 3201. DESIGNATION OF ILLICIT FENTANYL TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN.**

(a) **IN GENERAL.**—Subtitle A of the Fentanyl Sanctions Act (21 U.S.C. 2311 et seq.) is amended by inserting after section 7213 the following:

**“SEC. 7213A. [21 U.S.C. 2313a] DESIGNATION OF TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN**

“(a) **IN GENERAL.**—If the Secretary of the Treasury determines that reasonable grounds exist for concluding that 1 or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, is of primary money laundering concern in connection with illicit opioid trafficking, the Secretary of the Treasury may, by order, regulation, or otherwise as permitted by law—

“(1) require domestic financial institutions and domestic financial agencies to take 1 or more of the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 31 U.S.C. 5318A note); or

“(2) prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such trans-

mittal of funds involves any such institution, class of transaction, or type of accounts.

“(b) CLASSIFIED INFORMATION.—In any judicial review of a finding of the existence of a primary money laundering concern, or of the requirement for 1 or more special measures with respect to a primary money laundering concern made under this section, if the designation or imposition, or both, were based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)), such information may be submitted by the Secretary to the reviewing court *ex parte* and *in camera*. This subsection does not confer or imply any right to judicial review of any finding made or any requirement imposed under this section.

“(c) AVAILABILITY OF INFORMATION.—The exemptions from, and prohibitions on, search and disclosure referred to in section 9714(c) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 31 U.S.C. 5318A note) shall apply to any report or record of report filed pursuant to a requirement imposed under subsection (a). For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section.

“(d) PENALTIES.—The penalties referred to in section 9714(d) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 31 U.S.C. 5318A note) shall apply to violations of any order, regulation, special measure, or other requirement imposed under subsection (a), in the same manner and to the same extent as described in such section 9714(d).

“(e) INJUNCTIONS.—The Secretary of the Treasury may bring a civil action to enjoin a violation of any order, regulation, special measure, or other requirement imposed under subsection (a) in the same manner and to the same extent as described in section 9714(e) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 31 U.S.C. 5318A note).”

(b) CLERICAL AMENDMENT.—The table of contents for the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended by inserting after the item relating to section 7213 the following:

“Sec. 7213A. Designation of transactions of sanctioned persons as of primary money laundering concern.”

**SEC. 3202. [21 U.S.C. 2361] TREATMENT OF TRANSNATIONAL CRIMINAL ORGANIZATIONS IN SUSPICIOUS TRANSACTIONS REPORTS OF THE FINANCIAL CRIMES ENFORCEMENT NETWORK.**

(a) FILING INSTRUCTIONS.—Not later than 180 days after the date of the enactment of this division, the Director of the Financial Crimes Enforcement Network shall issue guidance or instructions to United States financial institutions for filing reports on suspicious transactions required under section 1010.320 of title 31, Code of Federal Regulations, related to suspected fentanyl trafficking by transnational criminal organizations.

(b) PRIORITIZATION OF REPORTS RELATING TO FENTANYL TRAFFICKING OR TRANSNATIONAL CRIMINAL ORGANIZATIONS.—The Director shall prioritize research into reports described in subsection (a) that indicate a connection to trafficking of fentanyl or related syn-



thetic opioids or financing of suspected transnational criminal organizations.

**SEC. 3203. REPORT ON TRADE-BASED MONEY LAUNDERING IN TRADE WITH MEXICO, THE PEOPLE'S REPUBLIC OF CHINA, AND BURMA.**

(a) **IN GENERAL.**—In the first update to the national strategy for combating the financing of terrorism and related forms of illicit finance submitted to Congress after the date of the enactment of this division, the Secretary of the Treasury shall include a report on trade-based money laundering originating in Mexico or the People's Republic of China and involving Burma.

(b) **DEFINITION.**—In this section, the term “national strategy for combating the financing of terrorism and related forms of illicit finance” means the national strategy for combating the financing of terrorism and related forms of illicit finance required under section 261 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 934), as amended by section 6506 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2428).

### **TITLE III—EXCEPTION RELATING TO IMPORTATION OF GOODS**

**SEC. 3301. [21 U.S.C. 2371] EXCEPTION RELATING TO IMPORTATION OF GOODS.**

(a) **IN GENERAL.**—The authority or a requirement to block and prohibit all transactions in all property and interests in property under this division shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) **GOOD DEFINED.**—In this section, the term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

## **DIVISION F—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT**

### **TITLE I**

**SEC. 1. [22 U.S.C. 9521 note] SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This division may be cited as the “Rebuilding Economic Prosperity and Opportunity for Ukrainians Act” or the “REPO for Ukrainians Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this division is as follows:

#### **TITLE II—REPURPOSING OF RUSSIAN SOVEREIGN ASSETS**

Sec. 101. Findings; sense of Congress.

Sec. 102. Sense of Congress regarding importance of the Russian Federation providing compensation to Ukraine.

Sec. 103. Prohibition on release of blocked Russian sovereign assets.

- Sec. 104. Authority to ensure compensation to Ukraine using seized Russian sovereign assets and Russian aggressor state sovereign assets.
- Sec. 105. International mechanism to use Russian sovereign assets and Russian aggressor state sovereign assets to provide for the reconstruction of Ukraine.
- Sec. 106. Report on use of transferred Russian sovereign assets for reconstruction.
- Sec. 107. Assessment by Secretary of State and Administrator of USAID on reconstruction and rebuilding needs of Ukraine.
- Sec. 108. Extensions.

**SEC. 2. [22 U.S.C. 9521 note] DEFINITIONS.**

In this division:

(1) **RUSSIAN AGGRESSOR STATE.**—The term “Russian aggressor state” means—

(A) the Russian Federation; and

(B) Belarus, if the President determines Belarus has engaged in an act of war against Ukraine related to Russia’s ongoing February 24, 2022, invasion of Ukraine.

(2) **RUSSIAN AGGRESSOR STATE SOVEREIGN ASSET.**—The term “Russian aggressor state sovereign asset” means any Russian sovereign assets or any funds or property of another Russian aggressor state determined by the President to be of the same sovereign character as the assets described in paragraph (7).

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(4) **FINANCIAL INSTITUTION.**—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) **G7.**—The term “G7” means the countries that are member of the informal Group of 7, including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(6) **RUSSIAN SOVEREIGN ASSET.**—The term “Russian sovereign asset” means any of the following:

(A) Funds and other property of—

(i) the Central Bank of the Russian Federation;

(ii) the Russian National Wealth Fund; or

(iii) the Ministry of Finance of the Russian Federation.

(B) Any other funds or other property that are owned by the Government of the Russian Federation, including by any subdivision, agency, or instrumentality of that government.

(7) **UNITED STATES.**—The term “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Is-

lands, and any other territory or possession of the United States.

(8) UNITED STATES FINANCIAL INSTITUTION.—The term “United States financial institution” means a financial institution organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an institution.

(9) SEIZE OR SEIZURE.—The term “seize” or “seizure” means confiscation of all right, title, and interest whatsoever in a Russian sovereign asset or a Russian aggressor state sovereign asset and vesting of the same in the United States.

## TITLE II—REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

### SEC. 101. [22 U.S.C. 9521 note] FINDINGS; SENSE OF CONGRESS.

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

(1) On February 24, 2022, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a premeditated, second illegal invasion of Ukraine.

(2) The international community has condemned the illegal invasions of Ukraine by the Russian Federation, as well as the commission of the crime of aggression, war crimes, crimes against humanity, and genocide by officials of the Russian Federation, including through the deliberate targeting of civilians and civilian infrastructure, the forcible transfer of children, and the commission of sexual violence.

(3) The leaders of the G7 have called the Russian Federation’s “unprovoked and completely unjustified attack on the democratic state of Ukraine” a “serious violation of international law and a grave breach of the United Nations Charter and all commitments Russia entered in the Helsinki Final Act and the Charter of Paris and its commitments in the Budapest Memorandum”.

(4) On March 2, 2022, the United Nations General Assembly adopted Resolution ES-11/1, entitled “Aggression against Ukraine”, by a vote of 141 to 5. That resolution “deplore[d] in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the [United Nations] Charter” and demanded that the Russian Federation “immediately cease its use of force against Ukraine” and “immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders”.

(5) On March 16, 2022, the International Court of Justice issued a provisional measures order requiring the Russian Federation to “immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine” and, in this regard, observed that “orders on provisional measures... have binding effect”.

(6) On November 14, 2022, the United Nations General Assembly adopted a resolution—

(A) recognizing that the Russian Federation has committed a serious breach of the most fundamental norms of international law and its gross and systematic refusal to obey its obligations has affected the entire international community;

(B) recognizing the need for the establishment, in cooperation with Ukraine, of an international mechanism for compensation for financially assessable damages caused by the Russian Federation's internationally wrongful acts; and

(C) recommending "the creation... of an international register of damage to serve as a record... of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine...".

(7) The Russian Federation bears international legal responsibility for its aggression against Ukraine and, under international law, must cease its internationally wrongful acts. Because of this breach of the prohibition on aggression under international law, the United States is legally entitled to take counter measures that are proportionate and aimed at inducing the Russian Federation to comply with its international obligations.

(8) Approximately \$300,000,000,000 of Russian sovereign assets have been immobilized worldwide. Only a small fraction of those assets, 1 to 2 percent, or between \$4,000,000,000 and \$5,000,000,000, are reportedly subject to the jurisdiction of the United States.

(9) The vast majority of immobilized Russian sovereign assets, approximately \$190,000,000,000, are reportedly subject to the jurisdiction of Belgium. The Government of Belgium has publicly indicated that any action by that Government regarding those assets would be predicated on support by the G7.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, having committed an act of aggression, as recognized by the United Nations General Assembly on March 2, 2022, the Russian Federation is to be considered as an aggressor state. The extreme illegal actions taken by the Russian Federation, including an act of aggression, present a unique situation, justifying the establishment of a legal authority for the United States Government and other countries to confiscate Russian sovereign assets in their respective jurisdictions.

**SEC. 102. [22 U.S.C. 9521 note] SENSE OF CONGRESS REGARDING IMPORTANCE OF THE RUSSIAN FEDERATION PROVIDING COMPENSATION TO UKRAINE.**

It is the sense of Congress that—

(1) the Russian Federation bears responsibility for the financial burden of the reconstruction of Ukraine and for countless other costs associated with the illegal invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) the most effective ways to provide compensation for the damages caused by the Russian Federation's internationally wrongful acts should be assessed by an international mecha-

nism charged with determining compensation and providing assistance to Ukraine;

(3) at least since November 2022 the Russian Federation has been on notice of its opportunity to comply with its international obligations, including to make full compensation for injury, or, by agreement with Ukraine, to authorize an international mechanism to resolve issues regarding compensation to Ukraine;

(4) the Russian Federation can, by negotiated agreement, participate in any international process to assess the damages caused by the Russian Federation's internationally wrongful acts and make funds available to compensate for these damages, and if it fails to do so, the United States and other countries should explore all avenues for ensuring compensation to Ukraine;

(5) the President should lead robust engagement on all bilateral and multilateral aspects of the response by the United States to acts by the Russian Federation that undermine the sovereignty and territorial integrity of Ukraine, including on any policy coordination and alignment regarding the repurposing or ordered transfer of Russian sovereign assets in the context of determining compensation and providing assistance to Ukraine;

(6) as part of the robust engagement on bilateral and multilateral responses to acts by the Russian Federation that undermine the sovereignty and territorial integrity of Ukraine, the President should endeavor to facilitate creation of, and United States participation in, an international mechanism regarding the repurposing or seizure of sovereign assets of the Russian Federation for the benefit of Ukraine.

(7) the repurposing of Russian sovereign assets is in the national interests of the United States and consistent with United States and international law;

(8) the United States should work with international allies and partners on the repurposing of Russian sovereign assets as part of a coordinated, multilateral effort, including with G7 countries and other countries in which Russian sovereign assets are located; and

(9) any effort by the United States to confiscate and repurpose Russian sovereign assets should be undertaken alongside international allies and partners as part of a coordinated, multilateral effort, including with G7 countries, the European Union, Australia, and other countries in which Russian sovereign assets are located.

**SEC. 103. [22 U.S.C. 9521 note] PROHIBITION ON RELEASE OF BLOCKED RUSSIAN SOVEREIGN ASSETS.**

(a) **IN GENERAL.**—No Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury before the date specified in section 104(j) may be released or mobilized, except as otherwise authorized by this division, until the date on which the President certifies to the appropriate congressional committees that—

(1) hostilities between the Russian Federation and Ukraine have ceased; and

(2)(A) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

(B) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

(b) NOTIFICATION.—Not later than 30 days before the release or mobilization of a Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury, the President shall submit to the appropriate congressional committees—

(1) a notification of the decision to take the action that releases or mobilizes the asset; and

(2) a justification in writing for such decision.

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) IN GENERAL.—No Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury may be released or mobilized if, within 30 days of receipt of the notification and justification required under subsection (b), a joint resolution is enacted into law prohibiting the proposed release or mobilization.

(2) EXPEDITED PROCEDURES.—Any joint resolution described in paragraph (1) introduced in either House of Congress shall be considered in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765), except that any such resolution shall be subject to germane amendments. If such a joint resolution should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in the Senate and in the House of Representatives shall be determined in accordance with the Rules of the House.

(d) COOPERATION ON PROHIBITION OF RELEASE OF CERTAIN RUSSIAN SOVEREIGN ASSETS.—Notwithstanding subsection (a), the President may take such actions as may be necessary to seek to obtain an agreement or arrangement to which the Government of Ukraine is party that discharges the Russian Federation from further obligations to compensate Ukraine.

**SEC. 104. [22 U.S.C. 9521 note] AUTHORITY TO ENSURE COMPENSATION TO UKRAINE USING SEIZED RUSSIAN SOVEREIGN ASSETS AND RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS.**

(a) REPORTING ON RUSSIAN ASSETS.—

(1) NOTICE REQUIRED.—Not later than 90 days after the date of the enactment of this division, the President shall, by means of such instructions or regulations as the President may prescribe, require any financial institution at which Russian sovereign assets are located, and that knows or should know of such assets, to provide notice of such assets, including relevant information required under section 501.603(b)(ii) of title 31, Code of Federal Regulations (or successor regulations), to the Secretary of the Treasury not later than 10 days after detection of such assets.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, and annually thereafter for 3 years, the President shall submit to the appropriate congressional committees a report detailing the status of Russian sovereign assets with respect to which notice has been provided to the Secretary of the Treasury under paragraph (1).

(B) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(b) SEIZURE OR TRANSFER OF ASSETS.—

(1) SEIZURE OF RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS.—On and after the date that is 30 days after the President submits to the appropriate congressional committees the certification described in subsection (c), the President may seize, confiscate, transfer, or vest any Russian aggressor state sovereign assets, in whole or in part, and including any interest or interests in such assets, subject to the jurisdiction of the United States for the purpose of transferring those funds to the Ukraine Support Fund established under subsection (d).

(2) VESTING.—For funds confiscated under paragraph (1), all right, title, and interest shall vest in the United States Government, provided that no use of those funds other than the use of those funds consistent with subsection (f) shall be permitted.

(3) LIQUIDATION AND DEPOSIT.—The President shall—

(A) deposit any funds seized, transferred, or confiscated under paragraph (1) into the Ukraine Support Fund established under subsection (d);

(B) liquidate or sell any other property seized, transferred, or confiscated under paragraph (1) and deposit the funds resulting from such liquidation or sale into the Ukraine Support Fund; and

(C) make all such funds available for the purposes described in subsection (f).

(4) METHOD OF SEIZURE, TRANSFER, OR CONFISCATION.—The President may seize, transfer, confiscate or vest Russian aggressor state sovereign assets under paragraph (1) through instructions or licenses or in such other manner as the President determines appropriate.

(c) CERTIFICATION.—The certification described in this subsection, with respect to Russian aggressor state sovereign assets, is a certification that—

(1) seizing, confiscating, transferring, or vesting Russian aggressor state sovereign assets for the benefit of Ukraine is in the national interests of the United States;

(2) the President has meaningfully coordinated with G7 leaders to take multilateral action with regard to any seizure, confiscation, vesting, or transfer of Russian sovereign assets for the benefit of Ukraine; and

(3) either—

(A) the President has received an official and legitimate request from a properly constituted international mechanism that includes the participation of the Govern-

ment of Ukraine and the United States and that has been established for the purpose of, or otherwise tasked with, compensating Ukraine for damages arising or resulting from the internationally wrongful acts of the Russian Federation regarding the repurposing of sovereign assets of the Russian Federation; or

(B) either—

(i) the Russian Federation has not ceased its unlawful aggression against Ukraine; or

(ii) the Russian Federation has ceased its unlawful aggression against Ukraine, but—

(I) has not provided full compensation to Ukraine for harms resulting from the internationally wrongful acts of the Russian Federation; and

(II) is not participating in a bona fide process to provide full compensation to Ukraine for harms resulting from Russian aggression.

(d) ESTABLISHMENT OF THE UKRAINE SUPPORT FUND.—

(1) UKRAINE SUPPORT FUND.—The President shall establish an account, to be known as the “Ukraine Support Fund”, to consist of any funds with respect to which a seizure is ordered pursuant to subsection (b).

(2) USE OF FUNDS.—The funds in the accounts established under paragraph (1) shall be available to be used only as specified in subsection (f).

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to provide the President with the authority to seize, transfer, confiscate, or vest title to foreign sovereign assets that are not Russian aggressor state sovereign assets in the United States or transfer any foreign sovereign assets to any recipient for any use other than the uses described in this division.

(f) FURTHER TRANSFER AND USE OF FUNDS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), Funds in the Ukraine Support Fund shall be available to the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, for the purpose of providing assistance to Ukraine for the damage resulting from the unlawful invasion by the Russian Federation that began on February 24, 2022.

(2) SPECIFIC PERMISSIBLE USES.—Subject to paragraph (3), the following are permissible uses of the funds in the Ukraine Support Fund pursuant to paragraph (1):

(A) Making contributions to an international body, fund, or mechanism established consistent with section 105(a) that is charged with determining and administering compensation or providing assistance to Ukraine.

(B) Supporting reconstruction, rebuilding, and recovery efforts in Ukraine.

(C) Providing economic and humanitarian assistance to the people of Ukraine.

(3) NOTIFICATION.—

(A) IN GENERAL.—The Secretary of State shall notify the appropriate congressional committees not fewer than 15 days before providing any funds from the Ukraine Sup-



port Fund to any other account for the purposes described in paragraph (1).

(B) ELEMENTS.—A notification under subparagraph (A) with respect to the transfer of funds to another account pursuant to paragraph (1) shall specify—

(i) the amount of funds to be provided;

(ii) the specific purpose for which such funds are provided; and

(iii) the recipient of those funds.

(g) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred or otherwise expended from the Ukraine Support Fund pursuant to subsection (f) unless the President certifies to the appropriate congressional committees that—

(1) a plan exists to ensure transparency and accountability for all funds transferred to and from any account receiving the funds; and

(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

(h) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred pursuant to subsection (f) if, within 15 days of receipt of the notification required under subsection (f)(3), a joint resolution is enacted into law prohibiting such transfer.

(i) REPORT.—Not later than 90 days after the date of the enactment of this division, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) An accounting of funds in the Ukraine Support Fund.

(2) Any information regarding the disposition of funds in any account to which funds have been transferred pursuant to subsection (f) that has been transmitted to the President by the institution housing said account during the period covered by the report.

(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to compensate for damages caused by the Russian Federation's internationally wrongful acts during the period covered by the report.

(4) An outline of steps taken to carry out the establishment of the international mechanism described by section 105(a) during the period covered by the report.

(j) EXCEPTION FOR UNITED STATES OBLIGATIONS UNDER TREATIES.—The authorities provided by this section may not be exercised in a manner inconsistent with the obligations of the United States under—

(1) the Convention on Diplomatic Relations, done at Vienna April 18, 1961, and entered into force April 24, 1964 (23 UST 3227);

(2) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force on March 19, 1967 (21 UST 77);

(3) the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676); or

(4) any other international agreement to which the United States is a state party on the day before the date of the enactment of this division.

(k) JUDICIAL REVIEW.—

(1) EXCLUSIVENESS OF REMEDY.—Notwithstanding any other provision of law, any action taken under this section shall not be subject to judicial review, except as provided in this subsection.

(2) LIMITATIONS FOR FILING CLAIMS.—A claim may only be brought with respect to an action under this section—

(A) that alleges that the action will deny rights under the Constitution of the United States; and

(B) if the claim is brought not later than 60 days after the date of such action.

(3) JURISDICTION.—

(A) IN GENERAL.—A claim under paragraph (2) of this subsection shall be barred unless a complaint is filed prior to the expiration of such time limits in the United States District Court for the District of Columbia.

(B) APPEAL.—An appeal of an order of the United States District Court for the District of Columbia issued pursuant to a claim brought under this subsection shall be taken by a notice of appeal filed with the United States Court of Appeals for the District of Columbia Circuit not later than 10 days after the date on which the order is entered.

(C) EXPEDITED CONSIDERATION.—It shall be the duty of the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of any claim brought under this subsection.

(l) SUNSET.—The authorities conferred under this section shall terminate on the earlier of—

(1) the date that is 5 years after the date of the enactment of this division; or

(2) the date that is 120 days after the date on which the President determines and certifies to the appropriate congressional committees that—

(A) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

(B)(i) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation;

(ii) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine; or

(iii) the Russian Federation's obligation to compensate Ukraine for the damage caused by the Russian Federation's aggression has been resolved pursuant to an agreement between the Russian Federation and the Government of Ukraine.

**SEC. 105. [22 U.S.C. 9521 note] INTERNATIONAL MECHANISM TO USE RUSSIAN SOVEREIGN ASSETS AND RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.**

(a) **IN GENERAL.**—The President shall take such actions as the President determines appropriate to coordinate with the G7, the European Union, Australia, and other partners and allies of the United States regarding the disposition of immobilized Russian aggressor state sovereign assets, including seeking to establish an international mechanism with foreign partners, including Ukraine, the G7, the European Union, Australia, and other partners and allies of the United States, for the purpose of assisting Ukraine, which may include the establishment of an international fund to be known as the “Ukraine Compensation Fund”, that may receive and use assets in the Ukraine Support Fund established under section 104(c) and contributions from foreign partners that have also frozen or seized Russian aggressor state sovereign assets to assist Ukraine, including by—

(1) supporting a register of damage to serve as a record of evidence and for assessment of the financially assessable damages to Ukraine resulting from the invasions of Ukraine by the Russian Federation and operations or actions in support thereof;

(2) establishing a mechanism to compensate Ukraine for damages caused by Russia's internationally wrongful acts connected with the invasions of Ukraine;

(3) ensuring distribution of those assets or the proceeds of those assets based on determinations under that mechanism; and

(4) taking such other actions as may be necessary to carry out this section.

(b) **AUTHORIZATION FOR DEPOSIT IN THE UKRAINE COMPENSATION FUND.**—Upon the President reaching an agreement or arrangement to establish a common international mechanism pursuant to subsection (a) or at any time thereafter, the Secretary of State may, pursuant to the authority conferred by and subject to the limitations described in section 104(f) and subject to the limitations described in subsection (e), transfer funds from the Ukraine Support Fund established under section 104(d) to a fund or mechanism established consistent with subsection (a).

(c) **NOTIFICATION.**—The President shall notify the appropriate congressional committees not later than 30 days after entering into any new bilateral or multilateral agreement or arrangement under subsection (a).

(d) **GOOD GOVERNANCE.**—The Secretary of State, in consultation with the Secretary of the Treasury, shall—

(1) seek to ensure that any fund or mechanism established consistent with subsection (a) operates in accordance with established international accounting principles;

(2) seek to ensure that any fund or mechanism established consistent with subsection (a) is—

(A) staffed, operated, and administered in accordance with established accounting rules and governance procedures, including providing for payment of reasonable expenses from the fund for the governance and operation of the fund and the tribunal;

(B) operated transparently as to all funds transfers, filings, and decisions; and

(C) audited on a regular basis by an independent auditor, in accordance with internationally accepted accounting and auditing standards;

(3) seek to ensure that any audits of any fund or mechanism established consistent with subsection (a) shall be made available to the public; and

(4) ensure that any audits of any fund or mechanism established consistent with subsection (a) shall be reviewed and reported on by the Government Accountability Office to the appropriate congressional committees and the public.

(e) **LIMITATION ON TRANSFER OF FUNDS.**—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) unless the President certifies to the appropriate congressional committees that—

(1) the institution housing the fund or mechanism has a plan to ensure transparency and accountability for all funds transferred to and from the fund or mechanism established consistent with subsection (a); and

(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

(f) **JOINT RESOLUTION OF DISAPPROVAL.**—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) if, within 30 days of receipt of the notification required under subsection (c)(2), a joint resolution is enacted prohibiting the transfer.

(g) **REPORT.**—Not later than 90 days after the date of the enactment of this division, and not less frequently than every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) An accounting of funds in any fund or mechanism established consistent with subsection (a).

(2) Any information regarding the disposition of any such fund or mechanism that has been transmitted to the President by the institution housing the fund or mechanism during the period covered by the report.

(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to allow for compensation for Ukraine during the period covered by the report.

(4) An outline of steps taken to carry out this section during the period covered by the report.

**SEC. 106. [22 U.S.C. 9521 note] REPORT ON USE OF TRANSFERRED RUSSIAN SOVEREIGN ASSETS FOR RECONSTRUCTION.**

Not later than 90 days after the date of the enactment of this division, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that contains—

- (1) the amount and source of Russian sovereign assets seized, transferred, or confiscated pursuant to section 104(b);
- (2) the amount and source of funds deposited into the Ukraine Support Fund under section 104(b)(3); and
- (3) a detailed description and accounting of how such funds were used to meet the purposes described in section 104(f).

**SEC. 107. [22 U.S.C. 9521 note] ASSESSMENT BY SECRETARY OF STATE AND ADMINISTRATOR OF USAID ON RECONSTRUCTION AND REBUILDING NEEDS OF UKRAINE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this division, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an assessment of the most pressing needs of Ukraine for reconstruction, rebuilding, and humanitarian aid.

(b) **ELEMENTS.**—The assessment required by subsection (a) shall include the following:

(1) An estimate of the rebuilding and reconstruction needs of Ukraine, as of the date of the assessment, resulting from the unlawful invasion of Ukraine by the Russian Federation, including—

(A) a description of the sources and methods for the estimate; and

(B) an identification of the locations or regions in Ukraine with the most pressing needs.

(2) An estimate of the humanitarian needs, as of the date of the assessment, of the people of Ukraine, including Ukrainians residing inside the internationally recognized borders of Ukraine or outside those borders, resulting from the unlawful invasion of Ukraine by the Russian Federation.

(3) An assessment of the extent to which the needs described in paragraphs (1) and (2) have been met or funded, by any source, as of the date of the assessment.

(4) A plan to engage in robust multilateral and bilateral diplomacy to ensure that allies and partners of the United States, particularly in the European Union as Ukraine seeks accession to the European Union, increase their commitment to Ukraine's reconstruction.

(5) An identification of which such needs should be prioritized, including any assessment or request by the Government of Ukraine with respect to the prioritization of such needs.

**SEC. 108. [22 U.S.C. 9521 note] EXTENSIONS.**

Section 5(a) of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115-441; 132 Stat. 5587) is amended, in the matter preceding paragraph (1), by striking “six years” and inserting “12 years”.

## DIVISION G—OTHER MATTERS

### SEC. 1. [50 U.S.C. 1701 note] REPORT AND IMPOSITION OF SANCTIONS TO HARMONIZE WITH ALLIED SANCTIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this division, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report identifying—

- (1) each foreign person currently subject to—
  - (A) sanctions issued by the European Union pursuant to European Union Council Regulation No. 269/2014 of 17 March, 2014, as amended; or
  - (B) sanctions issued by the United Kingdom pursuant to the Russia (Sanctions) (EU Exit) Regulations 2019, as amended; and
- (2) each such foreign person that also meets the criteria for imposition of sanctions by the United States pursuant to—
  - (A) the Global Magnitsky Human Rights Accountability Act of 2016 (22 U.S.C. 10101 et seq.);
  - (B) Executive Order 14024 (50 U.S.C. 1701note, relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation), as amended;
  - (C) Executive Order 14068 (50 U.S.C. 1701note, relating to prohibiting certain imports, exports, and new investment with respect to continued Russian Federation aggression), as amended; or
  - (D) Executive Order 14071 (50 U.S.C. 1701note, relating to prohibiting new investment in and certain services to the Russian Federation in response to continued Russian Federation aggression), as amended.

(b) IMPOSITION OF SANCTIONS.—The President may impose the sanctions authorized by the applicable provision of law listed in subsection (a)(2) with respect to each foreign person identified in the report required under subsection (a)(1) who is not already subject to sanctions under United States law pursuant to one or more statutory sanctions authorities as of the date of the submission of such report.

### SEC. 2. [10 U.S.C. 113 note] INCLUSION OF INFORMATION ON EMERGING TECHNOLOGICAL DEVELOPMENTS IN ANNUAL CHINA MILITARY POWER REPORT.

(a) IN GENERAL.—As part of each annual report submitted under section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 10 U.S.C. 113 note)(commonly referred to as the “China Military Power report”), the Secretary of Defense and Secretary of State, in consultation with the heads of such other Federal departments and agencies as the Secretary of Defense and Secretary of State may determine appropriate, shall include a component on emerging technological developments involving the People’s Republic of China.

(b) MATTERS.—Each report component referred to in subsection (a) shall include an identification and assessment of at least five

fields of critical or emerging technologies in which the People's Liberation Army is invested, or for which there are Military-Civil Fusion Development Strategy programs of the People's Republic of China, including the following:

(1) A brief summary of each such identified field and its relevance to the military power and national security of the People's Republic of China.

(2) The implications for the national security of the United States as a result of the leadership or dominance by the People's Republic of China in each such identified field and associated supply chains.

(3) The identification of at least 10 entities domiciled in, controlled by, or directed by the People's Republic of China (including any subsidiaries of such entity), involved in each such identified field, and an assessment of, with respect to each such entity, the following:

(A) Whether the entity has procured components from any known United States suppliers.

(B) Whether any United States technology imported by the entity is controlled under United States regulations.

(C) Whether United States capital is invested in the entity, either through known direct investment or passive investment flows.

(D) Whether the entity has any connection to the People's Liberation Army, the Military-Civil Fusion program of the People's Republic of China, or any other state-sponsored initiatives of the People's Republic of China to support the development of national champions.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs of the House of Representatives;

(2) the Committee on Armed Services of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate; and

(4) the Committee on Armed Services of the Senate.

## **DIVISION H—PROTECTING AMERICANS FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS ACT**

### **SEC. 1. [15 U.S.C. 9901 note] SHORT TITLE.**

This division may be cited as the “Protecting Americans from Foreign Adversary Controlled Applications Act”.

### **SEC. 2. [15 U.S.C. 9901 note] PROHIBITION OF FOREIGN ADVERSARY CONTROLLED APPLICATIONS.**

(a) **IN GENERAL.**—

(1) **PROHIBITION OF FOREIGN ADVERSARY CONTROLLED APPLICATIONS.**—It shall be unlawful for an entity to distribute, maintain, or update (or enable the distribution, maintenance, or updating of) a foreign adversary controlled application by

carrying out, within the land or maritime borders of the United States, any of the following:

(A) Providing services to distribute, maintain, or update such foreign adversary controlled application (including any source code of such application) by means of a marketplace (including an online mobile application store) through which users within the land or maritime borders of the United States may access, maintain, or update such application.

(B) Providing internet hosting services to enable the distribution, maintenance, or updating of such foreign adversary controlled application for users within the land or maritime borders of the United States.

(2) APPLICABILITY.—Subject to paragraph (3), this subsection shall apply—

(A) in the case of an application that satisfies the definition of a foreign adversary controlled application pursuant to subsection (g)(3)(A), beginning on the date that is 270 days after the date of the enactment of this division; and

(B) in the case of an application that satisfies the definition of a foreign adversary controlled application pursuant to subsection (g)(3)(B), beginning on the date that is 270 days after the date of the relevant determination of the President under such subsection.

(3) EXTENSION.—With respect to a foreign adversary controlled application, the President may grant a 1-time extension of not more than 90 days with respect to the date on which this subsection would otherwise apply to such application pursuant to paragraph (2), if the President certifies to Congress that—

(A) a path to executing a qualified divestiture has been identified with respect to such application;

(B) evidence of significant progress toward executing such qualified divestiture has been produced with respect to such application; and

(C) there are in place the relevant binding legal agreements to enable execution of such qualified divestiture during the period of such extension.

(b) DATA AND INFORMATION PORTABILITY TO ALTERNATIVE APPLICATIONS.—Before the date on which a prohibition under subsection (a) applies to a foreign adversary controlled application, the entity that owns or controls such application shall provide, upon request by a user of such application within the land or maritime borders of United States, to such user all the available data related to the account of such user with respect to such application. Such data shall be provided in a machine readable format and shall include any data maintained by such application with respect to the account of such user, including content (including posts, photos, and videos) and all other account information.

(c) EXEMPTIONS.—

(1) EXEMPTIONS FOR QUALIFIED DIVESTITURES.—Subsection

(a)—



(A) does not apply to a foreign adversary controlled application with respect to which a qualified divestiture is executed before the date on which a prohibition under subsection (a) would begin to apply to such application; and

(B) shall cease to apply in the case of a foreign adversary controlled application with respect to which a qualified divestiture is executed after the date on which a prohibition under subsection (a) applies to such application.

(2) EXEMPTIONS FOR CERTAIN NECESSARY SERVICES.—Subsections (a) and (b) do not apply to services provided with respect to a foreign adversary controlled application that are necessary for an entity to attain compliance with such subsections.

(d) ENFORCEMENT.—

(1) CIVIL PENALTIES.—

(A) FOREIGN ADVERSARY CONTROLLED APPLICATION VIOLATIONS.—An entity that violates subsection (a) shall be subject to pay a civil penalty in an amount not to exceed the amount that results from multiplying \$5,000 by the number of users within the land or maritime borders of the United States determined to have accessed, maintained, or updated a foreign adversary controlled application as a result of such violation.

(B) DATA AND INFORMATION VIOLATIONS.—An entity that violates subsection (b) shall be subject to pay a civil penalty in an amount not to exceed the amount that results from multiplying \$500 by the number of users within the land or maritime borders of the United States affected by such violation.

(2) ACTIONS BY ATTORNEY GENERAL.—The Attorney General—

(A) shall conduct investigations related to potential violations of subsection (a) or (b), and, if such an investigation results in a determination that a violation has occurred, the Attorney General shall pursue enforcement under paragraph (1); and

(B) may bring an action in an appropriate district court of the United States for appropriate relief, including civil penalties under paragraph (1) or declaratory and injunctive relief.

(e) SEVERABILITY.—

(1) IN GENERAL.—If any provision of this section or the application of this section to any person or circumstance is held invalid, the invalidity shall not affect the other provisions or applications of this section that can be given effect without the invalid provision or application.

(2) SUBSEQUENT DETERMINATIONS.—If the application of any provision of this section is held invalid with respect to a foreign adversary controlled application that satisfies the definition of such term pursuant to subsection (g)(3)(A), such invalidity shall not affect or preclude the application of the same provision of this section to such foreign adversary controlled application by means of a subsequent determination pursuant to subsection (g)(3)(B).

(f) **RULE OF CONSTRUCTION.**—Nothing in this division may be construed—

(1) to authorize the Attorney General to pursue enforcement, under this section, other than enforcement of subsection (a) or (b);

(2) to authorize the Attorney General to pursue enforcement, under this section, against an individual user of a foreign adversary controlled application; or

(3) except as expressly provided herein, to alter or affect any other authority provided by or established under another provision of Federal law.

(g) **DEFINITIONS.**—In this section:

(1) **CONTROLLED BY A FOREIGN ADVERSARY.**—The term “controlled by a foreign adversary” means, with respect to a covered company or other entity, that such company or other entity is—

(A) a foreign person that is domiciled in, is headquartered in, has its principal place of business in, or is organized under the laws of a foreign adversary country;

(B) an entity with respect to which a foreign person or combination of foreign persons described in subparagraph (A) directly or indirectly own at least a 20 percent stake; or

(C) a person subject to the direction or control of a foreign person or entity described in subparagraph (A) or (B).

(2) **COVERED COMPANY.**—

(A) **IN GENERAL.**—The term “covered company” means an entity that operates, directly or indirectly (including through a parent company, subsidiary, or affiliate), a website, desktop application, mobile application, or augmented or immersive technology application that—

(i) permits a user to create an account or profile to generate, share, and view text, images, videos, real-time communications, or similar content;

(ii) has more than 1,000,000 monthly active users with respect to at least 2 of the 3 months preceding the date on which a relevant determination of the President is made pursuant to paragraph (3)(B);

(iii) enables 1 or more users to generate or distribute content that can be viewed by other users of the website, desktop application, mobile application, or augmented or immersive technology application; and

(iv) enables 1 or more users to view content generated by other users of the website, desktop application, mobile application, or augmented or immersive technology application.

(B) **EXCLUSION.**—The term “covered company” does not include an entity that operates a website, desktop application, mobile application, or augmented or immersive technology application whose primary purpose is to allow users to post product reviews, business reviews, or travel information and reviews.

(3) **FOREIGN ADVERSARY CONTROLLED APPLICATION.**—The term “foreign adversary controlled application” means a

website, desktop application, mobile application, or augmented or immersive technology application that is operated, directly or indirectly (including through a parent company, subsidiary, or affiliate), by—

(A) any of—

(i) ByteDance, Ltd.;

(ii) TikTok;

(iii) a subsidiary of or a successor to an entity identified in clause (i) or (ii) that is controlled by a foreign adversary; or

(iv) an entity owned or controlled, directly or indirectly, by an entity identified in clause (i), (ii), or (iii); or

(B) a covered company that—

(i) is controlled by a foreign adversary; and

(ii) that is determined by the President to present a significant threat to the national security of the United States following the issuance of—

(I) a public notice proposing such determination; and

(II) a public report to Congress, submitted not less than 30 days before such determination, describing the specific national security concern involved and containing a classified annex and a description of what assets would need to be divested to execute a qualified divestiture.

(4) FOREIGN ADVERSARY COUNTRY.—The term “foreign adversary country” means a country specified in section 4872(d)(2) of title 10, United States Code.

(5) INTERNET HOSTING SERVICE.—The term “internet hosting service” means a service through which storage and computing resources are provided to an individual or organization for the accommodation and maintenance of 1 or more websites or online services, and which may include file hosting, domain name server hosting, cloud hosting, and virtual private server hosting.

(6) QUALIFIED DIVESTITURE.—The term “qualified divestiture” means a divestiture or similar transaction that—

(A) the President determines, through an interagency process, would result in the relevant foreign adversary controlled application no longer being controlled by a foreign adversary; and

(B) the President determines, through an interagency process, precludes the establishment or maintenance of any operational relationship between the United States operations of the relevant foreign adversary controlled application and any formerly affiliated entities that are controlled by a foreign adversary, including any cooperation with respect to the operation of a content recommendation algorithm or an agreement with respect to data sharing.

(7) SOURCE CODE.—The term “source code” means the combination of text and other characters comprising the content, both viewable and nonviewable, of a software application, including any publishing language, programming language, pro-

to col, or functional content, as well as any successor languages or protocols.

(8) UNITED STATES.—The term “United States” includes the territories of the United States.

**SEC. 3. [15 U.S.C. 9901 note] JUDICIAL REVIEW.**

(a) RIGHT OF ACTION.—A petition for review challenging this division or any action, finding, or determination under this division may be filed only in the United States Court of Appeals for the District of Columbia Circuit.

(b) EXCLUSIVE JURISDICTION.—The United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction over any challenge to this division or any action, finding, or determination under this division.

(c) STATUTE OF LIMITATIONS.—A challenge may only be brought—

(1) in the case of a challenge to this division, not later than 165 days after the date of the enactment of this division; and

(2) in the case of a challenge to any action, finding, or determination under this division, not later than 90 days after the date of such action, finding, or determination.

## **DIVISION I—PROTECTING AMERICANS’ DATA FROM FOREIGN ADVERSARIES ACT OF 2024**

**SEC. 1. [15 U.S.C. 9901 note] SHORT TITLE.**

This division may be cited as the “Protecting Americans’ Data from Foreign Adversaries Act of 2024”.

**SEC. 2. [15 U.S.C. 9901] PROHIBITION ON TRANSFER OF PERSONALLY IDENTIFIABLE SENSITIVE DATA OF UNITED STATES INDIVIDUALS TO FOREIGN ADVERSARIES.**

(a) PROHIBITION.—It shall be unlawful for a data broker to sell, license, rent, trade, transfer, release, disclose, provide access to, or otherwise make available personally identifiable sensitive data of a United States individual to—

(1) any foreign adversary country; or

(2) any entity that is controlled by a foreign adversary.

(b) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this section shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and enti-

tled to the privileges and immunities provided in the Federal Trade Commission Act.

(3) **AUTHORITY PRESERVED.**—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(c) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Trade Commission.

(2) **CONTROLLED BY A FOREIGN ADVERSARY.**—The term “controlled by a foreign adversary” means, with respect to an individual or entity, that such individual or entity is—

(A) a foreign person that is domiciled in, is headquartered in, has its principal place of business in, or is organized under the laws of a foreign adversary country;

(B) an entity with respect to which a foreign person or combination of foreign persons described in subparagraph (A) directly or indirectly own at least a 20 percent stake; or

(C) a person subject to the direction or control of a foreign person or entity described in subparagraph (A) or (B).

(3) **DATA BROKER.**—

(A) **IN GENERAL.**—The term “data broker” means an entity that, for valuable consideration, sells, licenses, rents, trades, transfers, releases, discloses, provides access to, or otherwise makes available data of United States individuals that the entity did not collect directly from such individuals to another entity that is not acting as a service provider.

(B) **EXCLUSION.**—The term “data broker” does not include an entity to the extent such entity—

(i) is transmitting data of a United States individual, including communications of such an individual, at the request or direction of such individual;

(ii) is providing, maintaining, or offering a product or service with respect to which personally identifiable sensitive data, or access to such data, is not the product or service;

(iii) is reporting or publishing news or information that concerns local, national, or international events or other matters of public interest;

(iv) is reporting, publishing, or otherwise making available news or information that is available to the general public—

(I) including information from—

(aa) a book, magazine, telephone book, or online directory;

(bb) a motion picture;

(cc) a television, internet, or radio program;

(dd) the news media; or

(ee) an internet site that is available to the general public on an unrestricted basis; and

(II) not including an obscene visual depiction (as such term is used in section 1460 of title 18, United States Code); or

(v) is acting as a service provider.

(4) FOREIGN ADVERSARY COUNTRY.—The term “foreign adversary country” means a country specified in section 4872(d)(2) of title 10, United States Code.

(5) PERSONALLY IDENTIFIABLE SENSITIVE DATA.—The term “personally identifiable sensitive data” means any sensitive data that identifies or is linked or reasonably linkable, alone or in combination with other data, to an individual or a device that identifies or is linked or reasonably linkable to an individual.

(6) PRECISE GEOLOCATION INFORMATION.—The term “precise geolocation information” means information that—

(A) is derived from a device or technology of an individual; and

(B) reveals the past or present physical location of an individual or device that identifies or is linked or reasonably linkable to 1 or more individuals, with sufficient precision to identify street level location information of an individual or device or the location of an individual or device within a range of 1,850 feet or less.

(7) SENSITIVE DATA.—The term “sensitive data” includes the following:

(A) A government-issued identifier, such as a Social Security number, passport number, or driver’s license number.

(B) Any information that describes or reveals the past, present, or future physical health, mental health, disability, diagnosis, or healthcare condition or treatment of an individual.

(C) A financial account number, debit card number, credit card number, or information that describes or reveals the income level or bank account balances of an individual.

(D) Biometric information.

(E) Genetic information.

(F) Precise geolocation information.

(G) An individual’s private communications such as voicemails, emails, texts, direct messages, mail, voice communications, and video communications, or information identifying the parties to such communications or pertaining to the transmission of such communications, including telephone numbers called, telephone numbers from which calls were placed, the time calls were made, call duration, and location information of the parties to the call.

(H) Account or device log-in credentials, or security or access codes for an account or device.

(I) Information identifying the sexual behavior of an individual.

(J) Calendar information, address book information, phone or text logs, photos, audio recordings, or videos, maintained for private use by an individual, regardless of

whether such information is stored on the individual's device or is accessible from that device and is backed up in a separate location.

(K) A photograph, film, video recording, or other similar medium that shows the naked or undergarment-clad private area of an individual.

(L) Information revealing the video content requested or selected by an individual.

(M) Information about an individual under the age of 17.

(N) An individual's race, color, ethnicity, or religion.

(O) Information identifying an individual's online activities over time and across websites or online services.

(P) Information that reveals the status of an individual as a member of the Armed Forces.

(Q) Any other data that a data broker sells, licenses, rents, trades, transfers, releases, discloses, provides access to, or otherwise makes available to a foreign adversary country, or entity that is controlled by a foreign adversary, for the purpose of identifying the types of data listed in subparagraphs (A) through (P).

(8) SERVICE PROVIDER.—The term “service provider” means an entity that—

(A) collects, processes, or transfers data on behalf of, and at the direction of—

(i) an individual or entity that is not a foreign adversary country or controlled by a foreign adversary; or

(ii) a Federal, State, Tribal, territorial, or local government entity; and

(B) receives data from or on behalf of an individual or entity described in subparagraph (A)(i) or a Federal, State, Tribal, territorial, or local government entity.

(9) UNITED STATES INDIVIDUAL.—The term “United States individual” means a natural person residing in the United States.

(d) EFFECTIVE DATE.—This section shall take effect on the date that is 60 days after the date of the enactment of this division.

## DIVISION J—SHIP ACT

### SEC. 1. [22 U.S.C. 8501 note] SHORT TITLE.

This division may be cited as the “Stop Harboring Iranian Petroleum Act” or the “SHIP Act”.

### SEC. 2. [22 U.S.C. 8571] STATEMENT OF POLICY.

It is the policy of the United States—

(1) to deny Iran the ability to engage in destabilizing activities, support international terrorism, fund the development and acquisition of weapons of mass destruction and the means to deliver such weapons by limiting export of petroleum and petroleum products by Iran;

(2) to deny Iran funds to oppress and commit human rights violations against the Iranian people assembling to peacefully redress the Iranian regime;

(3) to fully enforce sanctions against those entities which provide support to the Iranian energy sector; and

(4) to counter Iran's actions to finance and facilitate the participation of foreign terrorist organizations in ongoing conflicts and illicit activities due to the threat such actions pose to the vital national interests of the United States.

**SEC. 3. [22 U.S.C. 8572] IMPOSITION OF SANCTIONS WITH RESPECT TO IRANIAN PETROLEUM.**

(a) **IN GENERAL.**—On and after the date that is 180 days after the date of the enactment of this division, and except as provided in subsection (e)(2), the President shall impose the sanctions described in subsection (c) with respect to each foreign person that the President determines knowingly engaged, on or after such date of enactment, in an activity described in subsection (b).

(b) **ACTIVITIES DESCRIBED.**—A foreign person engages in an activity described in this subsection if the foreign person—

(1) owns or operates a foreign port at which, on or after the date of the enactment of this division, such person knowingly permits to dock a vessel—

(A) that is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for transporting Iranian crude oil or petroleum products; or

(B) of which the operator or owner of such vessel otherwise knowingly engages in a significant transaction involving such vessel to transport, offload, or deal in significant transactions in condensate, refined, or unrefined petroleum products, or other petrochemical products originating from the Islamic Republic of Iran;

(2) owns or operates a vessel through which such owner knowingly conducts a ship to ship transfer involving a significant transaction of any petroleum product originating from the Islamic Republic of Iran;

(3) owns or operates a refinery through which such owner knowingly engages in a significant transaction to process, refine, or otherwise deal in any petroleum product originating from the Islamic Republic of Iran;

(4) is a covered family member of a foreign person described in paragraph (1), (2), or (3); or

(5) is owned or controlled by a foreign person described in paragraph (1), (2), or (3), and knowingly engages in an activity described in paragraph (1), (2), or (3).

(c) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection with respect to a foreign person described in subsection (a) are the following:

(1) **SANCTIONS ON FOREIGN VESSELS.**—Subject to such regulations as the President may prescribe, the President may prohibit a vessel described in subsection (b)(1)(A) or (b)(1)(B) from landing at any port in the United States—



- (A) with respect to a vessel described in subsection (b)(1)(A), for a period of not more than 2 years beginning on the date on which the President imposes sanctions with respect to a related foreign port described in subsection (b)(1)(A); and
- (B) with respect to a vessel described in subsection (b)(1)(B), for a period of not more than 2 years.
- (2) BLOCKING OF PROPERTY.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.
- (3) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—
- (A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) is—
- (i) inadmissible to the United States;
  - (ii) ineligible to receive a visa or other documentation to enter the United States; and
  - (iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).
- (B) CURRENT VISAS REVOKED.—
- (i) IN GENERAL.—An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.
- (ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall take effect immediately and automatically cancel any other valid visa or entry documentation that is in the alien's possession.
- (C) EXCEPTIONS.—Sanctions under this paragraph shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—
- (i) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or
  - (ii) to carry out or assist law enforcement activity in the United States.
- (4) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulations promulgated to carry out this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.
- (d) RULES OF CONSTRUCTION.—

(1) For purposes of determinations under subsection (a) that a foreign person engaged in activities described in subsection (b), a foreign person shall not be determined to know that petroleum or petroleum products originated from Iran if such person relied on a certificate of origin or other documentation confirming that the origin of the petroleum or petroleum products was a country other than Iran, unless such person knew or had reason to know that such documentation was falsified.

(2) Nothing in this division shall be construed to affect the availability of any existing authorities to issue waivers, exceptions, exemptions, licenses, or other authorization.

(e) IMPLEMENTATION; REGULATIONS.—

(1) IN GENERAL.—The President may exercise all authorities under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(2) DEADLINE FOR REGULATIONS.—Not later than 180 days after the date of the enactment of this division, the President shall prescribe such regulations as may be necessary for the implementation of this division.

(3) NOTIFICATION TO CONGRESS.—Not later than 10 days before the prescription of regulations under paragraph (2), the President shall brief and provide written notification to the appropriate congressional committees regarding—

(A) the proposed regulations; and

(B) the specific provisions of this division that the regulations are implementing.

(f) EXCEPTION FOR HUMANITARIAN ASSISTANCE.—

(1) IN GENERAL.—Sanctions under this section shall not apply to—

(A) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance, or for humanitarian purposes; or

(B) transactions that are necessary for or related to the activities described in subparagraph (A).

(2) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(B) MEDICAL DEVICE.—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(C) MEDICINE.—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(g) EXCEPTION FOR SAFETY OF VESSELS AND CREW.—Sanctions under this section shall not apply with respect to a person providing provisions to a vessel otherwise subject to sanctions under this section if such provisions are intended for the safety and care of the crew aboard the vessel, the protection of human life aboard

the vessel, or the maintenance of the vessel to avoid any environmental or other significant damage.

(h) **WAIVER.**—

(1) **IN GENERAL.**—The President may, on a case-by-case basis and for periods not to exceed 180 days each, waive the application of sanctions imposed with respect to a foreign person under this section if the President certifies to the appropriate congressional committees, not later than 15 days after such waiver is to take effect, that the waiver is vital to the national interests of the United States.

(2) **SPECIAL RULE.**—The President shall not be required to impose sanctions under this section with respect to a foreign person described in subsection (a) if the President certifies in writing to the appropriate congressional committees that the foreign person—

(A) is no longer engaging in activities described in subsection (b); or

(B) has taken and is continuing to take significant, verifiable steps toward permanently terminating such activities.

(i) **TERMINATION.**—The authorities provided by this section shall cease to have effect on and after the date that is 30 days after the date on which the President certifies to the appropriate congressional committees that—

(1) the Government of Iran no longer repeatedly provides support for international terrorism as determined by the Secretary of State pursuant to—

(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(D) any other provision of law; and

(2) Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled, its nuclear, biological, and chemical weapons, ballistic missiles, and ballistic missile launch technology.

**SEC. 4. [22 U.S.C. 8573] REPORT ON IRANIAN PETROLEUM AND PETROLEUM PRODUCTS EXPORTS.**

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this division, and annually thereafter until the date described in subsection (d), the Administrator of the Energy Information Administration shall submit to the appropriate congressional committees a report describing Iran's growing exports of petroleum and petroleum products, that includes the following:

(1) An analysis of Iran's exports and sale of petroleum and petroleum products, including—

(A) an estimate of Iran's petroleum export and sale revenue per year since 2018;

(B) an estimate of Iran's petroleum export and sale revenue to China per year since 2018;

(C) the amount of petroleum and crude oil barrels exported per year since 2018;

- (D) the amount of petroleum and crude oil barrels exported to China per year since 2018;
  - (E) the amount of petroleum and crude oil barrels exported to countries other than China per year since 2018;
  - (F) the average price per petroleum and crude oil barrel exported per year since 2018; and
  - (G) the average price per petroleum and crude oil barrel exported to China per year since 2018.
- (2) An analysis of Iran's labeling practices of exported petroleum and petroleum products.
- (3) A description of companies involved in the exporting and sale of Iranian petroleum and petroleum products.
- (4) A description of ships involved in the exporting and sale of Iranian petroleum and petroleum products.
- (5) A description of ports involved in the exporting and sale of Iranian petroleum and petroleum products.
- (b) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.
- (c) PUBLICATION.—The unclassified portion of the report required by subsection (a) shall be posted on a publicly available website of the Energy Information Administration.
- (d) TERMINATION.—The requirement to submit reports under this section shall be terminated on the date on which the President makes the certification described in section 3(i).

**SEC. 5. [22 U.S.C. 8574] STRATEGY TO COUNTER ROLE OF THE PEOPLE'S REPUBLIC OF CHINA IN EVASION OF SANCTIONS WITH RESPECT TO IRAN.**

- (a) IN GENERAL.—Not later than 120 days after the date of the enactment of this division, the Secretary of State, in consultation with the heads of other appropriate Federal agencies, shall submit to the appropriate congressional committees a written strategy, and provide to those committees an accompanying briefing, on the role of the People's Republic of China in evasion of sanctions imposed by the United States with respect to Iranian-origin petroleum products that includes an assessment of options—
- (1) to strengthen the enforcement of such sanctions; and
  - (2) to expand sanctions designations targeting the involvement of the People's Republic of China in the production, transportation, storage, refining, and sale of Iranian-origin petroleum products.
- (b) ELEMENTS.—The strategy required by subsection (a) shall include—
- (1) a description and assessment of the use of sanctions in effect before the date of the enactment of this division to target individuals and entities of the People's Republic of China that are directly or indirectly associated with smuggling of Iranian-origin petroleum products;
  - (2) an assessment of—
    - (A) Iranian-owned entities operating in the People's Republic of China and involved in petroleum refining supply chains;
    - (B) the People's Republic of China's role in global petroleum refining supply chains;

(C) how the People's Republic of China leverages its role in global petroleum supply chains to achieve political objectives;

(D) the People's Republic of China's petroleum importing and exporting partners;

(E) what percent of the People's Republic of China's energy consumption is linked to illegally imported Iranian-origin petroleum products; and

(F) what level of influence the Chinese Communist Party holds over non-state, semi-independent "teapot" refineries;

(3) a detailed plan for—

(A) monitoring the maritime domain for sanctionable activity related to smuggling of Iranian-origin petroleum products;

(B) identifying the individuals, entities, and vessels engaging in sanctionable activity related to Iranian-origin petroleum products, including—

(i) vessels—

(I) transporting petrochemicals subject to sanctions;

(II) conducting ship-to-ship transfers of such petrochemicals;

(III) with deactivated automatic identification systems; or

(IV) that engage in "flag hopping" by changing national registries;

(ii) individuals or entities—

(I) storing petrochemicals subject to sanctions;

or

(II) refining or otherwise processing such petrochemicals; and

(iii) through the use of port entry and docking permission of vessels subject to sanctions;

(C) deterring individuals and entities from violating sanctions by educating and engaging—

(i) insurance providers;

(ii) parent companies; and

(iii) vessel operators;

(D) collaborating with allies and partners of the United States engaged in the Arabian Peninsula, including through standing or new maritime task forces, to build sanctions enforcement capacity through assistance and training to defense and law enforcement services; and

(E) using public communications and global diplomatic engagements to highlight the role of illicit petroleum product smuggling in bolstering Iran's support for terrorism and its nuclear program; and

(4) an assessment of—

(A) the total number of vessels smuggling Iranian-origin petroleum products;

(B) the total number of vessels smuggling such petroleum products destined for the People's Republic of China;

(C) the number of vessels smuggling such petroleum products specifically from the Islamic Revolutionary Guard Corps;

(D) interference by the People's Republic of China with attempts by the United States to investigate or enforce sanctions on illicit Iranian petroleum product exports;

(E) the effectiveness of the use of sanctions with respect to insurers of entities that own or operate vessels involved in smuggling Iranian-origin petroleum products;

(F) the personnel and resources needed to enforce sanctions with respect to Iranian-origin petroleum products; and

(G) the impact of smuggled illicit Iranian-origin petroleum products on global energy markets.

(c) FORM.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified index.

#### SEC. 6. [22 U.S.C. 8575] DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) COVERED FAMILY MEMBER.—The term “covered family member”, with respect to a foreign person who is an individual, means a spouse, adult child, parent, or sibling of the person who engages in the sanctionable activity described under section 3 or who demonstrably benefits from such activity.

## DIVISION K—FIGHT CRIME ACT

#### SEC. 1. [22 U.S.C. 9421 note] SHORT TITLE.

This division may be cited as the “Fight and Combat Rampant Iranian Missile Exports Act” or the “Fight CRIME Act”.

#### SEC. 2. [22 U.S.C. 9421] FINDINGS.

Congress makes the following findings:

(1) Annex B to United Nations Security Council Resolution 2231 (2015) restricts certain missile-related activities and transfers to and from Iran, including all items, materials, equipment, goods, and technology set out in the Missile Technology Control Regime Annex, absent advance, case-by-case approval from the United Nations Security Council.

(2) Iran has transferred Shahed and Mohajer drones, covered under the Missile Technology Control Regime Annex, to the Russian Federation, the Government of Ethiopia, and other Iran-aligned entities, including the Houthis in Yemen and militia units in Iraq, without prior authorization from the United Nations Security Council, in violation of the restrictions set

forth in Annex B to United Nations Security Council Resolution 2231.

(3) Certain missile-related restrictions in Annex B to United Nations Security Council Resolution 2231 expired in October 2023, removing international legal restrictions on missile-related activities and transfers to and from Iran.

**SEC. 3. [22 U.S.C. 9422] STATEMENT OF POLICY.**

It is the policy of the United States—

(1) to urgently seek the extension of missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231 (2015);

(2) to use all available authorities to constrain Iran's domestic ballistic missile production capabilities;

(3) to combat and deter the transfer of conventional and non-conventional arms, equipment, material, and technology to, or from Iran, or involving the Government of Iran; and

(4) to ensure countries, individuals, and entities engaged in, or attempting to engage in, the acquisition, facilitation, or development of arms and related components and technology subject to restrictions under Annex B to United Nations Security Council Resolution 2231 are held to account under United States and international law, including through the application and enforcement of sanctions and use of export controls, regardless of whether the restrictions under Annex B to United Nations Security Council Resolution 2231 remain in effect following their anticipated expiration in October 2023.

**SEC. 4. REPORT.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this division, and annually thereafter for two years, the Secretary of State, in coordination with the heads of other appropriate Federal agencies, shall submit to the appropriate congressional committees an unclassified report, with a classified annex if necessary, that includes the following:

(1) A diplomatic strategy to secure the renewal of international restrictions on certain missile-related activities, including transfers to and from Iran set forth in Annex B to United Nations Security Council Resolution 2231 (2015).

(2) An analysis of how the expiration of missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231 impacts the Government of Iran's arms proliferation and malign activities, including as the restrictions relate to cooperation with, and support for, Iran-aligned entities and allied countries.

(3) An assessment of the revenue, or in-kind benefits, accrued by the Government of Iran, or Iran-aligned entities, as a result of a lapse in missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231.

(4) A detailed description of a United States strategy to deter, prevent, and disrupt the sale, purchase, or transfer of covered technology involving Iran absent restrictions pursuant to Annex B to United Nations Security Council Resolution 2231.

(5) An identification of any foreign person engaging in, enabling, or otherwise facilitating any activity involving Iran restricted under Annex B to United Nations Security Council Resolution 2231, regardless of whether such restrictions remain in effect after October 2023.

(6) A description of actions by the United Nations and other multilateral organizations, including the European Union, to hold accountable foreign persons that have violated the restrictions set forth in Annex B to United Nations Security Council Resolution 2231, and efforts to prevent further violations of such restrictions.

(7) A description of actions by individual member states of the United Nations Security Council to hold accountable foreign persons that have violated restrictions set forth in Annex B to United Nations Security Council Resolution 2231 and efforts to prevent further violations of such restrictions.

(8) A description of actions by the People's Republic of China, the Russian Federation, or any other country to prevent, interfere with, or undermine efforts to hold accountable foreign persons that have violated the restrictions set forth in Annex B to United Nations Security Council Resolution 2231, including actions to restrict United Nations-led investigations into suspected violations of such restrictions, or limit funding to relevant United Nations offices or experts.

(9) An analysis of the foreign and domestic supply chains in Iran that directly or indirectly facilitate, support, or otherwise aid the Government of Iran's drone or missile program, including storage, transportation, or flight-testing of related goods, technology, or components.

(10) An identification of any foreign person, or network containing foreign persons, that enables, supports, or otherwise facilitates the operations or maintenance of any Iranian airline subject to United States sanctions or export control restrictions.

(11) An assessment of how the continued operation of Iranian airlines subject to United States sanctions or export control restrictions impacts the Government of Iran's ability to transport or develop arms, including covered technology.

(b) SCOPE.—The initial report required by subsection (a) shall address the period beginning on January 1, 2021, and ending on the date that is 90 days after date of the enactment of this division, and each subsequent report shall address the one-year period following the conclusion of the prior report.

**SEC. 5. [22 U.S.C. 9423] SANCTIONS TO COMBAT THE PROLIFERATION OF IRANIAN MISSILES.**

(a) IN GENERAL.—The sanctions described in subsection (b) shall apply to any foreign person the President determines, on or after the date of the enactment of this division—

(1) knowingly engages in any effort to acquire, possess, develop, transport, transfer, or deploy covered technology to, from, or involving the Government of Iran or Iran-aligned entities, regardless of whether the restrictions set forth in Annex B to United Nations Security Council Resolution 2231 (2015) remain in effect after October 2023;



(2) knowingly provides entities owned or controlled by the Government of Iran or Iran-aligned entities with goods, technology, parts, or components, that may contribute to the development of covered technology;

(3) knowingly participates in joint missile or drone development, including development of covered technology, with the Government of Iran or Iran-aligned entities, including technical training, storage, and transport;

(4) knowingly imports, exports, or re-exports to, into, or from Iran, whether directly or indirectly, any significant arms or related materiel prohibited under paragraph (5) or (6) to Annex B of United Nations Security Council Resolution 2231 (2015) as of April 1, 2023;

(5) knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with, a foreign person subject to sanctions for conduct described in paragraph (1), (2), (3), or (4); or

(6) is an adult family member of a person subject to sanctions for conduct described in paragraph (1), (2), (3), or (4).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall exercise all authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) shall be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of any alien described in subsection (a) is subject to revocation regardless of the issue date of the visa or other entry documentation.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i))—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the possession of the alien.

(c) PENALTIES.—Any person that violates, or attempts to violate, subsection (b) or any regulation, license, or order issued pursuant to that subsection, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Eco-

conomic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **WAIVER.**—The President may waive the application of sanctions under this section with respect to a foreign person for renewable periods not to exceed 180 days only if, not later than 15 days after the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and justification that the waiver is in the vital national security interests of the United States.

(e) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out any amendments made by this section.

(f) **REGULATIONS.**—

(1) **IN GENERAL.**—The President shall, not later than 120 days after the date of the enactment of this division, promulgate regulations as necessary for the implementation of this division and the amendments made by this division.

(2) **NOTIFICATION TO CONGRESS.**—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this division and the amendments made by this division that the regulations are implementing.

(g) **EXCEPTIONS.**—

(1) **EXCEPTION FOR INTELLIGENCE ACTIVITIES.**—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) **EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.**—Sanctions under this section shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist authorized law enforcement activity in the United States.

(h) **TERMINATION OF SANCTIONS.**—This section shall cease to be effective beginning on the date that is 30 days after the date on which the President certifies to the appropriate congressional committees that—

(1) the Government of Iran no longer repeatedly provides support for international terrorism as determined by the Secretary of State pursuant to—

(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

- (B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);
  - (C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or
  - (D) any other provision of law; and
- (2) Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled its, nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

**SEC. 6. REPORT TO IDENTIFY, AND DESIGNATION AS FOREIGN TERRORIST ORGANIZATIONS OF, IRANIAN PERSONS THAT HAVE ATTACKED UNITED STATES CITIZENS USING UNMANNED COMBAT AERIAL VEHICLES.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this division, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that identifies, for the period specified in subsection (b), any Iranian person that has attacked a United States citizen using an unmanned combat aerial vehicle, as defined for the purpose of the United Nations Register of Conventional Arms.

(b) **PERIOD SPECIFIED.**—The period specified in this subsection is—

- (1) for the initial report, the period—
  - (A) beginning on October 27, 2023; and
  - (B) ending on the date such report is submitted; and
- (2) for the second or a subsequent report, the period—
  - (A) beginning on the date the preceding report was submitted; and
  - (B) ending on the date such second or subsequent report is submitted.

(c) **DESIGNATION OF PERSONS AS FOREIGN TERRORIST ORGANIZATIONS.**—

(1) **IN GENERAL.**—The President shall designate any person identified in a report submitted under subsection (a) as a foreign terrorist organization under section 219 of the Immigration and Naturalization Act (8 U.S.C. 1189).

(2) **REVOCAION.**—The President may not revoke a designation made under paragraph (1) until the date that is 4 years after the date of such designation.

(d) **WAIVER.**—The Secretary of State may waive the requirements of this section upon a determination and certification to the appropriate congressional committees that such a waiver is in the vital national security interests of the United States.

(e) **SUNSET.**—This section shall terminate on the date that is 4 years after the date of the enactment of this division.

(f) **IRANIAN PERSON DEFINED.**—In this section, the term “Iranian person”—

- (1) means an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran; and
- (2) includes the Islamic Revolutionary Guard Corps.

**SEC. 7. [22 U.S.C. 9424] DEFINITIONS.**

In this division:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) **FOREIGN PERSON.**—The term “foreign person”—

(A) means an individual or entity that is not a United States person; and

(B) includes a foreign state (as such term is defined in section 1603 of title 28, United States Code).

(3) **GOVERNMENT OF IRAN.**—The term “Government of Iran” has the meaning given such term in section 560.304 of title 31, Code of Federal Regulations, as such section was in effect on January 1, 2021.

(4) **UNITED STATES PERSON.**—The terms “United States person” means—

(A) a United States citizen;

(B) a permanent resident alien of the United States;

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(D) a person in the United States.

(5) **IRAN-ALIGNED ENTITY.**—The term “Iran-aligned entity” means a foreign person that—

(A) is controlled or significantly influenced by the Government of Iran; and

(B) knowingly receives material or financial support from the Government of Iran, including Hezbollah, the Houthis, or any other proxy group that furthers Iran’s national security objectives.

(6) **COVERED TECHNOLOGY.**—The term “covered technology” means—

(A) any goods, technology, software, or related material specified in the Missile Technology Control Regime Annex, as in effect on the day before the date of the enactment of this division; and

(B) any additional goods, technology, software, or related material added to the Missile Technology Control Regime Annex after the day before the date of the enactment of this division.

(7) **FAMILY MEMBER.**—The term “family member” means—

(A) a child, grandchild, parent, grandparent, sibling, or spouse; and

(B) any spouse, widow, or widower of an individual described in subparagraph (A).

(8) **KNOWINGLY.**—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note).

(9) **MISSILE TECHNOLOGY CONTROL REGIME.**—The term “Missile Technology Control Regime” means the policy statement, between the United States, the United Kingdom, the

Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the Missile Technology Control Regime Annex, and any amendments thereto or expansions thereof, as in effect on the day before the date of the enactment of this division.

(10) **MISSILE TECHNOLOGY CONTROL REGIME ANNEX.**—The term “Missile Technology Control Regime Annex” means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto or updates thereof, as in effect on the day before the date of the enactment of this division.

## DIVISION L—MAHSA ACT

### SEC. 1. [22 U.S.C. 8501 note] SHORT TITLE.

This division may be cited as the “Mahsa Amini Human rights and Security Accountability Act” or the “MAHSA Act”.

### SEC. 2. [22 U.S.C. 8501 note] IMPOSITION OF SANCTIONS ON IRAN’S SUPREME LEADER’S OFFICE, ITS APPOINTEES, AND ANY AFFILIATED PERSONS.

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

(1) The Supreme Leader is an institution of the Islamic Republic of Iran.

(2) The Supreme Leader holds ultimate authority over Iran’s judiciary and security apparatus, including the Ministry of Intelligence and Security, law enforcement forces under the Interior Ministry, the Islamic Revolutionary Guard Corps (IRGC), and the Basij, a nationwide volunteer paramilitary group subordinate to the IRGC, all of which have engaged in human rights abuses in Iran. Additionally the IRGC, a United States designated Foreign Terrorist Organization, which reports to the Supreme Leader, continues to perpetrate terrorism around the globe, including attempts to kill and kidnap American citizens on United States soil.

(3) The Supreme Leader appoints the head of Iran’s judiciary. International observers continue to criticize the lack of independence of Iran’s judicial system and maintained that trials disregarded international standards of fairness.

(4) The revolutionary courts, created by Iran’s former Supreme Leader Ruhollah Khomeini, within Iran’s judiciary, are chiefly responsible for hearing cases of political offenses, operate in parallel to Iran’s criminal justice system and routinely hold grossly unfair trials without due process, handing down predetermined verdicts and rubberstamping executions for political purpose.

(5) The Iranian security and law enforcement forces engage in serious human rights abuse at the behest of the Supreme Leader.

(6) Iran’s President, Ebrahim Raisi, sits at the helm of the most sanctioned cabinet in Iranian history which includes internationally sanctioned rights violators. Raisi has supported the recent crackdown on protestors and is a rights violator

himself, having served on a “death commission” in 1988 that led to the execution of several thousand political prisoners in Iran. He most recently served as the head of Iran’s judiciary, a position appointed by Iran’s current Supreme Leader Ali Khamenei, and may likely be a potential candidate to replace Khamenei as Iran’s next Supreme Leader.

(7) On September 16, 2022, a 22-year-old woman, Mahsa Amini, died in the detention of the Morality Police after being beaten and detained for allegedly transgressing discriminatory dress codes for women. This tragic incident triggered widespread, pro-women’s rights, pro-democracy protests across all of Iran’s 31 provinces, calling for the end to Iran’s theocratic regime.

(8) In the course of the protests, the Iranian security forces’ violent crackdown includes mass arrests, well documented beating of protestors, throttling of the internet and telecommunications services, and shooting protestors with live ammunition. Iranian security forces have reportedly killed hundreds of protestors and other civilians, including women and children, and wounded many more.

(9) Iran’s Supreme Leader is the leader of the “Axis of Resistance”, which is a network of Tehran’s terror proxy and partner militias materially supported by the Islamic Revolutionary Guard Corps that targets the United States as well as its allies and partners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States shall stand with and support the people of Iran in their demand for fundamental human rights;

(2) the United States shall continue to hold the Islamic Republic of Iran, particularly the Supreme Leader and President, accountable for abuses of human rights, corruption, and export of terrorism; and

(3) Iran must immediately end its gross violations of internationally recognized human rights.

(c) IN GENERAL.—

(1) DETERMINATION AND REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this division, and annually thereafter, the President shall—

(A) determine whether each foreign person described in subsection (d) meets the criteria for imposition of sanctions under one or more of the sanctions programs and authorities listed in paragraph (2);

(B) impose applicable sanctions against any foreign person determined to meet the criteria for imposition of sanctions pursuant to subparagraph (A) under the sanctions programs and authorities listed in subparagraph (A) or (F) of subsection (c)(2) and pursue applicable sanctions against any foreign person determined to meet the criteria for imposition of sanctions pursuant to subparagraph (A) under the sanctions programs and authorities listed in subparagraph (B), (C), (D), or (E) of subsection (c)(2); and

(C) submit to the appropriate congressional committees a report in unclassified form, with a classified annex provided separately if needed, containing—

(i) a list of all foreign persons described in subsection (d) that meet the criteria for imposition of sanctions under one or more of the sanctions programs and authorities listed in paragraph (2); and

(ii) for each foreign person identified pursuant to clause (i)—

(I) a list of each sanctions program or authority listed in paragraph (2) for which the person meets the criteria for imposition of sanctions;

(II) a statement which, if any, of the sanctions authorized by any of the sanctions programs and authorities identified pursuant to subclause (I) have been imposed or will be imposed within 30 days of the submission of the report; and

(III) with respect to which any of the sanctions authorized by any of the sanctions programs and authorities identified pursuant to subclause (I) have not been imposed and will not be imposed within 30 days of the submission of the report, the specific authority under which otherwise applicable sanctions are being waived, have otherwise been determined not to apply, or are not being imposed and a complete justification of the decision to waive or otherwise not apply the sanctions authorized by such sanctions programs and authorities.

(2) SANCTIONS LISTED.—The sanctions listed in this paragraph are the following:

(A) Sanctions described in section 105(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(c)).

(B) Sanctions applicable with respect to a person pursuant to Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran).

(C) Sanctions applicable with respect to a person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(D) Sanctions applicable with respect to a person pursuant to Executive Order 13818 (relating to blocking the property of persons involved in serious human rights abuse or corruption).

(E) Sanctions applicable with respect to a person pursuant to Executive Order 13876 (relating to imposing sanctions with respect to Iran).

(F) Penalties and visa bans applicable with respect to a person pursuant to section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021.

(3) FORM OF DETERMINATION.—The determination required by paragraph (1) shall be provided in an unclassified form but

may contain a classified annex provided separately containing additional contextual information pertaining to justification for the issuance of any waiver issued, as described in paragraph (1)(C)(ii). The unclassified portion of such determination shall be made available on a publicly available internet website of the Federal Government.

(d) FOREIGN PERSONS DESCRIBED.—The foreign persons described in this subsection are the following:

(1) The Supreme Leader of Iran and any official in the Office of the Supreme Leader of Iran.

(2) The President of Iran and any official in the Office of the President of Iran or the President's cabinet, including cabinet ministers and executive vice presidents.

(3) Any entity, including foundations and economic conglomerates, overseen by the Office of the Supreme Leader of Iran which is complicit in financing or resourcing of human rights abuses or support for terrorism.

(4) Any official of any entity owned or controlled by the Supreme Leader of Iran or the Office of the Supreme Leader of Iran.

(5) Any person determined by the President—

(A) to be a person appointed by the Supreme Leader of Iran, the Office of the Supreme Leader of Iran, the President of Iran, or the Office of the President of Iran to a position as a state official of Iran, or as the head of any entity located in Iran or any entity located outside of Iran that is owned or controlled by one or more entities in Iran;

(B) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2);

(C) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2); or

(D) to be a member of the board of directors or a senior executive officer of any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2).

(e) CONGRESSIONAL OVERSIGHT.—

(1) IN GENERAL.—Not later than 60 days after receiving a request from the chairman and ranking member of one of the appropriate congressional committees with respect to whether a foreign person meets the criteria of a person described in subsection (d)(5), the President shall—

(A) determine if the person meets such criteria; and

(B) submit an unclassified report, with a classified annex provided separately if needed, to such chairman and ranking member with respect to such determination that includes a statement of whether or not the President imposed or intends to impose sanctions with respect to the



person pursuant to any sanctions program or authority listed in subsection (c)(2).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.— In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

**SEC. 3. [22 U.S.C. 8501 note] SEVERABILITY.**

If any provision of this division, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this division, or the application of that provision to other persons or circumstances, shall not be affected.

## **DIVISION M—HAMAS AND OTHER PALESTINIAN TERRORIST GROUPS INTERNATIONAL FINANCING PREVENTION ACT**

**SEC. 1. [50 U.S.C. 1701 note] SHORT TITLE.**

This division may be cited as the “*Hamas and Other Palestinian Terrorist Groups International Financing Prevention Act*”.

**SEC. 2. [50 U.S.C. 1701 note] STATEMENT OF POLICY.**

It shall be the policy of the United States—

(1) to prevent Hamas, Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or any affiliate or successor thereof from accessing its international support networks; and

(2) to oppose Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or any affiliate or successor thereof from using goods, including medicine and dual use items, to smuggle weapons and other materials to further acts of terrorism, including against Israel.

**SEC. 3. [50 U.S.C. 1701 note] IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS SUPPORTING ACTS OF TERRORISM OR ENGAGING IN SIGNIFICANT TRANSACTIONS WITH SENIOR MEMBERS OF HAMAS, PALESTINIAN ISLAMIC JIHAD AND OTHER PALESTINIAN TERRORIST ORGANIZATIONS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this division, the President shall impose the sanctions described in subsection (c) with respect to each foreign person that the President determines, on or after the date of the enactment of this division, engages in an activity described in subsection (b).

(b) ACTIVITIES DESCRIBED.—A foreign person engages in an activity described in this subsection if the foreign person knowingly—

(1) assists in sponsoring or providing significant financial, material, or technological support for, or goods or other services to enable, acts of terrorism; or

(2) engages, directly or indirectly, in a significant transaction with—

(A) a senior member of Hamas, Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof; or

(B) a senior member of a foreign terrorist organization designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) that is responsible for providing, directly or indirectly, support to Hamas, Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof.

(c) **SANCTIONS DESCRIBED.**—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulations promulgated to carry out this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(e) **IMPLEMENTATION; REGULATIONS.**—

(1) **IN GENERAL.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(2) **REGULATIONS.**—Not later than 60 days after the date of the enactment of this division, the President shall issue regulations or other guidance as may be necessary for the implementation of this section.

(f) **WAIVER.**—The President may waive, on a case-by-case basis and for a period of not more than 180 days, the application of sanctions under this section with respect to a foreign person only if, not later than 15 days prior to the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and justification that the waiver is in the vital national security interests of the United States.

(g) **HUMANITARIAN ASSISTANCE.**—

(1) **IN GENERAL.**—Sanctions under this section shall not apply to—

(A) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance, or for humanitarian purposes; or

(B) transactions that are necessary for or related to the activities described in subparagraph (A).

(2) **DEFINITIONS.**—In this subsection:

(A) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” has the meaning given that term in sec-

tion 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(B) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(C) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(h) **RULE OF CONSTRUCTION.**—The authority to impose sanctions under this section with respect to a foreign person is in addition to the authority to impose sanctions under any other provision of law with respect to a foreign person that directly or indirectly supports acts of international terrorism.

**SEC. 4. [50 U.S.C. 1701 note] IMPOSITION OF MEASURES WITH RESPECT TO FOREIGN STATES PROVIDING SUPPORT TO HAMAS, PALESTINIAN ISLAMIC JIHAD AND OTHER PALESTINIAN TERRORIST ORGANIZATIONS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this division, the President shall impose the measures described in subsection (c) with respect to a foreign state if the President determines that the foreign state, on or after the date of the enactment of this division, engages in an activity described in subsection (b).

(b) **ACTIVITIES DESCRIBED.**—A foreign state engages in an activity described in this subsection if the foreign state knowingly—

(1) provides significant material or financial support for acts of international terrorism, pursuant to—

(A) section 1754(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(D) any other provision of law;

(2) provides significant material support to Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or any affiliate or successor thereof; or

(3) engages in a significant transaction that materially contributes, directly or indirectly, to the terrorist activities of Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or any affiliate or successor thereof.

(c) **MEASURES DESCRIBED.**—The measures described in this subsection with respect to a foreign state are the following:

(1) The President shall suspend, for a period of at least 1 year, United States assistance to the foreign state.

(2) The Secretary of the Treasury shall instruct the United States Executive Director to each appropriate international financial institution to oppose, and vote against, for a period of 1 year, the extension by such institution of any loan or financial or technical assistance to the government of the foreign state.

(3) The President shall prohibit the export of any item on the United States Munitions List (established pursuant to section 38 of the Arms Export Control Act (22 U.S.C. 2778)) or the

Commerce Control List set forth in Supplement No. 1 to part 774 of title 15, Code of Federal Regulations, to the foreign state for a period of 1 year.

(d) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulations promulgated to carry out this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(e) **WAIVER.**—The President may waive, on a case-by-case basis and for a period of not more than 180 days, the application of measures under this section with respect to a foreign state only if, not later than 15 days prior to the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and justification that the waiver is in the vital national security interests of the United States.

(f) **IMPLEMENTATION; REGULATIONS.**—

(1) **IN GENERAL.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(2) **REGULATIONS.**—Not later than 60 days after the date of the enactment of this division, the President shall issue regulations or other guidance as may be necessary for the implementation of this section.

(g) **ADDITIONAL EXEMPTIONS.**—

(1) **STATUS OF FORCES AGREEMENTS.**—The President may exempt the application of measures under this section with respect to a foreign state if the application of such measures would prevent the United States from meeting the terms of any status of forces agreement to which the United States is a party or meeting other obligations relating to the basing of United States service members.

(2) **AUTHORIZED INTELLIGENCE ACTIVITIES.**—Measures under this section shall not apply with respect to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(3) **HUMANITARIAN ASSISTANCE.**—

(A) **IN GENERAL.**—Measures under this section shall not apply to—

(i) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance, or for humanitarian purposes; or

(ii) transactions that are necessary for or related to the activities described in clause (i).

(B) **DEFINITIONS.**—In this subsection:

(i) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(ii) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(iii) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(h) **RULE OF CONSTRUCTION.**—The authority to impose measures under this section with respect to a foreign state is in addition to the authority to impose measures under any other provision of law with respect to foreign states that directly or indirectly support acts of international terrorism.

**SEC. 5. [50 U.S.C. 1701 note] REPORTS ON ACTIVITIES TO DISRUPT GLOBAL FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES OF HAMAS, PALESTINIAN ISLAMIC JIHAD, AL-AQSA MARTYRS BRIGADE, THE LION'S DEN OR ANY AFFILIATE OR SUCCESSOR THEREOF.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this division, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of the disposition of the assets and activities of Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof related to fundraising, financing, and money laundering worldwide;

(2) a list of foreign states that knowingly providing material, financial, or technical support for, or goods or services to Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof;

(3) a list of foreign states in which Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof conducts significant fundraising, financing, or money laundering activities;

(4) a list of foreign states from which Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliate or successor thereof knowingly engaged in the transfer of surveillance equipment, electronic monitoring equipment, or other means to inhibit communication or the free flow of information in Gaza; and

(5) with respect to each foreign state listed in paragraph (2), (3), or (4)—

(A) a description of the steps the foreign state identified is taking adequate measures to restrict financial flows to Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or any affiliates or successors thereof; and

(B) in the case of a foreign state failing to take adequate measures to restrict financial flows to Hamas, Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den or any other designated entity engaged in significant act of terrorism threatening the peace and security of Israel—

- (i) an assessment of the reasons that government is not taking adequate measures to restrict financial flows to those entities; and
  - (ii) a description of measures being taken by the United States Government to encourage the foreign state to restrict financial flows to those entities; and
- (b) FORM.—Each report required by subsection (a) shall be submitted in unclassified form to the greatest extent possible, and may contain a classified annex.

**SEC. 6. [50 U.S.C. 1701 note] TERMINATION.**

This division shall terminate on the earlier of—

(1) the date that is 7 years after the date of the enactment of this division; or

(2) the date that is 30 days after the date on which the President certifies to the appropriate congressional committees that—

(A) Hamas or any successor or affiliate thereof is no longer designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, and any successor or affiliate thereof are no longer subject to sanctions pursuant to—

(i) Executive Order No. 12947 (January 23, 1995; relating to prohibiting transactions with terrorists who threaten to disrupt the Middle East peace process); and

(ii) Executive Order No. 13224 (September 23, 2001; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(C) Hamas, the Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, and any successor or affiliate thereof meet the criteria described in paragraphs (1) through (4) of section 9 of the Palestinian Anti-Terrorism Act of 2006 (22 U.S.C. 2378b note).

**SEC. 7. [50 U.S.C. 1701 note] DEFINITIONS.**

In this division:

(1) ACT OF TERRORISM.—The term “act of terrorism” means an activity that—

(A) involves a violent act or an act dangerous to human life, property, or infrastructure; and

(B) appears to be intended to—

(i) intimidate or coerce a civilian population;

(ii) influence the policy of a government by intimidation or coercion; or

(iii) affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

(2) ADMITTED.—The term “admitted” has the meaning given such term in section 101(a)(13)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(A)).

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(4) **FOREIGN STATE.**—The term “foreign state” has the meaning given such term in section 1603 of title 28, United States Code.

(5) **HUMANITARIAN AID.**—The term “humanitarian aid” means food, medicine, and medical supplies.

(6) **MATERIAL SUPPORT.**—The term “material support” has the meaning given the term “material support or resources” in section 2339A of title 18, United States Code.

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

## **DIVISION N—NO TECHNOLOGY FOR TERROR ACT**

### **SEC. 1. [50 U.S.C. 4811 note] SHORT TITLE.**

This division may be cited as the “No Technology for Terror Act”.

### **SEC. 2. [50 U.S.C. 4811 note] APPLICATION OF FOREIGN-DIRECT PRODUCT RULES TO IRAN.**

(a) **IN GENERAL.**—Beginning on the date that is 90 days after the date of the enactment of this division, a foreign-produced item shall be subject to the Export Administration Regulations (pursuant to the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.)) if the item—

(1) meets—

(A) the product scope requirements described in subsection (b); and

(B) the destination scope requirements described in subsection (c); and

(2) is exported, reexported, or in-country transferred to Iran from abroad or involves the Government of Iran.

(b) **PRODUCT SCOPE REQUIREMENTS.**—A foreign-produced item meets the product scope requirements of this subsection if the item—

(1) is a direct product of United States-origin technology or software subject to the Export Administration Regulations that is specified in a covered Export Control Classification Number or is identified in supplement no. 7 to part 746 of the Export Administration Regulations; or

(2) is produced by any plant or major component of a plant that is located outside the United States, if the plant or major component of a plant, whether made in the United States or a foreign country, itself is a direct product of United States-origin technology or software subject to the Export Administration Regulations that is specified in a covered Export Control Classification Number.

(c) **DESTINATION SCOPE REQUIREMENTS.**—A foreign-produced item meets the destination scope requirements of this subsection if there is knowledge that the foreign-produced item is destined to Iran or will be incorporated into or used in the production or development of any part, component, or equipment subject to the Export Administration Regulations and produced in or destined to Iran.

(d) **LICENSE REQUIREMENTS.**—

(1) **IN GENERAL.**—A license shall be required to export, re-export, or in-country transfer a foreign-produced item from abroad that meets the product scope requirements described in subsection (b) and the destination scope requirements described in subsection (c) and is subject to the Export Administration Regulations pursuant to this section.

(2) **EXCEPTIONS.**—The license requirements of paragraph (1) shall not apply to—

(A) food, medicine, or medical devices that are—

(i) designated as EAR99; or

(ii) not designated under or listed on the Commerce Control List; or

(B) services, software, or hardware (other than services, software, or hardware for end-users owned or controlled by the Government of Iran) that are—

(i) necessarily and ordinarily incident to communications; or

(ii) designated as—

(I) EAR99; or

(II) Export Control Classification Number 5A992.c or 5D992.c, and classified in accordance with section 740.17 of title 15 Code of Federal Regulations; and

(iii) subject to a general license issued by the Department of Commerce or Department of Treasury.

(e) **NATIONAL INTEREST WAIVER.**—The Secretary of Commerce may waive the requirements imposed under this section if the Secretary—

(1) determines that the waiver is in the national interests of the United States; and

(2) submits to the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives and to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate a report explaining which requirements are being waived and the reasons for the waiver.

(f) **SUNSET.**—The authority provided under this section shall terminate on the date that is 7 years after the date of the enactment of this division.

(g) **DEFINITIONS.**—In this section—



(1) the term “Commerce Control List” means the list maintained pursuant to part 744 of the Export Administration Regulations;

(2) the term “covered Export Control Classification Number” means an Export Control Classification Number in product group D or E of Category 3, 4, 5, 6, 7, 8, or 9 of the Commerce Control List;

(3) the terms “Export Administration Regulations”, “export”, “reexport”, and “in-country transfer” have the meanings given those terms in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801); and

(4) the terms “direct product”, “technology”, “software”, “major component”, “knowledge”, “production”, “development”, “part”, “component”, “equipment”, and “government end users” have the meanings given those terms in section 734.9 or part 772 of the Export Administration Regulations, as the case may be.

## **DIVISION O—STRENGTHENING TOOLS TO COUNTER THE USE OF HUMAN SHIELDS ACT**

### **SEC. 1. [50 U.S.C. 1701 note] SHORT TITLE.**

This division may be cited as the “Strengthening Tools to Counter the Use of Human Shields Act”.

### **SEC. 2. [50 U.S.C. 1701 note] STATEMENT OF POLICY.**

It shall be the policy of the United States to fully implement and enforce sanctions against terrorist organizations and other malign actors that use innocent civilians as human shields.

### **SEC. 3. MODIFICATION AND EXTENSION OF SANCTIONING THE USE OF CIVILIANS AS DEFENSELESS SHIELDS ACT.**

(a) **IN GENERAL.**—Section 3 of the Sanctioning the Use of Civilians as Defenseless Shields Act (Public Law 115-348; 50 U.S.C. 1701 note) is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (4);

and

(B) by inserting after paragraph (2) the following:

“(3) Each foreign person that the President determines, on or after the date of the enactment of the Strengthening Tools to Counter the Use of Human Shields Act—

“(A) is a member of Palestine Islamic Jihad or is knowingly acting on behalf of Palestine Islamic Jihad; and

“(B) knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.”;

(2) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively; and

(3) by inserting after subsection (d) the following:

“(e) **CONGRESSIONAL REQUESTS.**—Not later than 120 days after receiving a request from the chairman and ranking member of one of the appropriate congressional committees with respect to wheth-

er a foreign person meets the criteria of a person described in subsection (b) or (c), the President shall—

“(1) determine if the person meets such criteria; and

“(2) submit a written justification to the chairman and ranking member detailing whether or not the President imposed or intends to impose sanctions described in subsection (b) or (c) with respect to such person.”

(b) **DEFINITIONS.**—Section 4 of the Sanctioning the Use of Civilians as Defenseless Shields Act (Public Law 115-348; 50 U.S.C. 1701 note) is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following:

“(7) **PALESTINE ISLAMIC JIHAD.**—The term ‘Palestine Islamic Jihad’ means—

“(A) the entity known as Palestine Islamic Jihad and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

“(B) any person identified as an agent or instrumentality of Palestine Islamic Jihad on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).”

(c) **SUNSET.**—Section 5 of the Sanctioning the Use of Civilians as Defenseless Shields Act (Public Law 115-348; 50 U.S.C. 1701 note) is amended by striking “December 31, 2023” and inserting “December 31, 2030”.

(d) **SEVERABILITY.**—The Sanctioning the Use of Civilians as Defenseless Shields Act (Public Law 115-348; 50 U.S.C. 1701 note) is amended by adding at the end the following:

**“SEC. 6. SEVERABILITY**

“If any provision of this Act, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this Act, or the application of that provision to other persons or circumstances, shall not be affected.”

**SEC. 4. REPORT ON COUNTERING THE USE OF HUMAN SHIELDS.**

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this division, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report that contains the following:

(1) A description of the lessons learned from the United States and its allies and partners in addressing the use of human shields by terrorist organizations such as Hamas, Hezbollah, Palestine Islamic Jihad, and any other organization as determined by the Secretary of Defense.

(2) A description of a specific plan and actions being taken by the Department of Defense to incorporate the lessons learned as identified in paragraph (1) into Department of Defense operating guidance, relevant capabilities, and tactics, techniques, and procedures to deter, counter, and address the

challenge posed by the use of human shields and hold accountable terrorist organizations for the use of human shields.

(3) A description of specific measures being developed and implemented by the United States Government to mobilize and leverage allied nations, including member nations of the North Atlantic Treaty Organization (NATO), to deter, counter, and hold accountable terrorist organizations for the use of human shields.

(4) The current status of joint exercises, doctrine development, education, and training on countering the use of human shields in multinational centers of excellence.

(5) The current status of participation of members of the Armed Forces and Department of Defense civilian personnel in any multinational center of excellence for the purposes of countering the use of human shields.

(6) The feasibility and advisability of beginning or continuing participation of members of the Armed Forces and Department of Defense civilian personnel to promote the integration of joint exercises, doctrine development, education, and training on countering the use of human shields into multinational centers of excellence.

(b) DEFINITION.—In this section, the term “multinational center of excellence” has the meaning given that term in section 344 of title 10, United States Code.

**SEC. 5. [50 U.S.C. 1710] CONFRONTING ASYMMETRIC AND MALICIOUS CYBER ACTIVITIES.**

(a) IN GENERAL.—On and after the date that is 180 days after the date of the enactment of this division, the President may impose the sanctions described in subsection (b) with respect to any foreign person that the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State determine, on or after such date of enactment—

(1) is responsible for or complicit in, or has engaged knowingly in, significant cyber-enabled activities originating from, or directed by persons located, in whole or in substantial part, outside the United States that are reasonably likely to result in, or have materially contributed to, a significant threat to the national security, foreign policy, or economic health or financial stability of the United States;

(2) materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in this subsection or any person whose property and interests in property are blocked pursuant to this section;

(3) is owned or controlled by, or has acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this section; or

(4) has attempted to engage in any of the activities described in paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) INADMISSIBILITY TO UNITED STATES.—In the case of an alien—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(2) **BLOCKING OF PROPERTY.**—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) **REQUESTS BY APPROPRIATE CONGRESSIONAL COMMITTEES.**—

(1) **IN GENERAL.**—Not later than 120 days after receiving a request that meets the requirements of paragraph (2) with respect to whether a foreign person has engaged in an activity described in subsection (a), the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State shall—

(A) determine if that person has engaged in such an activity; and

(B) submit a classified or unclassified report to the chairperson and ranking member of the committee or committees that submitted the request with respect to that determination that includes—

(i) a statement of whether or not the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State imposed or intends to impose sanctions with respect to the person;

(ii) if the President imposed or intends to impose sanctions, a description of those sanctions; and

(iii) if the President does not intend to impose sanctions, a description of actions that meet the threshold for the President to impose sanctions.

(2) **REQUIREMENTS.**—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

**SEC. 6. [50 U.S.C. 1701 note] SANCTIONS WITH RESPECT TO THREATS TO CURRENT OR FORMER UNITED STATES OFFICIALS.**

(a) **IN GENERAL.**—On and after the date that is 180 days after the date of the enactment of this division, the President shall impose the sanctions described in subsection (b) with respect to any

foreign person the President determines has, on or after such date of enactment, ordered, directed, or taken material steps to carry out any use of violence or has attempted or threatened to use violence against any current or former official of the Government of the United States.

(b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:

(1) **INADMISSIBILITY TO UNITED STATES.**—In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(2) **BLOCKING OF PROPERTY.**—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) **ENFORCEMENT OF BLOCKING OF PROPERTY.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of a sanction described in subsection (b)(2) that is imposed by the President or any regulation, license, or order issued to carry out such a sanction shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **WAIVER.**—The President may waive the application of sanctions under this section for renewable periods not to exceed 180 days if the President—

(1) determines that such a waiver is in the vital national security interests of the United States; and

(2) not less than 15 days before the granting of the waiver, submits to the appropriate congressional committees a notice of and justification for the waiver.

(e) **TERMINATION AND SUNSET.**—

(1) **TERMINATION OF SANCTIONS.**—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(A) credible information exists that the person did not engage in the activity for which sanctions were imposed;

(B) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or

(C) the termination of the sanctions is in the vital national security interests of the United States.

(2) SUNSET.—The requirement to impose sanctions under this section shall terminate on the date that is 4 years after the date of the enactment of this division.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on the Judiciary; and

(2) the Committee on Foreign Relations and the Committee on the Judiciary.

## DIVISION P—ILLICIT CAPTAGON TRAFFICKING SUPPRESSION ACT

### SEC. 1. [50 U.S.C. 1701 note] SHORT TITLE.

This division may be cited as the “Illicit Captagon Trafficking Suppression Act of 2023”.

### SEC. 2. [50 U.S.C. 1701 note] FINDINGS.

Congress finds the following:

(1) Industrial scale production of the amphetamine-type stimulant also known as captagon, and the illicit production of precursor chemicals, in territories held by the regime of President Bashar al Assad in Syria are becoming more sophisticated and pose a severe challenge to regional and international security.

(2) Elements of the Government of Syria are key drivers of illicit trafficking in captagon, with ministerial-level complicity in production and smuggling, using other armed groups such as Hizballah for technical and logistical support in captagon production and trafficking.

(3) As affiliates of the Government of Syria and other actors seek to export captagon, they undermine regional security by empowering a broad range of criminal networks, militant groups, mafia syndicates, and autocratic governments.

### SEC. 3. [50 U.S.C. 1701 note] STATEMENT OF POLICY.

It is the policy of the United States to target individuals, entities, and networks associated with the Government of Syria to dismantle and degrade the transnational criminal organizations, including narcotics trafficking networks, associated with the regime of President Bashar al Assad in Syria and Hizballah.

### SEC. 4. [50 U.S.C. 1701 note] IMPOSITION OF SANCTIONS WITH RESPECT TO ILLICIT CAPTAGON TRAFFICKING.

(a) IN GENERAL.—The sanctions described in subsection (b) shall be imposed with respect to any foreign person the President determines, on or after the date of enactment of this division—

(1) engages in, or attempts to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon; or

(2) knowingly receives any property or interest in property that the foreign person knows—

- (A) constitutes or is derived from proceeds of activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon; or
- (B) was used or intended to be used to commit or to facilitate activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon.
- (b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:
- (1) **BLOCKING OF PROPERTY.**—The President shall exercise all authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or come within the possession or control of a United States person.
- (2) **INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.**—
- (A) **VISAS, ADMISSION, OR PAROLE.**—An alien described in subsection (a) shall be—
- (i) inadmissible to the United States;
- (ii) ineligible to receive a visa or other documentation to enter the United States; and
- (iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).
- (B) **CURRENT VISAS REVOKED.**—
- (i) **IN GENERAL.**—The visa or other entry documentation of any alien described in subsection (a) is subject to revocation regardless of the issue date of the visa or other entry documentation.
- (ii) **IMMEDIATE EFFECT.**—A revocation under clause (i) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i))—
- (I) take effect immediately; and
- (II) cancel any other valid visa or entry documentation that is in the possession of the alien.
- (c) **PENALTIES.**—Any person that violates, or attempts to violate, subsection (b) or any regulation, license, or order issued pursuant to that subsection, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.
- (d) **WAIVER.**—
- (1) **IN GENERAL.**—The President may waive the application of sanctions under this section with respect to a foreign person only if, not later than 15 days prior to the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and

justification that the waiver is important to the national security interests of the United States.

(2) BRIEFING.—Not later than 60 days after the issuance of a waiver under paragraph (1), and every 180 days thereafter while the waiver remains in effect, the President shall brief the appropriate congressional committees on the reasons for the waiver.

(e) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(f) REGULATIONS.—

(1) IN GENERAL.—The President shall, not later than 120 days after the date of the enactment of this division, promulgate regulations as necessary for the implementation of this section.

(2) NOTIFICATION TO CONGRESS.—Not later than 10 days before the promulgation of regulations under this subsection, the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this section that the regulations are implementing.

(g) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist authorized law enforcement activity in the United States.

(3) HUMANITARIAN ASSISTANCE.—

(A) IN GENERAL.—Sanctions under this division shall not apply to—

(i) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, humanitarian assistance, or for humanitarian purposes; or

(ii) transactions that are necessary for or related to the activities described in clause (i).

(B) DEFINITIONS.—In this subsection:

(i) AGRICULTURAL COMMODITY.—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).



(ii) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(iii) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

**SEC. 5. [50 U.S.C. 1701 note] DETERMINATIONS WITH RESPECT TO THE GOVERNMENT OF SYRIA, HIZBALLAH, AND NETWORKS AFFILIATED WITH THE GOVERNMENT OF SYRIA OR HIZBALLAH.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this division, the President shall—

(1) determine whether each foreign person described in subsection (b) meets the criteria for sanctions under this division; and

(2) submit to the appropriate congressional committees a report containing—

(A) a list of all foreign persons described in subsection (b) that meet the criteria for imposition of sanctions under this division;

(B) for each foreign person identified pursuant to subparagraph (A), a statement of whether sanctions have been imposed or will be imposed within 30 days of the submission of the report; and

(C) with respect to any person identified pursuant to subparagraph (A) for whom sanctions have not been imposed and will not be imposed within 30 days of the submission of the report, the specific authority under which otherwise applicable sanctions are being waived, have otherwise been determined not to apply, or are not being imposed and a complete justification of the decision to waive or otherwise not apply such sanctions.

(b) **FOREIGN PERSONS DESCRIBED.**—The foreign persons described in this subsection are the following:

- (1) Maher Al Assad.
- (2) Imad Abu Zureiq.
- (3) Amer Taysir Khiti.
- (4) Taher al-Kayyali.
- (5) Raji Falhout.
- (6) Mohammed Asif Issa Shalish.
- (7) Abdellatif Hamid.
- (8) Mustafa Al Masalmeh.

**SEC. 6. [50 U.S.C. 1701 note] DEFINITIONS.**

In this division:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

(2) **CAPTAGON.**—The term “captagon” means any compound, mixture, or preparation which contains any quantity of a stimulant in schedule I or II of section 202 of the Controlled Substances Act (21 U.S.C. 812), including—

(A) amphetamine, methamphetamine, and fenethylamine;

(B) any immediate precursor or controlled substance analogue of such a stimulant, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(C) any isomers, esters, ethers, salts, and salts of isomers, esters, and ethers of such a stimulant, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) **FOREIGN PERSON.**—The term “foreign person”—

(A) means an individual or entity that is not a United States person; and

(B) includes a foreign state (as such term is defined in section 1603 of title 28, United States Code).

(4) **ILLICIT PROLIFERATION.**—The term “illicit proliferation” refers to any illicit activity to produce, manufacture, distribute, sell, or knowingly finance or transport.

(5) **KNOWINGLY.**—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(6) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen;

(B) a permanent resident alien of the United States;

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(D) a person in the United States.

## **DIVISION Q—END FINANCING FOR HAMAS AND STATE SPONSORS OF TERRORISM ACT**

### **SEC. 1. SHORT TITLE.**

This division may be cited as the “End Financing for Hamas and State Sponsors of Terrorism Act”.

### **SEC. 2. REPORT ON FINANCING FOR HAMAS.**

Not later than 180 days after the date of the enactment of this division, the Secretary of the Treasury shall submit to the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives and to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate a report (which shall be in unclassified form but may include a classified annex) that includes—

(1) an analysis of the major sources of financing to Hamas;

(2) a description of United States and multilateral efforts to disrupt illicit financial flows involving Hamas;

(3) an evaluation of United States efforts to undermine the ability of Hamas to finance armed hostilities against Israel; and

(4) an implementation plan with respect to the multilateral strategy described in section 3.

**SEC. 3. MULTILATERAL STRATEGY TO DISRUPT HAMAS FINANCING.**

The Secretary of the Treasury, through participation in the G7, and other appropriate fora, shall develop a strategy in coordination with United States allies and partners to ensure that Hamas is incapable of financing armed hostilities against Israel.

## **DIVISION R—HOLDING IRANIAN LEADERS ACCOUNTABLE ACT**

**SEC. 1. [22 U.S.C. 8501 note] SHORT TITLE.**

This division may be cited as the “Holding Iranian Leaders Accountable Act of 2024”.

**SEC. 2. [22 U.S.C. 8501 note] FINDINGS.**

The Congress finds the following:

(1) Iran is characterized by high levels of official and institutional corruption, and substantial involvement by Iran’s security forces, particularly the Islamic Revolutionary Guard Corps (IRGC), in the economy.

(2) The Department of Treasury in 2019 designated the Islamic Republic of Iran’s financial sector as a jurisdiction of primary money laundering concern, concluding, “Iran has developed covert methods for accessing the international financial system and pursuing its malign activities, including misusing banks and exchange houses, operating procurement networks that utilize front or shell companies, exploiting commercial shipping, and masking illicit transactions using senior officials, including those at the Central Bank of Iran (CBI).”

(3) In June 2019, the Financial Action Task Force (FATF) urged all jurisdictions to require increased supervisory examination for branches and subsidiaries of financial institutions based in Iran. The FATF later called upon its members to introduce enhanced relevant reporting mechanisms or systematic reporting of financial transactions, and require increased external audit requirements, for financial groups with respect to any of their branches and subsidiaries located in Iran.

(4) According to the State Department’s “Country Reports on Terrorism” in 2021, “Iran continued to be the leading state sponsor of terrorism, facilitating a wide range of terrorist and other illicit activities around the world. Regionally, Iran supported acts of terrorism in Bahrain, Iraq, Lebanon, Syria, and Yemen through proxies and partner groups such as Hizballah and Hamas.”

**SEC. 3. [22 U.S.C. 8501 note] REPORT ON FINANCIAL INSTITUTIONS AND ASSETS CONNECTED TO CERTAIN IRANIAN OFFICIALS.**

(a) FINANCIAL INSTITUTIONS AND ASSETS REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, and every 2 years thereafter, the President shall submit a report to the appropriate Members of Congress containing—

(A) the estimated total funds or assets that are under direct or indirect control by each of the natural persons described under subsection (b), and a description of such funds or assets, except that the President may limit coverage of the report to not fewer than 5 of such natural persons in order to meet the submission deadline described under this paragraph;

(B) a description of how such funds or assets were acquired, and how they have been used or employed;

(C) a list of any non-Iranian financial institutions that—

(i) maintain an account in connection with funds or assets described in subparagraph (A); or

(ii) knowingly provide significant financial services to a natural person covered by the report; and

(D) a description of any illicit or corrupt means employed to acquire or use such funds or assets.

(2) EXEMPTIONS.—The requirements described under paragraph (1) may not be applied with respect to a natural person or a financial institution, as the case may be, if the President determines:

(A) The funds or assets described under subparagraph (A) of paragraph (1) were acquired through legal or noncorrupt means.

(B) The natural person has agreed to provide significant cooperation to the United States for an important national security or law enforcement purpose with respect to Iran.

(C) A financial institution that would otherwise be listed in the report required by paragraph (1) has agreed to—

(i) no longer maintain an account described under subparagraph (C)(i) of paragraph (1);

(ii) no longer provide significant financial services to a natural person covered by the report; or

(iii) provide significant cooperation to the United States for an important national security or law enforcement purpose with respect to Iran.

(3) WAIVER.—The President may waive for up to 1 year at a time any requirement under paragraph (1) with respect to a natural person or a financial institution after reporting in writing to the appropriate Members of Congress that the waiver is in the national interest of the United States, with a detailed explanation of the reasons therefor.

(b) PERSONS DESCRIBED.—The natural persons described in this subsection are the following:

(1) The Supreme Leader of Iran.

(2) The President of Iran.

(3) The members of the Council of Guardians.

(4) The members of the Expediency Council.

- (5) The Minister of Intelligence and Security.
  - (6) The Commander and the Deputy Commander of the IRGC.
  - (7) The Commander and the Deputy Commander of the IRGC Ground Forces.
  - (8) The Commander and the Deputy Commander of the IRGC Aerospace Force.
  - (9) The Commander and the Deputy Commander of the IRGC Navy.
  - (10) The Commander of the Basij-e Mostaz'afin.
  - (11) The Commander of the Qods Force.
  - (12) The Commander in Chief of the Police Force.
  - (13) The head of the IRGC Joint Staff.
  - (14) The Commander of the IRGC Intelligence.
  - (15) The head of the IRGC Imam Hussein University.
  - (16) The Supreme Leader's Representative at the IRGC.
  - (17) The Chief Executive Officer and the Chairman of the IRGC Cooperative Foundation.
  - (18) The Commander of the Khatam-al-Anbia Construction Head Quarter.
  - (19) The Chief Executive Officer of the Basij Cooperative Foundation.
  - (20) The head of the Political Bureau of the IRGC.
  - (21) The senior leadership as determined by the President of the following groups:
    - (A) Hizballah.
    - (B) Hamas.
    - (C) Palestinian Islamic Jihad.
    - (D) Kata'ib Hizballah.
- (c) FORM OF REPORT; PUBLIC AVAILABILITY.—
- (1) FORM.—The report required under subsection (a) and any waiver under subsection (a)(3) shall be submitted in unclassified form but may contain a classified annex.
  - (2) PUBLIC AVAILABILITY.—The Secretary shall make the unclassified portion of such report public if the Secretary notifies the appropriate Members of Congress that the publication is in the national interest of the United States and would substantially promote—
    - (A) deterring or sanctioning official corruption in Iran;
    - (B) holding natural persons or financial institutions listed in the report accountable to the people of Iran;
    - (C) combating money laundering or the financing of terrorism; or
    - (D) achieving any other strategic objective with respect to the Government of Iran.
  - (3) FORMAT OF PUBLICLY AVAILABLE REPORTS.—If the Secretary makes the unclassified portion of a report public pursuant to paragraph (2), the Secretary shall make it available to the public on the website of the Department of the Treasury—
    - (A) in English, Farsi, Arabic, and Azeri; and
    - (B) in precompressed, easily downloadable versions that are made available in all appropriate formats.
- (d) REPORT AND BRIEFING ON IRANIAN ASSETS AND LICENSES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this division, the Secretary of the Treasury shall submit to the appropriate members of Congress a report and provide to the appropriate congressional committees a briefing—

(A) identifying—

(i) all assets of the Government of Iran or covered persons valued at more than \$5,000,000 and blocked by the United States pursuant to any provision of law; and

(ii) for each such asset—

(I) the country in which the asset is held;

(II) the financial institution in which the asset is held; and

(III) the approximate value of the asset; and

(B) setting forth a list of all general licenses, specific licenses, action letters, comfort letters, statements of licensing policy, answers to frequently asked questions, or other exemptions issued by the Secretary with respect to sanctions relating to Iran that are in effect as of the date of the report.

(2) FORM.—

(A) ASSETS.—The report and briefing required by paragraph (1) shall be submitted or provided, as the case may be, in unclassified form.

(B) EXEMPTIONS.—The report and briefing required by paragraph (1) shall be submitted or provided, as the case may be, in classified form.

(3) COVERED PERSON DEFINED.—In this section, the term “covered person” means—

(A) an individual who is a citizen or national of Iran and is acting on behalf of the Government of Iran;

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran; and

(C) an individual or entity that provides material, tactical, operational, developmental, or financial support to—

(i) the Islamic Revolutionary Guard Corps;

(ii) any agency or instrumentality of the armed forces of Iran;

(iii) any agency or instrumentality related to the nuclear program of Iran; or

(iv) any organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), including Hamas, Hezbollah, Palestinian Islamic Jihad, alQa’ida, and al-Shabaab.

**SEC. 4. [22 U.S.C. 8501 note] RESTRICTIONS ON CERTAIN FINANCIAL INSTITUTIONS.**

(a) IN GENERAL.—Not later than the date that is 90 days after submitting a report described under section 3(a)(1), the Secretary shall undertake the following with respect to a financial institution that is described under section 3(a)(1)(C) and listed in the report:

(1) If the financial institution is a United States financial institution, require the closure of any account described in section 3(a)(1)(C)(i), and prohibit the provision of significant financial services, directly or indirectly, to a natural person covered by the report.

(2) If the financial institution is a foreign financial institution, actively seek the closure of any account described in section 3(a)(1)(C)(i), and the cessation of significant financial services to a natural person covered by the report, using any existing authorities of the Secretary, as appropriate.

(b) **SUSPENSION.**—The Secretary may suspend the application of subsection (a) with respect to a financial institution upon reporting to the appropriate Members of Congress that the suspension is in the national interest of the United States, with a detailed explanation of the reasons therefor.

**SEC. 5. [22 U.S.C. 8501 note] EXCEPTIONS FOR NATIONAL SECURITY; IMPLEMENTATION AUTHORITY.**

The following activities shall be exempt from requirements under sections 3 and 4:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) The conduct or facilitation of a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran, including engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes or transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

**SEC. 6. [22 U.S.C. 8501 note] SUNSET.**

The provisions of this division shall have no force or effect on the earlier of—

(1) the date that is 5 years after the date of enactment of this division; or

(2) 30 days after the Secretary reports in writing to the appropriate Members of Congress that—

(A) Iran is not a jurisdiction of primary money laundering concern; or

(B) the Government of Iran is providing significant cooperation to the United States for the purpose of preventing acts of international terrorism, or for the promotion of any other strategic objective that is important to

the national interest of the United States, as specified in the report by the Secretary.

**SEC. 7. [22 U.S.C. 8501 note] DEFINITIONS.**

For purposes of this division:

(1) **APPROPRIATE MEMBERS OF CONGRESS.**—The term “appropriate Members of Congress” means the Speaker and Minority Leader of the House of Representatives, the Majority Leader and Minority Leader of the Senate, the Chairman and Ranking Member of the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives, and the Chairman and Ranking Member of the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) **FINANCIAL INSTITUTION.**—The term “financial institution” means a United States financial institution or a foreign financial institution.

(3) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations.

(4) **FUNDS.**—The term “funds” means—

(A) cash;

(B) equity;

(C) any other asset whose value is derived from a contractual claim, including bank deposits, bonds, stocks, a security as defined in section 2(a) of the Securities Act of 1933 (15 U.S.C. 77b(a)), or a security or an equity security as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(D) anything else that the Secretary determines appropriate.

(5) **KNOWINGLY.**—The term “knowingly” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Treasury.

(7) **UNITED STATES FINANCIAL INSTITUTION.**—The term “United States financial institution” has the meaning given the term “U.S. financial institution” under section 561.309 of title 31, Code of Federal Regulations.

## **DIVISION S—IRAN-CHINA ENERGY SANCTIONS ACT OF 2023**

**SEC. 1. [22 U.S.C. 8501 note] SHORT TITLE.**

This division may be cited as the “Iran-China Energy Sanctions Act of 2023”.

**SEC. 2. SANCTIONS ON FOREIGN FINANCIAL INSTITUTIONS WITH RESPECT TO THE PURCHASE OF PETROLEUM PRODUCTS AND UNMANNED AERIAL VEHICLES FROM IRAN.**

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)) is amended—



(1) by redesignating paragraph (5) as paragraph (6); and  
(2) by inserting after paragraph (4) the following new paragraph:

“(5) APPLICABILITY OF SANCTIONS WITH RESPECT TO CHINESE FINANCIAL INSTITUTIONS.—

“(A) IN GENERAL.—For the purpose of paragraph (1)(A), a ‘significant financial transaction’ shall include, based on relevant facts and circumstances, any transaction—

“(i) by a Chinese financial institution (without regard to the size, number, frequency, or nature of the transaction) involving the purchase of petroleum or petroleum products from Iran; and

“(ii) by a foreign financial institution (without regard to the size, number, frequency, or nature of the transaction) involving the purchase of Iranian unmanned aerial vehicles (UAVs), UAV parts, or related systems.

“(B) DETERMINATION REQUIRED.—Not later than 180 days after the date of the enactment of this paragraph and every year thereafter for 5 years, the President shall—

“(i) determine whether any—

“(I) Chinese financial institution has engaged in a significant financial transaction as described in paragraph (1)(A)(i); and

“(II) financial institution has engaged in a significant financial transaction as described in paragraph (1)(A)(ii); and

“(ii) transmit the determination under clause (i) to the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives and to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.”.

## DIVISION T—BUDGETARY EFFECTS

### SEC. 1. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of division D and each subsequent division of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of division D and each subsequent division of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division D and each subsequent division of this Act shall not be estimated—

- (1) for purposes of section 251 of such Act;
- (2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and
- (3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.