H. R. 6968

AN ACT

To prohibit the importation of energy products of the Russian Federation, and for other purposes.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Suspending Energy Imports from Russia Act”.

SEC. 2. PROHIBITION ON IMPORTATION OF ENERGY PRODUCTS OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—

(1) PROHIBITION OF ENERGY PRODUCTS.—Notwithstanding any other provision of law, all products of the Russian Federation classified under chapter 27 of the Harmonized Tariff Schedule of the United States shall be banned from importation into the United States, other than products imported on or before 11:59 p.m. eastern daylight time on the date that is 45 days after the date of the enactment of this Act.

(2) AUTHORITY TO ALLOW IMPORTATION UNDER CONTRACT.—Notwithstanding the prohibition under paragraph (1), the President may allow certain products described in such paragraph to be imported into the United States if the importation of such products is pursuant to a written contract or agreement that was entered into before the date of the enactment of this Act.

(b) NATIONAL INTEREST WAIVER.—

(1) IN GENERAL.—The President is authorized to waive the prohibition under subsection (a) with
respect to one or more of the products of the Russian Federation described in the matter preceding paragraph (1) of subsection (a) if the President certifies that such waiver is in the national interest of the United States and includes in such certification a description of the product or products to which the waiver is proposed to apply. Such waiver shall take effect beginning on the date that is 90 calendar days after the date of submission of such certification, unless there is enacted into law during such 90-day period a joint resolution of disapproval.

(2) CONGRESSIONAL CONSULTATION.—

(A) PRIOR JUSTIFICATION.—The President shall, not later than 15 calendar days before submitting a certification described in paragraph (1), submit to the appropriate congressional committees a justification for the waiver proposed under such paragraph.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this paragraph, the term “appropriate congressional committees” means—

(i) the Committee on Ways and Means, the Committee on Financial Serv-
ices, and the Committee on Foreign Affairs
of the House of Representatives; and

(ii) the Committee on Finance, the
Committee on Banking, Housing, and
Urban Affairs, and the Committee on For-

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) DEFINITION.—For purposes of this section,
the term “joint resolution of disapproval” means
only a joint resolution—

(A) which does not have a preamble;

(B) the title of which is as follows: “Joint
resolution disapproving the President’s pro-
posed waiver under section 2(b)(1) of the Sus-
pending Energy Imports from Russia Act.”;
and

(C) the matter after the resolving clause of
which is as follows: “That Congress disapproves
the proposed waiver of the President under sec-
tion 2(b)(1) of the Suspending Energy Imports
from Russia Act, submitted to Congress on
_______”, the blank space being filled in with
the appropriate date.

(2) INTRODUCTION IN THE HOUSE OF REP-
RESENTATIVES.—During a period of 5 legislative
days beginning on the date that a certification under subsection (b)(1) is submitted to Congress, a joint resolution of disapproval may be introduced in the House of Representatives by the majority leader or the minority leader.

(3) INTRODUCTION IN THE SENATE.—During a period of 5 days on which the Senate is in session beginning on the date that a certification under subsection (b)(1) is submitted to Congress, a joint resolution of disapproval may be introduced in the Senate by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(4) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REPORTING AND DISCHARGE.—If a committee of the House to which a joint resolution of disapproval has been referred has not reported such joint resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration thereof.

(B) PROCEEDING TO CONSIDERATION.—Beginning on the third legislative day after each committee to which a joint resolution of
disapproval has been referred reports it to the
House or has been discharged from further con-
sideration thereof, it shall be in order to move
to proceed to consider the joint resolution in the
House. All points of order against the motion
are waived. Such a motion shall not be in order
after the House has disposed of a motion to
proceed on a joint resolution with regard to the
same certification. The previous question shall
be considered as ordered on the motion to its
adoption without intervening motion. The mo-
tion shall not be debatable. A motion to recons-
sider the vote by which the motion is disposed
of shall not be in order.

(C) CONSIDERATION.—The joint resolution
shall be considered as read. All points of order
against the joint resolution and against its con-
sideration are waived. The previous question
shall be considered as ordered on the joint reso-
lution to final passage without intervening mo-
tion except two hours of debate equally divided
and controlled by the sponsor of the joint reso-
lution (or a designee) and an opponent. A mo-
tion to reconsider the vote on passage of the
joint resolution shall not be in order.
(5) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Finance.

(B) REPORTING AND DISCHARGE.—If the Committee on Finance has not reported such joint resolution of disapproval within 10 days on which the Senate is in session after the date of referral of such joint resolution, that committee shall be discharged from further consideration of such joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Finance reports the joint resolution of disapproval to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) 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) shall be 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 of disapproval is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(D) DEBATE.—Debate on the joint resolution of disapproval, 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 to further 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 of disapproval is not in order.

(E) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the joint resolution of disapproval and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate.
(F) Rules 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 the joint resolution of disapproval shall be decided without debate.

(G) Consideration of Veto Messages.—Debate in the Senate of any veto message with respect to the joint resolution of disapproval, including all debatable motions and appeals in connection with such joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) Procedures in the Senate.—Except as otherwise provided in this subsection, the following procedures shall apply in the Senate to a joint resolution of disapproval to which this subsection applies:

(A) Except as provided in subparagraph (B), a joint resolution of disapproval that has passed the House of Representatives shall, when received in the Senate, be referred to the
Committee on Finance for consideration in accordance with this subsection.

(B) If a joint resolution of disapproval to which this section applies was introduced in the Senate before receipt of a joint resolution of disapproval that has passed the House of Representatives, the joint resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this subparagraph applies, the procedures in the Senate with respect to a joint resolution of disapproval introduced in the Senate that contains the identical matter as the joint resolution of disapproval that passed the House of Representatives shall be the same as if no joint resolution of disapproval had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the joint resolution of disapproval that passed the House of Representatives.

(7) Rules of the House of Representatives and Senate.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representa-
tives, 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 legislation described in those sections, 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. 3. COOPERATION AND ACCOUNTABILITY AT THE WORLD TRADE ORGANIZATION.

The United States Trade Representative shall use the voice and influence of the United States at the WTO to—

(1) condemn the recent aggression in Ukraine;

(2) encourage other WTO members to suspend trade concessions to the Russian Federation; and

(3) consider further steps with the view to suspend the Russian Federation’s participation in the WTO.
SEC. 4. MODIFICATIONS TO AND REAUTHORIZATION OF SANCTIONS UNDER THE GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) DEFINITIONS.—Section 1262 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by striking paragraph (2).

(b) SENSE OF CONGRESS.—

(1) IN GENERAL.—The Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by inserting after section 1262 (as amended by subsection (a)) the following new section:

“SEC. 1262A. SENSE OF CONGRESS.

“It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decisionmaking with like-minded governments possessing human rights and anti-corruption sanctions programs similar in nature to those authorized under this subtitle.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) and in title XII of division A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) are each amended
by inserting after the items relating to section 1262
the following:

"Sec. 1262A. Sense of Congress."

(c) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Subsection (a) of section
1263 of the Global Magnitsky Human Rights Ac-
countability Act (Subtitle F of title XII of Public
Law 114–328; 22 U.S.C. 2656 note) is amended to
read as follows:

"(a) IN GENERAL.—The President may impose the
sanctions described in subsection (b) with respect to any
foreign person that the President determines, based on
credible information—

"(1) is responsible for or complicit in, or has di-
rectly or indirectly engaged in, serious human rights
abuse;

"(2) is a current or former government official,
or a person acting for or on behalf of such an offi-
cial, who is responsible for or complicit in, or has di-
rectly or indirectly engaged in—

"(A) corruption, including—

"(i) the misappropriation of state as-
sets;

"(ii) the expropriation of private as-
sets for personal gain;"
“(iii) corruption related to government contracts or the extraction of natural resources; or

“(iv) bribery; or

“(B) the transfer or facilitation of the transfer of the proceeds of corruption;

“(3) is or has been a leader or official of—

“(A) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in paragraph (1) or (2) during the tenure of the leader or official; or

“(B) an entity whose property and interests in property are blocked pursuant to this section as a result of activities during the tenure of the leader or official;

“(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of—

“(A) an activity described in paragraph (1) or (2) that is conducted by a foreign person;

“(B) a person whose property and interests in property are blocked pursuant to this section; or
“(C) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described in paragraph (1) or (2) conducted by a foreign person; or

“(5) is owned or controlled by, or has acted or been purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section.”.

(2) Consideration of certain information.—Subsection (c)(2) of such section is amended by striking “violations of human rights” and inserting “corruption and human rights abuses”.

(3) Requests by Congress.—Subsection (d)(2) of such section is amended—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking “HUMAN RIGHTS VIOLATIONS” and inserting “SERIOUS HUMAN RIGHTS ABUSE”; and

(ii) by striking “described in paragraph (1) or (2) of subsection (a)” and inserting “described in subsection (a) relating to serious human rights abuse”; and

(B) in subparagraph (B)—
(i) in the matter preceding clause (i), by striking “described in paragraph (3) or (4) of subsection (a)” and inserting “described in subsection (a) relating to corruption or the transfer or facilitation of the transfer of the proceeds of corruption”; and

(ii) by striking “ranking member of—” and all that follows through the period at the end and inserting “ranking member of one of the appropriate congressional committees.”.

(d) REPORTS TO CONGRESS.—Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended—

(1) in paragraph (5), by striking “; and” and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) a description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of seri-
ous human rights abuse and corruption in each
country in which foreign persons with respect to
which sanctions have been imposed under section
1263 are located; and

“(8) a description of additional steps taken by
the President to ensure the pursuit of judicial ac-
countability in appropriate jurisdictions with respect
to those foreign persons subject to sanctions under
section 1263 for serious human rights abuse and
corruption.”.

(e) REPEAL OF SUNSET.—

(1) IN GENERAL.—Section 1265 of the Global
Magnitsky Human Rights Accountability Act (sub-
title F of title XII of Public Law 114–328; 22
U.S.C. 2656 note) is repealed.

(2) CLERICAL AMENDMENT.—The table of con-
tents in section 2(b) and in title XII of division A
of the National Defense Authorization Act for Fiscal
Year 2017 (Public Law 114–328) are each amended by striking the items relating to section 1265.

Passed the House of Representatives March 9, 2022.

Attest:

Clerk.
To prohibit the importation of energy products of the Russian Federation, and for other purposes.