

MARKUP OF VARIOUS MEASURES

MARKUP BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

November 7, 2023

Serial No. 118-58

Printed for the use of the Committee on Foreign Affairs



Available: <http://www.foreignaffairs.house.gov/>, <http://docs.house.gov>,
or <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

54-164PDF

WASHINGTON : 2023

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MARKUP OF VARIOUS MEASURES

Tuesday, November 7, 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 11:19 a.m., in room 210, House Visitor Center, Hon. Michael McCaul (chairman of the committee) presiding.

Chairman McCAUL. A quorum being present, the Committee on Foreign Affairs will come to order. The committee's meeting today for consideration of H.R. 4175, Repo for Ukrainians Act; H.R. 4723, Upholding the Dayton Peace Agreement Through Sanctions Act; H. Res. 149, Condemning the Illegal Abduction of Children from Ukraine to Russian Federation; H.R. 5856, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act; H.R. 4681, Illicit Captagon Trafficking Suppression Act; H.R. 5961, No Funds for Iranian Terrorism Act; H.R. 793, Calling on Hamas to Immediately Release Hostages Taken During the October 2023 Attack on Israel; H.R. 683, Expressing Support for the Diplomatic Relations Required to Encourage the Government of Mexico to Fulfill Its Water Deliveries on an Annual Basis to the United States Under the Treaty Between the United States and Mexico Regarding the Utilization of the Colorado and Tijuana Rivers of the Rio Grande; H.R. 6119, the State Department Security Notification Act; and finally, H.R. 6087, the YALI Act of 2023.

The chair announces that any requests for recorded votes may be rolled and he may recess the committee at any point and without objection, so ordered.

Pursuant to the rules, I request that members have the opportunity to submit views for any committee report that may be produced on any of today's measures and with objection, so ordered.

Pursuant to notice, I will now call up H.R. 4175, Repo for Ukrainians Act.

[The Bill 4175 follows:]

118TH CONGRESS
1ST SESSION

H. R. 4175

To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2023

Mr. McCAUL (for himself, Ms. KAPTUR, Mr. WILSON of South Carolina, Mr. COHEN, Mr. KEAN of New Jersey, Mr. QUIGLEY, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Rules, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—CONFISCATION AND 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 confiscated Rus-
 sian sovereign assets.

Sec. 105. International agreement to use Russian sovereign assets to provide
 for the reconstruction of Ukraine.

Sec. 106. Report on use of confiscated Russian sovereign assets for reconstruc-
 tion.

Sec. 107. Assessment by Secretary of State and Administrator of United States
 Agency for International Development on reconstruction and
 rebuilding needs of Ukraine.

Sec. 108. Exception relating to importation of goods.

Sec. 109. Definitions.

TITLE II—MULTILATERAL SANCTIONS COORDINATION

Sec. 201. Statement of policy regarding coordination of multilateral sanctions
 with respect to the Russian Federation.

Sec. 202. Assessment of impact of Ukraine-related sanctions on the economy of
 the Russian Federation.

Sec. 203. Information on voting practices in the United Nations with respect
 to the invasion of Ukraine by the Russian Federation.

7 **TITLE I—CONFISCATION AND**
 8 **REPURPOSING OF RUSSIAN**
 9 **SOVEREIGN ASSETS**

10 **SEC. 101. FINDINGS; SENSE OF CONGRESS.**

11 (a) FINDINGS.—Congress makes the following find-
 12 ings:

1 (1) On February 24, 2022, the Government of
2 the Russian Federation violated the sovereignty and
3 territorial integrity of Ukraine by engaging in a pre-
4 meditated, second illegal invasion of Ukraine.

5 (2) The international community has con-
6 demned the illegal invasions of Ukraine by the Rus-
7 sian Federation, as well as the commission of war
8 crimes by the Russian Federation, including through
9 the deliberate targeting of civilians and civilian in-
10 frastructure and the commission of sexual violence.

11 (3) The leaders of the G7 have called the Rus-
12 sian Federation's "unprovoked and completely un-
13 justified attack on the democratic state of Ukraine"
14 a "serious violation of international law and a grave
15 breach of the United Nations Charter and all com-
16 mitments Russia entered in the Helsinki Final Act
17 and the Charter of Paris and its commitments in the
18 Budapest Memorandum".

19 (4) On March 2, 2022, the United Nations
20 General Assembly adopted Resolution ES-11/1, enti-
21 tled "Aggression against Ukraine", by a vote of 141
22 to 5. That resolution "deplore[d] in the strongest
23 terms the aggression by the Russian Federation
24 against Ukraine in violation of Article 2(4) of the
25 [United Nations] Charter" and demanded that the

1 Russian Federation “immediately cease its use of
2 force against Ukraine” and “immediately, completely
3 and unconditionally withdraw all of its military
4 forces from the territory of Ukraine within its inter-
5 nationally recognized borders”.

6 (5) On March 16, 2022, the International
7 Court of Justice issued provisional measures order-
8 ing the Russian Federation to “immediately suspend
9 the military operations that it commenced on 24
10 February 2022 in the territory of Ukraine”.

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

13 (A) recognizing that the Russian Federa-
14 tion must bear the legal consequences of all of
15 its internationally wrongful acts, including mak-
16 ing reparation for the injury, including any
17 damage, caused by such acts;

18 (B) recognizing the need for the establish-
19 ment of an international mechanism for repara-
20 tion for damage, loss, or injury caused by the
21 Russian Federation in Ukraine; and

22 (C) recommending creation of an inter-
23 national register of such damage, loss, or in-
24 jury.

1 (7) Under international law, a country that is
2 responsible for an internationally wrongful act is
3 under an obligation to compensate for the damage it
4 has caused if such damage cannot be made good by
5 restitution. The Russian Federation bears such re-
6 sponsibility to compensate Ukraine, and because of
7 this grave breach of international law, all states are
8 legally entitled to take countermeasures that are
9 proportionate and aimed at inducing the Russian
10 Federation to comply with its international obliga-
11 tions, including countermeasures that suspend ordi-
12 nary international obligations to the Russian Fed-
13 eration, to help enforce the obligation of the Russian
14 Federation to compensate Ukraine.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that, having committed an act of aggression, as rec-
17 ognized by the United Nations General Assembly on
18 March 2, 2022, the Russian Federation is to be considered
19 as an aggressor state. The extreme illegal actions taken
20 by the Russian Federation, including an act of aggression,
21 present a unique situation, requiring and justifying the es-
22 tablishment of a legal authority to compensate victims of
23 aggression by the Russian Federation in Ukraine. In this
24 case, that authority is the authority of the United States
25 Government and other countries to confiscate Russian sov-

1 foreign assets in their respective jurisdictions to help en-
2 force the obligation of the Russian Federation to com-
3 pensate Ukraine.

4 **SEC. 102. SENSE OF CONGRESS REGARDING IMPORTANCE**
5 **OF THE RUSSIAN FEDERATION PROVIDING**
6 **COMPENSATION TO UKRAINE.**

7 It is the sense of Congress that—

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

13 (2) the full cost of the Russian Federation’s un-
14 lawful war against Ukraine and the amount of
15 money the Russian Federation must pay Ukraine
16 should be assessed by an international body or
17 mechanism charged with determining compensation
18 and providing assistance to Ukraine;

19 (3) the Russian Federation is now on notice of
20 its opportunity to comply with its international obli-
21 gations, including compensation, or, by agreement
22 with the government of independent Ukraine, au-
23 thorize an international body or mechanism to ad-
24 dress those outstanding obligations with authority to

1 make binding decisions on parties that comply in
2 good faith;

3 (4) the Russian Federation can, by negotiated
4 agreement, participate in any international process
5 to assess the full cost of the Russian Federation's
6 unlawful war against Ukraine and make funds avail-
7 able to compensate for damage, loss, and injury aris-
8 ing from its internationally wrongful acts in
9 Ukraine, and if it fails to do so, the United States
10 and other countries should explore other avenues for
11 ensuring compensation to Ukraine, including confis-
12 cation and repurposing of assets of the Russian Fed-
13 eration;

14 (5) the President should lead robust engage-
15 ment on all bilateral and multilateral aspects of the
16 response by the United States to efforts by the Rus-
17 sian Federation to undermine the sovereignty and
18 territorial integrity of Ukraine, including on any pol-
19 icy coordination and alignment regarding the dis-
20 position of Russian sovereign assets in the context of
21 compensation;

22 (6) the confiscation and repurposing of Russian
23 sovereign assets by the United States is in the vital
24 national security interests of the United States and

1 consistent with United States and international law;
2 and

3 (7) the United States should work with inter-
4 national allies and partners on the confiscation and
5 repurposing of Russian sovereign assets as part of a
6 coordinated, multilateral effort, including with G7
7 countries and other countries in which Russian sov-
8 ereign assets are located.

9 **SEC. 103. PROHIBITION ON RELEASE OF BLOCKED RUSSIAN**
10 **SOVEREIGN ASSETS.**

11 (a) IN GENERAL.—No Russian sovereign asset that
12 is blocked or immobilized by the Department of the Treas-
13 ury before the date specified in section 104(g) may be re-
14 leased or mobilized until the President certifies to the ap-
15 propriate congressional committees that—

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

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

21 (B) the Russian Federation is participating in
22 a bona fide international mechanism that, by agree-
23 ment, will discharge the obligations of the Russian
24 Federation to compensate Ukraine for all amounts
25 determined to be owed to Ukraine.

1 (b) NOTIFICATION.—Not later than 30 days before
2 the release or mobilization of a Russian sovereign asset
3 that previously had been blocked or immobilized by the
4 Department of the Treasury, the President shall submit
5 to the appropriate congressional committees—

6 (1) a notification of the decision to release or
7 mobilize the asset; and

8 (2) a justification in writing for such release or
9 mobilization.

10 (c) JOINT RESOLUTION OF DISAPPROVAL.—

11 (1) IN GENERAL.—No Russian sovereign asset
12 that previously had been blocked or immobilized by
13 the Department of the Treasury may be released or
14 mobilized if, within 30 days of receipt of the notifi-
15 cation and justification required under subsection
16 (b), a joint resolution is enacted prohibiting the pro-
17 posed release or mobilization.

18 (2) EXPEDITED PROCEDURES.—Any joint reso-
19 lution described in paragraph (1) introduced in ei-
20 ther House of Congress shall be considered in ac-
21 cordance with the provisions of section 601(b) of the
22 International Security Assistance and Arms Export
23 Control Act of 1976 (Public Law 94–329; 90 Stat.
24 765), except that any such resolution shall be
25 amendable. If such a joint resolution should be ve-

1 toed by the President, the time for debate in consid-
2 eration of the veto message on such measure shall
3 be limited to 20 hours in the Senate and in the
4 House of Representatives shall be determined in ac-
5 cordance with the Rules of the House.

6 (d) COOPERATION ON PROHIBITION OF RELEASE OF
7 CERTAIN RUSSIAN SOVEREIGN ASSETS.—The President
8 may take such action as may be necessary to seek to ob-
9 tain an agreement or arrangement between the United
10 States, Ukraine, and other countries that have blocked or
11 immobilized Russian sovereign assets to prohibit such as-
12 sets from being released or mobilized until an agreement
13 has been reached that discharges the Russian Federation
14 from further obligations to compensate Ukraine.

15 **SEC. 104. AUTHORITY TO ENSURE COMPENSATION TO**
16 **UKRAINE USING CONFISCATED RUSSIAN SOV-**
17 **EREIGN ASSETS.**

18 (a) REPORTING ON RUSSIAN ASSETS.—

19 (1) NOTICE REQUIRED.—Not later than 30
20 days after the date of the enactment of this Act, the
21 President shall, by means of such instructions or
22 regulations as the President may prescribe, require
23 any United States financial institution at which Rus-
24 sian sovereign assets are located, and that knows or
25 should know of such assets, to provide notice of such

1 assets, including relevant information required under
2 section 501.603(b)(ii) of title 31, Code of Federal
3 Regulations (or successor regulations), to the Sec-
4 retary of the Treasury not later than 10 days after
5 detection of such assets.

6 (2) REPORT REQUIRED.—

7 (A) IN GENERAL.—Not later than 180
8 days after the date of the enactment of this
9 Act, and annually thereafter for 3 years, the
10 President shall submit to the appropriate con-
11 gressional committees a report detailing the sta-
12 tus of Russian sovereign assets subject to the
13 jurisdiction of the United States.

14 (B) FORM.—The report required by sub-
15 paragraph (A) shall be submitted in unclassi-
16 fied form, but may include a classified annex.

17 (b) CONFISCATION.—

18 (1) IN GENERAL.—The President may con-
19 fiscate any Russian sovereign assets subject to the
20 jurisdiction of the United States.

21 (2) LIQUIDATION AND DEPOSIT.—The Presi-
22 dent shall—

23 (A) deposit any funds confiscated under
24 paragraph (1) into the Ukraine Support Fund
25 established under subsection (c);

1 (B) liquidate or sell any other property
2 confiscated under paragraph (1) and deposit
3 the funds resulting from such liquidation or
4 sale into the Ukraine Support Fund established
5 under subsection (c); and

6 (C) make all such funds available for the
7 purposes described in subsection (d).

8 (3) METHOD OF CONFISCATION.—The Presi-
9 dent shall confiscate Russian sovereign assets under
10 paragraph (1) through instructions or licenses or in
11 such other manner as the President determines ap-
12 propriate.

13 (4) VESTING.—All right, title, and interest in
14 Russian sovereign assets confiscated under para-
15 graph (1) shall vest, if necessary, in the Government
16 of the United States while being held in the Ukraine
17 Support Fund established under subsection (c).

18 (c) ESTABLISHMENT OF THE UKRAINE SUPPORT
19 FUND.—

20 (1) IN GENERAL.—The President shall establish
21 a non-interest-bearing account, to be known as the
22 “Ukraine Support Fund”, to consist of the funds de-
23 posited into the account under subsection (b).

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

4 (d) USE OF CONFISCATED PROPERTY.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 funds in the Ukraine Support Fund shall be avail-
7 able to the Secretary of State, in consultation with
8 the Administrator of the United States Agency for
9 International Development, for the purpose of com-
10 pensating Ukraine for damages resulting from the
11 unlawful invasion by the Russian Federation that
12 began on February 24, 2022, including through, to
13 the extent possible, the provision of such funds to an
14 international body or mechanism charged with deter-
15 mining compensation and providing assistance to
16 Ukraine, for purposes that include the following:

17 (A) Reconstruction and rebuilding efforts
18 in Ukraine.

19 (B) To provide humanitarian assistance to
20 the people of Ukraine.

21 (C) Such other purposes as the Secretary
22 determines directly and effectively support the
23 recovery of Ukraine and the welfare of the peo-
24 ple of Ukraine.

25 (2) NOTIFICATION.—

1 (A) IN GENERAL.—The Secretary of State
2 shall notify the appropriate congressional com-
3 mittees not fewer than 15 days before providing
4 any funds from the Ukraine Support Fund to
5 the Government of Ukraine or to any other per-
6 son or international organization for the pur-
7 poses described in paragraph (1).

8 (B) ELEMENTS.—A notification under sub-
9 paragraph (A) with respect to the provision of
10 funds to the Government of Ukraine shall speci-
11 fy—

12 (i) the amount of funds to be pro-
13 vided;

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

16 (iii) the recipient.

17 (e) JUDICIAL REVIEW.—

18 (1) IN GENERAL.—The confiscation of Russian
19 sovereign assets under subsection (b)(1) shall not be
20 subject to judicial review.

21 (2) RULE OF CONSTRUCTION.—Nothing in this
22 subsection shall be construed to limit any private in-
23 dividual or entity from asserting due process claims
24 in United States courts.

1 (f) EXCEPTION FOR UNITED STATES OBLIGATIONS
2 UNDER VIENNA CONVENTIONS.—The authorities pro-
3 vided by this section may not be exercised in a manner
4 inconsistent with the obligations of the United States
5 under—

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

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

12 (3) the Agreement Regarding the Headquarters
13 of the United Nations, signed at Lake Success June
14 26, 1947, and entered into force November 21, 1947
15 (TIAS 1676); or

16 (4) any other international agreement governing
17 the use of force and establishing rights under inter-
18 national humanitarian law.

19 (g) SUNSET.—The authority to confiscate, liquidate,
20 and transfer Russian sovereign assets under this section
21 shall terminate on the earlier of—

22 (1) the date that is 5 years after the date of the
23 enactment of this Act; or

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

4 (A) hostilities between the Russian Federa-
5 tion and Ukraine have ceased; and

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

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

14 **SEC. 105. INTERNATIONAL AGREEMENT TO USE RUSSIAN**
15 **SOVEREIGN ASSETS TO PROVIDE FOR THE**
16 **RECONSTRUCTION OF UKRAINE.**

17 (a) IN GENERAL.—The President shall take such ac-
18 tion as the President determines necessary to seek to es-
19 tablish a common international compensation mechanism,
20 in coordination with foreign partners including Ukraine,
21 that shall include the establishment of an international
22 fund to be known as the “Common Ukraine Fund”, that
23 uses assets in the Ukraine Support Fund established
24 under section 104(c) and contributions from foreign part-

1 ners that have also confiscated Russian sovereign assets
2 to allow for compensation for Ukraine, including by—

3 (1) establishing a register of damage to serve as
4 a record of evidence and for assessment of the full
5 costs of damages to Ukraine resulting from the inva-
6 sion of Ukraine by the Russian Federation that
7 began on February 24, 2022;

8 (2) establishing a mechanism for compensating
9 Ukraine for damages resulting from that invasion;

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

13 (4) taking such other actions as may be nec-
14 essary to carry out this section.

15 (b) AUTHORIZATION FOR DEPOSIT IN THE COMMON
16 UKRAINE FUND.—Upon the President reaching an agree-
17 ment or arrangement to establish a common international
18 compensation mechanism pursuant to subsection (a), the
19 Secretary of State shall transfer funds from the Ukraine
20 Support Fund established under section 104(c) to the
21 Common Ukraine Fund established under subsection (a).

22 (c) NOTIFICATIONS.—

23 (1) AGREEMENT OR ARRANGEMENT.—The
24 President shall notify the appropriate congressional
25 committees not later than 30 days before entering

1 into any new bilateral or multilateral agreement or
2 arrangement under subsection (a).

3 (2) TRANSFER.—The President shall notify the
4 appropriate congressional committees not later than
5 30 days before any transfer to the Common Ukraine
6 Fund established under subsection (a).

7 (d) LIMITATION ON TRANSFER OF FUNDS.—No
8 funds may be transferred to the Common Ukraine Fund
9 established under subsection (a) unless the President cer-
10 tifies to the appropriate congressional committees that—

11 (1) the institution housing the Common
12 Ukraine Fund has a plan to ensure transparency
13 and accountability for all funds transferred to and
14 from the Common Ukraine Fund; and

15 (2) the President has transmitted the plan re-
16 quired under paragraph (1) to the appropriate con-
17 gressional committees in writing.

18 (e) JOINT RESOLUTION OF DISAPPROVAL.—No
19 funds may be transferred to the Common Ukraine Fund
20 established under subsection (a) if, within 30 days of re-
21 ceipt of the notification required under subsection (c)(2),
22 a joint resolution is enacted prohibiting the transfer.

23 (f) REPORT.—Not later than 90 days after the date
24 of the enactment of this Act, and not less frequently than
25 every 90 days thereafter, the President shall submit to the

1 appropriate congressional committees a report that in-
2 cludes the following:

3 (1) An accounting of funds in the Common
4 Ukraine Fund established under subsection (a).

5 (2) Any information regarding the disposition
6 of the Common Ukraine Fund that has been trans-
7 mitted to the President by the institution housing
8 the Common Ukraine Fund during the period cov-
9 ered by the report.

10 (3) A description of United States multilateral
11 and bilateral diplomatic engagement with allies and
12 partners of the United States that also have immo-
13 bilized Russian sovereign assets to allow for com-
14 pensation for Ukraine during the period covered by
15 the report.

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

18 **SEC. 106. REPORT ON USE OF CONFISCATED RUSSIAN SOV-**
19 **EREIGN ASSETS FOR RECONSTRUCTION.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act, and every 90 days thereafter, the Sec-
22 retary of State, in consultation with the Secretary of the
23 Treasury, shall submit to the appropriate congressional
24 committees a report that contains—

1 (1) the amount and source of Russian sovereign
2 assets confiscated pursuant to subsection (b)(1) of
3 section 104;

4 (2) the amount and source of funds deposited
5 into the Ukraine Support Fund under subsection
6 (b)(2) of that section; and

7 (3) a detailed description and accounting of
8 how such funds were used to meet the purposes de-
9 scribed in subsection (d) of that section.

10 **SEC. 107. ASSESSMENT BY SECRETARY OF STATE AND AD-**
11 **MINISTRATOR OF UNITED STATES AGENCY**
12 **FOR INTERNATIONAL DEVELOPMENT ON RE-**
13 **CONSTRUCTION AND REBUILDING NEEDS OF**
14 **UKRAINE.**

15 (a) **IN GENERAL.**—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of State,
17 in consultation with the Administrator of the United
18 States Agency for International Development, shall submit
19 to the appropriate congressional committees an assess-
20 ment of the most pressing needs of Ukraine for recon-
21 struction, rebuilding, security assistance, and humani-
22 tarian aid.

23 (b) **ELEMENTS.**—The assessment required by sub-
24 section (a) shall include the following:

1 (1) An estimate of the rebuilding and recon-
2 struction needs of Ukraine, as of the date of the as-
3 sessment, resulting from the unlawful invasion of
4 Ukraine by the Russian Federation, including—

5 (A) a description of the sources and meth-
6 ods for the estimate; and

7 (B) an identification of the locations or re-
8 gions in Ukraine with the most pressing needs.

9 (2) An estimate of the humanitarian needs, as
10 of the date of the assessment, of the people of
11 Ukraine, including Ukrainians residing inside the
12 internationally recognized borders of Ukraine or out-
13 side those borders, resulting from the unlawful inva-
14 sion of Ukraine by the Russian Federation.

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

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

24 (5) An identification of which such needs
25 should be prioritized, including any assessment or

1 request by the Government of Ukraine with respect
2 to the prioritization of such needs.

3 **SEC. 108. EXCEPTION RELATING TO IMPORTATION OF**
4 **GOODS.**

5 (a) IN GENERAL.—The authorities and requirements
6 under this title shall not include the authority or a require-
7 ment to impose sanctions on the importation of goods.

8 (b) GOOD DEFINED.—In this section, the term
9 “good” means any article, natural or manmade substance,
10 material, supply, or manufactured product, including in-
11 spection and test equipment, and excluding technical data.

12 **SEC. 109. DEFINITIONS.**

13 In this title:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

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

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

23 (2) FINANCIAL INSTITUTION.—The term “fi-
24 nancial institution” means a financial institution
25 specified in subparagraph (A), (B), (C), (D), (E),

1 (F), (G), (H), (I), (J), (M), or (Z) of section
2 5312(a)(2) of title 31, United States Code.

3 (3) G7.—The term “G7” means the countries
4 that are member of the informal Group of 7, includ-
5 ing Canada, France, Germany, Italy, Japan, the
6 United Kingdom, and the United States.

7 (4) RUSSIAN SOVEREIGN ASSET.—The term
8 “Russian sovereign asset” means any of the fol-
9 lowing:

10 (A) Funds and other property of—

11 (i) the Central Bank of the Russian
12 Federation;

13 (ii) the Russian Direct Investment
14 Fund; or

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

17 (B) Any sovereign funds of the Russian
18 Federation held in a financial institution that is
19 wholly owned or controlled by the Government
20 of the Russian Federation.

21 (C) Any other funds or other property
22 wholly owned or controlled by the Government
23 of the Russian Federation, including by any
24 subdivision, agency, or instrumentality of that
25 government.

1 (5) UNITED STATES.—The term “United
 2 States” means the several States, the District of Co-
 3 lumbia, the Commonwealth of Puerto Rico, the Com-
 4 monwealth of the Northern Mariana Islands, Amer-
 5 ican Samoa, Guam, the United States Virgin Is-
 6 lands, and any other territory or possession of the
 7 United States.

8 (6) UNITED STATES FINANCIAL INSTITUTION.—
 9 The term “United States financial institution”
 10 means a financial institution organized under the
 11 laws of the United States or of any jurisdiction with-
 12 in the United States, including a foreign branch of
 13 such an institution.

14 **TITLE II—MULTILATERAL** 15 **SANCTIONS COORDINATION**

16 **SEC. 201. STATEMENT OF POLICY REGARDING COORDINA-** 17 **TION OF MULTILATERAL SANCTIONS WITH** 18 **RESPECT TO THE RUSSIAN FEDERATION.**

19 (a) IN GENERAL.—In response to the Russian Fed-
 20 eration’s unprovoked and illegal invasion of Ukraine, it is
 21 the policy of the United States that—

22 (1) the United States, along with the European
 23 Union, the G7, Australia, and other willing allies
 24 and partners of the United States, should lead a co-

1 ordinated international sanctions regime to freeze
2 sovereign assets of the Russian Federation;

3 (2) the head of the Office of Sanctions Coordi-
4 nation of the Department of State should engage in
5 interagency and multilateral coordination with agen-
6 cies of the European Union, the G7, Australia, and
7 other allies and partners of the United States to en-
8 sure the ongoing implementation and enforcement of
9 sanctions with respect to the Russian Federation in
10 response to its invasion of Ukraine;

11 (3) the Secretary of State, in consultation with
12 the Secretary of the Treasury, should, to the extent
13 practicable and consistent with relevant United
14 States law, lead and coordinate with the European
15 Union, the G7, Australia, and other allies and part-
16 ners of the United States with respect to enforce-
17 ment of sanctions imposed with respect to the Rus-
18 sian Federation;

19 (4) the United States should provide relevant
20 technical assistance, implementation guidance, and
21 support relating to enforcement and implementation
22 of sanctions imposed with respect to the Russian
23 Federation;

24 (5) where appropriate, the head of the Office of
25 Sanctions Coordination, in coordination with the Bu-

1 reau of Economic and Business Affairs and the Bu-
2 reau of European and Eurasian Affairs of the De-
3 partment of State and the Department of the Treas-
4 ury, should seek private sector input regarding sanc-
5 tions policy with respect to the Russian Federation
6 and the implementation of and compliance with such
7 sanctions imposed with respect to the Russian Fed-
8 eration; and

9 (6) the Secretary of State, in coordination with
10 the Secretary of the Treasury, should continue ro-
11 bust diplomatic engagement with allies and partners
12 of the United States, including the European Union,
13 the G7, and Australia, to encourage such allies and
14 partners to impose such sanctions.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There is authorized to be
17 appropriated to the Office of Sanctions Coordination
18 of the Department of State \$15,000,000 for each of
19 fiscal years 2024, 2025, and 2026 to carry out this
20 section.

21 (2) SUPPLEMENT NOT SUPPLANT.—The
22 amounts authorized to be appropriated by paragraph
23 (1) shall supplement and not supplant other
24 amounts authorized to be appropriated for the Office
25 of Sanctions Coordination.

1 SEC. 202. ASSESSMENT OF IMPACT OF UKRAINE-RELATED
2 SANCTIONS ON THE ECONOMY OF THE RUS-
3 SIAN FEDERATION.

4 (a) REPORT AND BRIEFINGS.—At the times specified
5 in subsection (b), the President shall submit a report and
6 provide a briefing to the appropriate congressional com-
7 mittees on the impact on the economy of the Russian Fed-
8 eration of sanctions imposed by the United States and
9 other countries with respect to the Russian Federation in
10 response to the unlawful invasion of Ukraine by the Rus-
11 sian Federation.

12 (b) TIMING.—The President shall—

13 (1) submit a report and provide a briefing de-
14 scribed in subsection (a) to the appropriate congres-
15 sional committees not later than 90 days after the
16 date of the enactment of this Act; and

17 (2) submit to the appropriate congressional
18 committees a report described in subsection (a)
19 every 180 days thereafter until the date that is 5
20 years after such date of enactment.

21 (c) ELEMENTS.—Each report required by this section
22 shall include—

23 (1) an assessment of—

24 (A) the impacts of the sanctions described
25 in subsection (a), disaggregated by major eco-
26 nomic sector, including the energy, aerospace

1 and defense, shipping, banking, and financial
2 sectors;

3 (B) the macroeconomic impact of those
4 sanctions on Russian, European, and global
5 economy market trends, including shifts in
6 global markets as a result of those sanctions;
7 and

8 (C) efforts by other countries or actors and
9 offshore financial providers to facilitate sanc-
10 tions evasion by the Russian Federation or take
11 advantage of gaps in international markets re-
12 sulting from the international sanctions regime
13 in place with respect to the Russian Federation;
14 and

15 (2) recommendations for further sanctions en-
16 forcement measures based on trends described in
17 paragraph (1)(B).

18 **SEC. 203. INFORMATION ON VOTING PRACTICES IN THE**
19 **UNITED NATIONS WITH RESPECT TO THE IN-**
20 **VASION OF UKRAINE BY THE RUSSIAN FED-**
21 **ERATION.**

22 Section 406(b) of the Foreign Relations Authoriza-
23 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C.
24 2414a(b)), is amended—

1 (1) in paragraph (4), by striking “Assembly
2 on” and all that follows through “opposed by the
3 United States” and inserting the following: “Assem-
4 bly on—

5 “(A) resolutions specifically related to
6 Israel that are opposed by the United States;
7 and

8 “(B) resolutions specifically related to the
9 invasion of Ukraine by the Russian Federa-
10 tion.”;

11 (2) in paragraph (5), by striking “; and” and
12 inserting a semicolon;

13 (3) by redesignating paragraph (6) as para-
14 graph (7); and

15 (4) by inserting after paragraph (5) the fol-
16 lowing:

17 “(6) an analysis and discussion, prepared in
18 consultation with the Secretary of State, of the ex-
19 tent to which member countries supported United
20 States policy objectives in the Security Council and
21 the General Assembly with respect to the invasion of
22 Ukraine by the Russian Federation; and”.

Æ

The bill was circulated in advance and the clerk shall designate the bill.

The CLERK. H.R. 4175, to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation and for other purposes.

Chairman MCCAUL. Without objection, the first reading is dispensed with and the bill is considered read and open to amendments at any point. I recognize myself in support of the bill.

We are living in incredibly dangerous times with multiple conflicts around the globe which threaten to upend the balance of power. Despite the recent eruption of the Hamas-Israel war and the growing threat of the CCP around the globe, we cannot lose sight of the importance of the war in Ukraine. These conflicts are all interconnected. Russia, China, and Iran are all working together to undermine the security of the United States and our closest allies and partners.

If Putin were to succeed in Ukraine, it would only embolden our adversaries and undermine our national security interests. We need a plan for victory as soon as possible, one that ensures the U.S. is not shouldering this burden alone.

So that is why I introduced the Repo Act, this bipartisan, bicameral legislation demands the Biden Administration transfer frozen Russian sovereign assets to Ukraine. It is time that Russia starts paying for the war that it started.

My bill also prohibits the Biden Administration from returning Russian sovereign assets to Vladimir Putin until Russia compensates Ukraine. The Administration's disastrous \$6 billion payout for Iran is part of its hostage deal with the Ayatollah, exposes the President's willingness to trade billions of dollars in negotiations with our adversaries. That is why I introduced H.R. 5861, a bill we will mark up shortly. It will permanently freeze \$6 billion of Iranian funds covered under the hostage deal.

To be clear, the war crimes and genocide committed by Russia cannot be reversed by money alone. Murder of innocent civilians, including women and children cannot be brought back and the trauma will live on for generations. But critical infrastructure, homes, towns, and businesses can be rebuilt. Along with our European and G7 allies, we hold as much as \$300 billion of Russian funds that can be used for Ukraine's recovery and reconstruction, as well as immediate economic and humanitarian assistance. Taking this action would deter other would-be aggressors with a clear message, the financial systems of the G7 and EU will be blocked to those who violate another nation's sovereignty.

Transferring Russian sovereign assets is not just the morally and strategically right thing to do, it is also the fiscally responsible thing to do on behalf of our constituents. As we anticipate considering a supplemental bill sent over from the Senate, with Ukraine assistance included, I am determined to push ahead on ensuring the aggressor pays. Putin causes devastation and Putin must pay for his crimes, not the American taxpayer. And so with that, is there any further discussion on the bill?

The Ranking Member is recognized.

Mr. MEEKS. Mr. Chairman, I am going to reserve my remarks for when you offer your amendments.

Chairman MCCAUL. The gentleman yields. Any further discussion on the bill?

Mr. HILL. Mr. Chairman?

Chairman MCCAUL. Mr. French Hill is recognized.

Mr. HILL. Chairman McCaul, thank you for holding this important markup and let me reiterate my thanks to you and your staff for working collaboratively with me on your Repo Act to incorporate key aspects of my Ukraine Reconstruction Act which will be reflected in the ANS that we talk about in a few minutes.

Russia should be held responsible for the cost of the damages stemming from its illegal invasion of Ukraine, not American taxpayers. And to that end, I am in strong support of the efforts of Chairman McCaul's Repo bill and a cosponsor.

The Repo for Ukrainians Act would give the President the authority to seize, transfer, or vest Russian sovereign assets within U.S. jurisdiction into an international fund for the sole purpose of Ukraine's eventual reconstruction. Considering most Russian sovereign assets are located outside the United States, it is important for our partners and allies around the world to introduce and pass companion legislation with similar authorizing capabilities as the U.S. cannot tackle this issue unilaterally.

There is bipartisan recognition in Congress that the United States must be a global leader through coordination with the G7 and our other allies. This bill is consistent with well-established international precedent where the United States work with international partners to establish a fund like we saw with Afghanistan in 2022, the Iran-U.S. Claims Tribunal in 1981, and the U.N. Compensation Fund for Kuwait in 1991 following Iraq's invasion of Kuwait.

This legislation still has some room for improvement, whether that is adding State-owned enterprises like Sberbank or Gazprom in the definition of a sovereign asset or in clarifying that Russia's illegal war first began in February 2014 after its invasion of Crimea. But with that said, I want to acknowledge a few ways that we were able to make this vest bill possible for this markup.

First, we made sure to hold Belarus accountable for its direct role in supporting Russia's illegal war against Ukraine. We added controls to ensure the governance and standards around the international Ukraine compensation fund and its compensation mechanism are fully audited, including independent auditors and audit by the GAO. We also clarified important concepts like judicial review and the definition of seizure to mean the confiscation of all rights, title, and interest in a sovereign asset.

And so let me thank you, Mr. Chairman, for your work on this bill, for your leadership in this important topic, on behalf of U.S. taxpayers and the defeat of Putin and Ukraine. I appreciate the time and I yield back to the chair.

Chairman MCCAUL. The gentleman yields. Let me also thank the gentleman for working with me and my staff to improve the bill from its original form and using your expertise from the Financial Services Committee. It was an excellent collaboration to better

products at the end of the day. So I want to thank you for your efforts and your help and working with me.

Is there any further discussion on the bill?

Mr. Wilson is recognized.

Mr. WILSON. Thank you, Chairman Mike McCaul. Also thank Ranking Member Greg Meeks for bringing the bipartisan measures before us today. It has never been more critical for us to work together to promote peace and stability and I was particularly in press yesterday the coverage that Ranking Member Meeks got on the front page of different publications around the country of his working together in a bipartisan manner.

And in regard to H.R. 4175, I urge support. As chairman of the U.S.-Helsinki Commission and friend of freedom-loving Ukrainians, I am grateful to work with the bipartisan rebuilding, economic prosperity, and opportunity for the Ukrainian side. This straight forward bill takes into consideration the absolute depravity inflicted on Ukrainians by war criminal Putin and his forces since the full-scale invasion of Ukraine on February 24, 2022.

Putin and his murdering thugs have systematically engaged in a genocide against the people of Ukraine. Denying their existence as a people, committing sexual violence against children, torturing civilians, abducting tens of thousands of children to be reprogrammed and brainwashed and forced adoption, and sadly the list continues.

America is in an war we did not choose and that is its dictators with rule of gun invading democracies with rule of law. War criminal Putin invaded Ukraine on February 24, 2022 and has been a puppet for Hamas of Iran invading Israel on October 7th, 2023. The agenda of death to Israel is leading to death to America. The dictators have clearly announced their goals of the axis of evil. War criminal Putin has written that Ukraine does not exist. The Chinese Communist Party explains that Taiwan does not exist. Iran chants with its puppets death to Israel, death to America. This war is solely war criminal Putin's responsibility, solely the responsibility of the regime in Tehran and he should be footing the bill for the rebuilding of what has been destroyed in Ukraine.

Again, I appreciate the leadership of Chairman Mike McCaul and his effort in leading this legislation. I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion on the bill?

There being no further discussion of the bill, the committee will move to consideration of amendments.

I have an amendment in the nature of a substitute at the desk and I ask for its consideration at this time.

[The Amendment offered by Mr. McCaul follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4175
OFFERED BY MR. McCAUL OF TEXAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—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 aggressor state sovereign assets.

Sec. 105. International agreement to use Russian sovereign assets and 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. Exception relating to importation of goods.

Sec. 109. Relation to other laws.

TITLE II—MULTILATERAL SANCTIONS COORDINATION

Sec. 201. Statement of policy regarding coordination of multilateral sanctions with respect to the Russian Federation.

Sec. 202. Assessment of impact of Ukraine-related sanctions on the economy of the Russian Federation.

Sec. 203. Information on voting practices in the United Nations with respect to the invasion of Ukraine by the Russian Federation.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **AFFILIATED AGGRESSOR STATE.**—The term
4 “affiliated aggressor state” means a state designated
5 by the President as such for purposes of this Act for
6 having providing significant material assistance to
7 an aggressor state.

8 (2) **AGGRESSOR STATE.**—The term “aggressor
9 state” means each of the Russian Federation and
10 Belarus, and referred to together as “aggressor
11 states”.

12 (3) **AGGRESSOR STATE SOVEREIGN ASSET.**—
13 The term “aggressor state sovereign asset” means
14 any funds or other property that are owned by the
15 government of an aggressor state or an affiliated ag-
16 gressor state, including by any subdivision, agency,
17 or instrumentality of that government.

18 (4) **APPROPRIATE CONGRESSIONAL COMMIT-**
19 **TEES.**—The term “appropriate congressional com-
20 mittees” means—

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

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

4 (5) FINANCIAL INSTITUTION.—The term “fi-
5 nancial institution” means a financial institution
6 specified in subparagraph (A), (B), (C), (D), (E),
7 (F), (G), (H), (I), (J), (M), or (Z) of section
8 5312(a)(2) of title 31, United States Code.

9 (6) G7.—The term “G7” means the countries
10 that are member of the informal Group of 7, includ-
11 ing Canada, France, Germany, Italy, Japan, the
12 United Kingdom, and the United States.

13 (7) RUSSIAN SOVEREIGN ASSET.—The term
14 “Russian sovereign asset” means any of the fol-
15 lowing:

16 (A) Funds and other property of—

17 (i) the Central Bank of the Russian
18 Federation;

19 (ii) the Russian National Wealth
20 Fund; or

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

23 (B) Any other funds or other property that
24 are owned by the Government of the Russian

1 Federation, including by any subdivision, agen-
2 cy, or instrumentality of that government.

3 (8) UNITED STATES.—The term “United
4 States” means the several States, the District of Co-
5 lumbia, the Commonwealth of Puerto Rico, the Com-
6 monwealth of the Northern Mariana Islands, Amer-
7 ican Samoa, Guam, the United States Virgin Is-
8 lands, and any other territory or possession of the
9 United States.

10 (9) UNITED STATES FINANCIAL INSTITUTION.—
11 The term “United States financial institution”
12 means a financial institution organized under the
13 laws of the United States or of any jurisdiction with-
14 in the United States, including a foreign branch of
15 such an institution.

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

21 **TITLE I—REPURPOSING OF**
22 **RUSSIAN SOVEREIGN ASSETS**

23 **SEC. 101. FINDINGS; SENSE OF CONGRESS.**

24 (a) FINDINGS.—Congress makes the following find-
25 ings:

1 (1) On February 24, 2022, the Government of
2 the Russian Federation violated the sovereignty and
3 territorial integrity of Ukraine by engaging in a pre-
4 meditated, second illegal invasion of Ukraine.

5 (2) The international community has con-
6 demned the illegal invasions of Ukraine by the Rus-
7 sian Federation, as well as the commission of the
8 crime of aggression, war crimes, crimes against hu-
9 manity, and genocide by officials of the Russian
10 Federation, including through the deliberate tar-
11 geting of civilians and civilian infrastructure, the
12 forcible transfer of children, and the commission of
13 sexual violence.

14 (3) The leaders of the G7 have called the Rus-
15 sian Federation's "unprovoked and completely un-
16 justified attack on the democratic state of Ukraine"
17 a "serious violation of international law and a grave
18 breach of the United Nations Charter and all com-
19 mitments Russia entered in the Helsinki Final Act
20 and the Charter of Paris and its commitments in the
21 Budapest Memorandum".

22 (4) On March 2, 2022, the United Nations
23 General Assembly adopted Resolution ES-11/1, enti-
24 tled "Aggression against Ukraine", by a vote of 141
25 to 5. That resolution "deplore[d] in the strongest

1 terms the aggression by the Russian Federation
2 against Ukraine in violation of Article 2(4) of the
3 [United Nations] Charter” and demanded that the
4 Russian Federation “immediately cease its use of
5 force against Ukraine” and “immediately, completely
6 and unconditionally withdraw all of its military
7 forces from the territory of Ukraine within its inter-
8 nationally recognized borders”.

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

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

18 (A) recognizing that the Russian Federa-
19 tion has committed a serious breach of the most
20 fundamental norms of international law and its
21 gross and systematic refusal to obey its obliga-
22 tions has affected the entire international com-
23 munity, and each state can invoke Russia’s re-
24 sponsibility to compensate for the damages
25 caused by such acts;

1 (B) recognizing the need for the establish-
2 ment, in cooperation with Ukraine, of an inter-
3 national mechanism for compensation for finan-
4 cially assessable damages caused by the Rus-
5 sian Federation's internationally wrongful acts;
6 and

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

15 (7) International law requires that a State re-
16 sponsible for an internationally wrongful act must
17 make full compensation for the injury caused by the
18 internationally wrongful act. In current cir-
19 cumstances, since restitution and satisfaction are
20 impossible, this means the Russian Federation must
21 compensate for the damages caused by its inter-
22 nationally wrongful acts.

23 (8) As a countermeasure for Russia's serious
24 breach of fundamental norms of international law,
25 states can suspend the ordinary regard one sov-

1 foreign extends to another's financial assets and in-
2 duce Russia's compliance with its international legal
3 obligations. The United States is legally entitled to
4 take countermeasures that are proportionate and
5 aimed at inducing the Russian Federation to comply
6 with its internal obligations, including counter-
7 measures that suspend ordinary international obliga-
8 tions to the Russian Federation.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that, having committed an act of aggression, as rec-
11 ognized by the United Nations General Assembly on
12 March 2, 2022, the Russian Federation is to be considered
13 as an aggressor state. The extreme illegal actions taken
14 by the Russian Federation, including an act of aggression,
15 present a unique situation, requiring and justifying the es-
16 tablishment of a legal authority to compensate victims of
17 aggression by the Russian Federation in Ukraine. In this
18 case, that authority is the authority of the United States
19 Government and other countries to confiscate Russian sov-
20 ereign assets in their respective jurisdictions to help en-
21 force the obligation of the Russian Federation to com-
22 pensate Ukraine.

1 **SEC. 102. SENSE OF CONGRESS REGARDING IMPORTANCE**
2 **OF THE RUSSIAN FEDERATION PROVIDING**
3 **COMPENSATION TO UKRAINE.**

4 It is the sense of Congress that—

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

10 (2) the most effective ways to provide com-
11 pensation for the damages caused by the Russian
12 Federation's internationally wrongful acts should be
13 assessed by an international mechanism charged
14 with determining compensation and providing assist-
15 ance to Ukraine;

16 (3) at least since November 2022 the Russian
17 Federation has been on notice of its opportunity to
18 comply with its international obligations, including
19 to make full compensation for injury, or, by agree-
20 ment with Ukraine, to authorize an international
21 mechanism to resolve issues regarding compensation
22 to Ukraine;

23 (4) the Russian Federation can, by negotiated
24 agreement, participate in any international process
25 to assess the damages caused by the Russian Fed-
26 eration's internationally wrongful acts and make

1 funds available to compensate for these damages,
2 and if it fails to do so, the United States and other
3 countries should explore other avenues for ensuring
4 compensation to Ukraine, including the repurposing
5 or ordered transfer of assets of the Russian Federa-
6 tion;

7 (5) the President should lead robust engage-
8 ment on all bilateral and multilateral aspects of the
9 response by the United States to acts by the Rus-
10 sian Federation that undermine the sovereignty and
11 territorial integrity of Ukraine, including on any pol-
12 icy coordination and alignment regarding the
13 repurposing or ordered transfer of Russian sovereign
14 assets in the context of determining compensation
15 and providing assistance to Ukraine;

16 (7) as part of the robust engagement on bilat-
17 eral and multilateral responses to acts by the Rus-
18 sian Federation that undermine the sovereignty and
19 territorial integrity of Ukraine, the President should
20 endeavor to facilitate creation of, and United States
21 participation in, an international mechanism regard-
22 ing the repurposing or seizure of sovereign assets of
23 the Russian Federation in the context of deter-
24 mining compensation to Ukraine.

1 (8) the repurposing of Russian sovereign assets
2 is in the vital national security interests of the
3 United States and consistent with United States and
4 international law; and

5 (9) the United States should work with inter-
6 national allies and partners on the repurposing of
7 Russian sovereign assets as part of a coordinated,
8 multilateral effort, including with G7 countries and
9 other countries in which Russian sovereign assets
10 are located.

11 **SEC. 103. PROHIBITION ON RELEASE OF BLOCKED RUSSIAN**
12 **SOVEREIGN ASSETS.**

13 (a) IN GENERAL.—No Russian sovereign asset that
14 is blocked or effectively immobilized by the Department
15 of the Treasury before the date specified in section 104(j)
16 may be released or mobilized, except as otherwise author-
17 ized by this Act, until the date on which the President
18 certifies to the appropriate congressional committees
19 that—

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

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

1 (B) the Russian Federation is participating in
2 a bona fide international mechanism that, by agree-
3 ment, will discharge the obligations of the Russian
4 Federation to compensate Ukraine for all amounts
5 determined to be owed to Ukraine.

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

11 (1) a notification of the decision to take the ac-
12 tion that releases or mobilizes the asset; and

13 (2) a justification in writing for such decision.

14 (c) JOINT RESOLUTION OF DISAPPROVAL.—

15 (1) IN GENERAL.—No Russian sovereign asset
16 that is blocked or effectively immobilized by the De-
17 partment of the Treasury may be released or mobi-
18 lized if, within 30 days of receipt of the notification
19 and justification required under subsection (b), a
20 joint resolution is enacted into law prohibiting the
21 proposed release or mobilization.

22 (2) EXPEDITED PROCEDURES.—Any joint reso-
23 lution described in paragraph (1) introduced in ei-
24 ther House of Congress shall be considered in ac-
25 cordance with the provisions of section 601(b) of the

1 International Security Assistance and Arms Export
2 Control Act of 1976 (Public Law 94-329; 90 Stat.
3 765), except that any such resolution shall be
4 amendable. If such a joint resolution should be ve-
5 toed by the President, the time for debate in consid-
6 eration of the veto message on such measure shall
7 be limited to 20 hours in the Senate and in the
8 House of Representatives shall be determined in ac-
9 cordance with the Rules of the House.

10 (d) COOPERATION ON PROHIBITION OF RELEASE OF
11 CERTAIN RUSSIAN SOVEREIGN ASSETS.—The President
12 may take such actions as may be necessary to seek to ob-
13 tain an agreement or arrangement between the United
14 States, Ukraine, and other countries that have blocked or
15 effectively immobilized Russian sovereign assets to pro-
16 hibit such assets from being released or mobilized until
17 an agreement has been reached that discharges the Rus-
18 sian Federation from further obligations to compensate
19 Ukraine.

20 **SEC. 104. AUTHORITY TO ENSURE COMPENSATION TO**
21 **UKRAINE USING SEIZED RUSSIAN SOV-**
22 **EREIGN ASSETS AND AGGRESSOR STATE SOV-**
23 **EREIGN ASSETS.**

24 (a) REPORTING ON RUSSIAN ASSETS.—

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

13 (2) REPORT REQUIRED.—

14 (A) IN GENERAL.—Not later than 180
15 days after the date of the enactment of this
16 Act, and annually thereafter for 3 years, the
17 President shall submit to the appropriate con-
18 gressional committees a report detailing the sta-
19 tus of Russian sovereign assets with respect to
20 which notice has been provided to the Secretary
21 of the Treasury under paragraph (1).

22 (B) FORM.—The report required by sub-
23 paragraph (A) shall be submitted in unclassi-
24 fied form, but may include a classified annex.

25 (b) SEIZURE OR TRANSFER OF ASSETS.—

1 (1) SEIZURE OF AGGRESSOR STATE SOVEREIGN
2 ASSETS.—The President may seize any aggressor
3 state sovereign assets for the purpose of transferring
4 those funds to the Ukraine Resources Fund estab-
5 lished under subsection (c)(1).

6 (2) TRANSFER OR SEIZURE OF RUSSIAN SOV-
7 EREIGN ASSETS.—

8 (A) IN GENERAL.—The President shall
9 take one or more of the actions described in
10 clauses (i) and (ii) of subparagraph (B) with re-
11 spect to any funds with respect to which notice
12 has been provided to the Secretary of the
13 Treasury under subsection (a)(1).

14 (B) ACTIONS DESCRIBED.—The actions
15 described in this subparagraph are the fol-
16 lowing:

17 (i) Seize any funds with respect to
18 which notice has been provided to the Sec-
19 retary of the Treasury under subsection
20 (a)(1) and order the transfer of such funds
21 to the Ukraine Resources Fund established
22 under subsection (c)(1).

23 (ii)(I) Order the transfer of any funds
24 with respect to which notice has been pro-
25 vided to the Secretary of the Treasury

1 under subsection (a)(1) into the Ukraine
2 Support Fund established under subsection
3 (c)(2).

4 (II) Upon an official and legitimate
5 request from a properly constituted inter-
6 national mechanism regarding the
7 repurposing of sovereign assets of the Rus-
8 sian Federation in the context of deter-
9 mining compensation and providing assist-
10 ance to Ukraine, which includes the par-
11 ticipation of the Government of Ukraine
12 and the United States and that has been
13 established to compensate for damages
14 arising or resulting from the internation-
15 ally wrongful acts of the Russian Federa-
16 tion, seize, transfer, or vest any such funds
17 described in subclause (I) for the express
18 purpose of transferring the funds from the
19 Ukraine Support Fund to any account
20 identified by the international mechanism.

21 (C) AVAILABILITY.—All funds with respect
22 to which an action described in subparagraph
23 (B)(ii) has been taken shall be available for the
24 purposes described in subsection (d).

1 (D) METHOD OF TRANSFER.—The Presi-
2 dent shall order the transfer of any funds with
3 respect to which notice has been provided to the
4 Secretary of the Treasury under subsection
5 (a)(1) to the Ukraine Support Fund established
6 pursuant to subsection (c)(2) through instruc-
7 tions or licenses or in such other manner as the
8 President determines appropriate.

9 (c) ESTABLISHMENT OF THE UKRAINE SUPPORT
10 FUND AND UKRAINE RESOURCES FUND.—

11 (1) UKRAINE RESOURCES FUND.—The Presi-
12 dent shall establish a non-interest-bearing account,
13 to be known as the “Ukraine Resources Fund”, to
14 consist of any funds with respect to which a seizure
15 is ordered pursuant to subsection (b)(1) or
16 (b)(2)(B)(i).

17 (2) UKRAINE SUPPORT FUND.—The President
18 shall establish an interest-bearing account, to be
19 known as the “Ukraine Support Fund”, to consist
20 of any funds with respect to which a transfer is or-
21 dered pursuant to subsection (b)(2)(B)(ii).

22 (3) USE OF FUNDS.—The funds in the accounts
23 established under paragraphs (1) and (2) shall be
24 available to be used only as specified in subsection
25 (d)(1).

1 (4) TITLE; RULE OF CONSTRUCTION.—

2 (A) TITLE.—The funds in the account es-
3 tablished under paragraph (2) shall remain the
4 property of the owner of the funds at the time
5 when the funds were transferred into such ac-
6 count until such time as the funds are seized
7 pursuant to subsection (b)(2)(B)(ii)(II) of this
8 section.

9 (B) RULE OF CONSTRUCTION.—Nothing in
10 this section may be construed to provide the
11 President with the authority to vest title to for-
12 eign sovereign assets in the Government of the
13 United States or transfer foreign sovereign as-
14 sets to any recipient for any use other than the
15 uses described in this Act.

16 (d) FURTHER TRANSFER AND USE OF FUNDS.—

17 (1) IN GENERAL.—Subject to paragraph (2),
18 the Secretary of State, in consultation with the Ad-
19 ministrator of the United States Agency for Inter-
20 national Development, may, upon direction or re-
21 quest by an official and legitimate request from an
22 international mechanism of which the United States
23 is a member that has been established to compensate
24 for damages arising or resulting from the inter-
25 nationally wrongful acts of the Russian Federation,

1 authorize and order the seizure and transfer of
2 funds in the Ukraine Support Fund to the specific
3 account and in the exact amount identified in the of-
4 ficial and legitimate request for purposes that in-
5 clude the following:

6 (A) Reconstruction, rebuilding and recov-
7 ery efforts in Ukraine.

8 (B) To provide economic and humanitarian
9 assistance to the people of Ukraine.

10 (C) Such other purposes as the Secretary
11 determines directly and effectively support the
12 recovery of Ukraine and the welfare of the peo-
13 ple of Ukraine.

14 (2) NOTIFICATION.—

15 (A) IN GENERAL.—The Secretary of State
16 shall notify the appropriate congressional com-
17 mittees not fewer than 15 days before providing
18 any funds from the Ukraine Support Fund to
19 any other account for the purposes described in
20 paragraph (1).

21 (B) ELEMENTS.—A notification under sub-
22 paragraph (A) with respect to the transfer of
23 funds to another account pursuant to para-
24 graph (1) shall specify—

1 (i) the amount of funds to be pro-
2 vided;

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

5 (iii) the recipient.

6 (e) LIMITATION ON TRANSFER OF FUNDS.—No
7 funds may be transferred pursuant to subsection (d) un-
8 less the President certifies to the appropriate congres-
9 sional committees that—

10 (1) a plan exists to ensure transparency and ac-
11 countability for all funds transferred to and from
12 the account receiving the funds; and

13 (2) the President has transmitted the plan re-
14 quired under paragraph (1) to the appropriate con-
15 gressional committees in writing.

16 (f) JOINT RESOLUTION OF DISAPPROVAL.—No funds
17 may be transferred pursuant to subsection (d) if, within
18 30 days of receipt of the notification required under sub-
19 section (d)(2), a joint resolution is enacted into law pro-
20 hibiting such transfer.

21 (g) REPORT.—Not later than 90 days after the date
22 of the enactment of this Act, and not less frequently than
23 every 90 days thereafter, the President shall submit to the
24 appropriate congressional committees a report that in-
25 cludes the following:

1 (1) An accounting of funds in any account to
2 which funds have been transferred pursuant to sub-
3 section (d).

4 (2) Any information regarding the disposition
5 of funds in any account to which funds have been
6 transferred pursuant to subsection (d) that has been
7 transmitted to the President by the institution hous-
8 ing said account during the period covered by the re-
9 port.

10 (3) A description of United States multilateral
11 and bilateral diplomatic engagement with allies and
12 partners of the United States that also have immo-
13 bilized Russian sovereign assets to compensate for
14 damages caused by the Russian Federation's inter-
15 nationally wrongful acts during the period covered
16 by the report.

17 (4) An outline of steps taken to carry out the
18 establishment of the international mechanism de-
19 scribed by section 105(a) during the period covered
20 by the report.

21 (h) EXCEPTION FOR UNITED STATES OBLIGATIONS
22 UNDER VIENNA CONVENTIONS.—The authorities pro-
23 vided by this section may not be exercised in a manner
24 inconsistent with the obligations of the United States
25 under—

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

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

7 (3) the Agreement Regarding the Headquarters
8 of the United Nations, signed at Lake Success June
9 26, 1947, and entered into force November 21, 1947
10 (TIAS 1676); or

11 (4) any other international agreement governing
12 the use of force and establishing rights under inter-
13 national humanitarian law.

14 (i) JUDICIAL REVIEW.—

15 (1) IN GENERAL.—Any transfers or seizures of
16 Russian sovereign assets under this Act shall not be
17 subject to judicial review.

18 (2) RULE OF CONSTRUCTION.—Nothing in this
19 subsection may be construed to limit any private in-
20 dividual or entity from asserting due process claims
21 in United States courts.

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

24 (1) the date that is 5 years after the date of the
25 enactment of this Act; 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) hostilities between the Russian Federation and Ukraine have ceased; and

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

(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.

SEC. 105. INTERNATIONAL AGREEMENT TO USE RUSSIAN SOVEREIGN ASSETS AND AGGRESSOR STATE SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.

(a) IN GENERAL.—The President shall take such actions as the President determines necessary to seek to establish an international mechanism of which the United States will be a member, in coordination with foreign partners, including Ukraine, to compensate Ukraine for damages arising or resulting from the Russian Federation's internationally wrongful acts, that shall include the establishment of an international fund to be known as the

1 “Ukraine Compensation Fund”, that may receive and use
2 assets in the Ukraine Resources Fund established under
3 section 104(c)(1) and the Ukraine Support Fund estab-
4 lished under section 104(c)(2) and contributions from for-
5 eign partners that have also frozen or seized Russian sov-
6 ereign assets to support compensation for damages caused
7 by the Russian Federation’s internationally wrongful acts
8 in Ukraine, including by—

9 (1) supporting a register of damage to serve as
10 a record of evidence and for assessment of the finan-
11 cially assessable damages to Ukraine resulting from
12 the invasions of Ukraine by the Russian Federation
13 and operations or actions in support thereof;

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

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

20 (4) taking such other actions as may be nec-
21 essary to carry out this section.

22 (b) AUTHORIZATION FOR DEPOSIT IN THE UKRAINE
23 COMPENSATION FUND.—Upon the President reaching an
24 agreement or arrangement to establish a common inter-
25 national compensation mechanism pursuant to subsection

1 (a) or at any time thereafter, the Secretary of State may,
2 pursuant to the authority conferred by and subject to the
3 limitations described in section 104(d), transfer funds
4 from the Ukraine Resources Fund established under sec-
5 tion 104(c)(1) and the Ukraine Support Fund established
6 under section 104(c)(2) to the Ukraine Compensation
7 Fund established under subsection (a).

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

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

14 (1) seek to ensure that the international mecha-
15 nism for compensating Ukraine for damages oper-
16 ates in accordance with established international ac-
17 counting principles;

18 (2) seek ensure that the Ukraine Compensation
19 Fund and common international compensation
20 mechanism are—

21 (A) staffed, operated, and administered in
22 accordance with established accounting rules
23 and governance procedures, including providing
24 for payment of reasonable expenses from the

1 fund for the governance and operation of the
2 fund and the tribunal;

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

5 (C) audited on a regular basis by an inde-
6 pendent auditor, in accordance with inter-
7 nationally accepted accounting and auditing
8 standards;

9 (3) seek to ensure that any audits of the
10 Ukraine Compensation Fund and the international
11 mechanism for compensating Ukraine shall be made
12 available to the public; and

13 (4) ensure that any audits of the Ukraine Com-
14 pensation Fund and the international mechanism for
15 compensating Ukraine shall be reviewed and re-
16 ported on by the U.S. Government Accountability
17 Office to the appropriate congressional committees
18 and the public.

19 **SEC. 106. REPORT ON USE OF TRANSFERRED RUSSIAN SOV-**
20 **EREIGN ASSETS FOR RECONSTRUCTION.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, and every 180 days thereafter, the Sec-
23 retary of State, in consultation with the Secretary of the
24 Treasury, shall submit to the appropriate congressional
25 committees a report that contains—

1 (1) the amount and source of Russian sovereign
2 assets reported to the Secretary of the Treasury
3 pursuant to section 104(a)(1);

4 (2) the amount and source of funds deposited
5 into the Ukraine Support Fund under section
6 104(b); and

7 (3) a detailed description and accounting of
8 how such funds were used to meet the purposes de-
9 scribed in section 104(d)(1).

10 **SEC. 107. ASSESSMENT BY SECRETARY OF STATE AND AD-**
11 **MINISTRATOR OF USAID ON RECONSTRUC-**
12 **TION AND REBUILDING NEEDS OF UKRAINE.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of State,
15 in consultation with the Administrator of the United
16 States Agency for International Development, shall submit
17 to the appropriate congressional committees an assess-
18 ment of the most pressing needs of Ukraine for recon-
19 struction, rebuilding, security assistance, and humani-
20 tarian aid.

21 (b) ELEMENTS.—The assessment required by sub-
22 section (a) shall include the following:

23 (1) An estimate of the rebuilding and recon-
24 struction needs of Ukraine, as of the date of the as-

1 sessment, resulting from the unlawful invasion of
2 Ukraine by the Russian Federation, including—

3 (A) a description of the sources and meth-
4 ods for the estimate; and

5 (B) an identification of the locations or re-
6 gions in Ukraine with the most pressing needs.

7 (2) An estimate of the humanitarian needs, as
8 of the date of the assessment, of the people of
9 Ukraine, including Ukrainians residing inside the
10 internationally recognized borders of Ukraine or out-
11 side those borders, resulting from the unlawful inva-
12 sion of Ukraine by the Russian Federation.

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

17 (4) A plan to engage in robust multilateral and
18 bilateral diplomacy to ensure that allies and partners
19 of the United States, particularly in the European
20 Union as Ukraine seeks accession to the European
21 Union, increase their commitment to Ukraine's re-
22 construction.

23 (5) An identification of which such needs
24 should be prioritized, including any assessment or

1 request by the Government of Ukraine with respect
2 to the prioritization of such needs.

3 **SEC. 108. EXCEPTION RELATING TO IMPORTATION OF**
4 **GOODS.**

5 (a) IN GENERAL.—The authorities and requirements
6 under this title shall not include the authority or a require-
7 ment to impose sanctions on the importation of goods.

8 (b) GOOD DEFINED.—In this section, the term
9 “good” means any article, natural or manmade substance,
10 material, supply, or manufactured product, including in-
11 spection and test equipment, and excluding technical data.

12 **SEC. 109. RELATION TO OTHER LAWS.**

13 The authorities established by this title do not abro-
14 gate, displace, or otherwise modify any or all applicable
15 authorities which other provisions of law, including section
16 203 of the International Emergency Economic Powers Act
17 (50 U.S.C. 1702), may grant the President with respect
18 to aggressor state sovereign assets.

**TITLE II—MULTILATERAL
SANCTIONS COORDINATION**

SEC. 201. STATEMENT OF POLICY REGARDING COORDINATION OF MULTILATERAL SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

In response to the Russian Federation's unprovoked and illegal invasion of Ukraine, it is the policy of the United States that—

(1) the United States, along with the European Union, the G7, Australia, and other willing allies and partners of the United States, should lead a coordinated international sanctions regime to freeze Russian sovereign assets;

(2) the head of the Office of Sanctions Coordination of the Department of State should engage in interagency and multilateral coordination with the European Union, the G7, Australia, and other allies and partners of the United States to ensure the ongoing implementation and enforcement of sanctions with respect to the Russian Federation in response to its invasion of Ukraine;

(3) the Secretary of State, in consultation with the Secretary of the Treasury, should, to the extent practicable and consistent with relevant United States law, lead and coordinate with the European

1 Union, the G7, Australia, and other allies and part-
2 ners of the United States with respect to enforce-
3 ment of sanctions imposed with respect to the Rus-
4 sian Federation;

5 (4) the United States should provide relevant
6 technical assistance, implementation guidance, and
7 support relating to enforcement and implementation
8 of sanctions imposed with respect to the Russian
9 Federation;

10 (5) where appropriate, the head of the Office of
11 Sanctions Coordination, in coordination with the Bu-
12ureau of Economic and Business Affairs and the Bu-
13reau of European and Eurasian Affairs of the De-
14partment of State and the Department of the Treas-
15ury, should seek private sector input regarding sanc-
16tions policy with respect to the Russian Federation
17and the implementation of and compliance with such
18sanctions imposed with respect to the Russian Fed-
19eration; and

20 (6) the Secretary of State, in coordination with
21 the Secretary of the Treasury, should continue ro-
22bust diplomatic engagement with allies and partners
23of the United States, including the European Union,
24the G7, and Australia, to encourage such allies and
25partners to impose such sanctions.

1 **SEC. 202. ASSESSMENT OF IMPACT OF UKRAINE-RELATED**
2 **SANCTIONS ON THE ECONOMY OF THE RUS-**
3 **SIAN FEDERATION.**

4 (a) **REPORT AND BRIEFINGS.**—At the times specified
5 in subsection (b), the President shall submit a report and
6 provide a briefing to the appropriate congressional com-
7 mittees on the impact on the economy of the Russian Fed-
8 eration of sanctions imposed by the United States and
9 other countries with respect to the Russian Federation in
10 response to the unlawful invasion of Ukraine by the Rus-
11 sian Federation.

12 (b) **TIMING.**—The President shall—

13 (1) submit a report and provide a briefing de-
14 scribed in subsection (a) to the appropriate congres-
15 sional committees not later than 90 days after the
16 date of the enactment of this Act; and

17 (2) submit to the appropriate congressional
18 committees a report described in subsection (a) an-
19 nually thereafter until the date that is 3 years after
20 such date of enactment.

21 (c) **ELEMENTS.**—Each report required by this section
22 shall include—

23 (1) an assessment of—

24 (A) the impacts of the sanctions described
25 in subsection (a), disaggregated by major eco-
26 nomic sector, including the energy, aerospace

1 and defense, shipping, banking, and financial
2 sectors;

3 (B) the macroeconomic impact of those
4 sanctions on Russian, European, and global
5 economy market trends, including shifts in
6 global markets as a result of those sanctions;
7 and

8 (C) efforts by other countries or actors and
9 offshore financial providers to facilitate sanc-
10 tions evasion by the Russian Federation or take
11 advantage of gaps in international markets re-
12 sulting from the international sanctions regime
13 in place with respect to the Russian Federation;
14 and

15 (2) recommendations for further sanctions en-
16 forcement measures based on trends described in
17 paragraph (1)(B).

18 **SEC. 203. INFORMATION ON VOTING PRACTICES IN THE**
19 **UNITED NATIONS WITH RESPECT TO THE IN-**
20 **VASION OF UKRAINE BY THE RUSSIAN FED-**
21 **ERATION.**

22 Section 406(b) of the Foreign Relations Authoriza-
23 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C.
24 2414a(b)), is amended—

1 (1) in paragraph (4), by striking “Assembly
2 on” and all that follows through “opposed by the
3 United States” and inserting the following: Assem-
4 bly on—

5 “(A) resolutions specifically related to
6 Israel that are opposed by the United States;
7 and

8 “(B) resolutions specifically related to the
9 invasion of Ukraine by the Russian Federa-
10 tion.”;

11 (2) in paragraph (5), by striking “; and” and
12 inserting a semicolon;

13 (3) by redesignating paragraph (6) as para-
14 graph (7); and

15 (4) by inserting after paragraph (5) the fol-
16 lowing:

17 “(6) an analysis and discussion, prepared in
18 consultation with the Secretary of State, of the ex-
19 tent to which member countries supported United
20 States policy objectives in the Security Council and
21 the General Assembly with respect to the invasion of
22 Ukraine by the Russian Federation; and”.

Amend the title so as to read: “A bill to authorize
the Secretary of State to provide additional assistance to
Ukraine using assets from the Central Bank of the Rus-

sian Federation and other sovereign assets of the Russian Federation, and for other purposes.”.



Chairman MCCAUL. The clerk shall distribute the McCaul amendment in the nature of a substitute and the clerk shall report the amendment.

The CLERK. Amendment in the nature of a substitute to H.R. 4175 offered by Mr. McCaul of Texas. Strike all after the enacting cause and insert the following: Section 1 short title, table of contents—

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with. I support this amendment. It is a very short Statement here. And do any other members seek recognition?

Mr. Meeks is recognized.

Mr. MEEKS. I want to thank Chairman McCaul for placing H.R. 4175 on the markup agenda. Only 2 days after Russia's renewed invasion of Ukraine, the United States worked with our partners to impose unprecedented economic sanctions against Putin's Russia. This included prohibiting any business with the Russian Central Bank. This was no easy task. And thanks to a strong diplomatic effort by President Biden and his Administration, we are working collectively to curb Russia's heinous war. Nevertheless, as the war evolves, so shall economic strategy, including support for Ukraine that enables it to emerge as a healthy, economic player in Europe. This must be done during the war, not only after Ukraine wins.

Today's legislation deals with one of the potential tools we have yet to exercise, the transfer of frozen Russian solvent assets to assist Ukraine. It is a solution that we should prudently pursue, along with our European partners. For now, there are encouraging signs from Europe where most of those assets sit and whose legal hoops are more demanding. I consistently argue that we should act in coordination with our democratic allies and our support for Ukraine. Our unity and resolve are what Putin has always been betting against.

So again, I want to thank Chairman McCaul. I support this bill. I want to thank his staff for cooperating in its advancement and encourage my colleagues to support it as well and I yield back.

Chairman MCCAUL. Thank you for the Ranking Member's support and working with me to get to a good place. Again, I think this bill is what we have been looking for and that is let the criminal pay for the crime, not the American taxpayer. And that is just the bottom line here.

Does any other member seek recognition?

Mr. Kean is recognized.

Mr. KEAN. Thank you, Mr. Chairman, for introducing this legislation and your leadership on this issue. Following Russia's illegal and unprovoked invasion of Ukraine in February 2022, the United States and our allies in Europe and around the globe froze roughly \$300 billion worth of Russian sovereign assets. Let me be clear. Russia should never again have access to these assets. Instead, these resources should be transferred immediately to Ukraine to alleviate the suffering of Russia's countless victims there.

Due to Russia's unprovoked and destructive war of aggression, Ukraine's near and long-term needs are substantial. But the United States and our European allies should not be solely respon-

sible for Ukraine's recovery and reconstruction. Putin must pay. Of course, the lion's share of frozen Russian assets are in Europe, not in the United States, but America must lead by example on this and demonstrate to others around the world that it can and it should be done.

The President, unfortunately, has abdicated his leadership and refused to transfer frozen Russian sovereign assets in the United States to Ukraine, even though he already has the authority in law to do so. This legislation would force the Administration's hand to accomplish this and urge our allies and partners to follow suit. By transferring these frozen Russian assets to Ukraine, we can provide continued support to Ukraine while significantly defraying costs to taxpayers. This will also ensure that Russia can never access these funds and use them for malign purposes. This is morally correct, fiscally responsible, and strategically sound. I am proud to cosponsor this important legislation and I urge my colleagues to vote in favor of it today. I yield back my time.

Chairman MCCAUL. The gentleman yields. Do any other members seek recognition?

There being no further discussion, do any other members wish to offer an amendment to the McCaul amendment in the nature of a substitute?

There being no further amendments, the question now occurs on the amendment in the nature of a substitute offered by myself.

All those in favor, signify by saying aye. Aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to.

There being no further amendments, I move that the committee report H.R. 4175, as amended, to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to.

A roll call vote has been requested by me. If I win on voice, that is not so bad, but OK, has been requested. Pursuant to the chair's previously announcement, this vote will be postponed.

[The Bill 4723 follows:]

118TH CONGRESS
1ST SESSION

H. R. 4723

To provide for the imposition of sanctions with respect to foreign persons undermining the Dayton Peace Agreement or threatening the security of Bosnia and Herzegovina, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2023

Mrs. WAGNER (for herself, Ms. WILD, Mr. KEAN of New Jersey, and Mr. TURNER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the imposition of sanctions with respect to foreign persons undermining the Dayton Peace Agreement or threatening the security of Bosnia and Herzegovina, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Upholding the Dayton
5 Peace Agreement Through Sanctions Act”.

1 SEC. 2. STATEMENT OF POLICY.

2 It is the policy of the United States—

3 (1) to support Bosnia and Herzegovina’s sov-
4 ereignty, territorial integrity, multi-ethnic character
5 and the prosperity of the Republika Srpska entity,
6 the Federation of Bosnia and Herzegovina entity,
7 and the Brcko District within one Bosnia and
8 Herzegovina;

9 (2) to support Bosnia and Herzegovina’s
10 progress towards Euro-Atlantic integration;

11 (3) to encourage officials in Bosnia and
12 Herzegovina to resume institutional participation at
13 all levels of government to advance functionality and
14 common-sense reforms for greater prosperity;

15 (4) to call on Bosnia and Herzegovina to imple-
16 ment the rulings of the European Court of Human
17 Rights;

18 (5) to support the robust use of targeted sanc-
19 tions against persons who undermine the Dayton
20 Peace Agreement, as well as the democratic institu-
21 tions and Constitution of Bosnia and Herzegovina,
22 to support peace and stability in that country;

23 (6) to urge the European Union to join the
24 United States and United Kingdom in sanctioning
25 Milorad Dodik, a member of the Presidency of Bos-
26 nia and Herzegovina, for his actions that undermine

1 the stability and territorial integrity of Bosnia and
2 Herzegovina;

3 (7) to expose and condemn the Government of
4 Russia for its role in fueling instability in Bosnia
5 and Herzegovina and undermining the Dayton Peace
6 Agreement, the role of the Office of the High Rep-
7 resentative, and the European Union Force in BiH's
8 Operation Althea;

9 (8) to work with other regional states, including
10 Serbia and Croatia, to support the territorial integ-
11 rity and stability of Bosnia and Herzegovina; and

12 (9) to encourage the United States to use its
13 voice and vote at the United Nations, the Peace Im-
14 plementation Council and its Steering Board, and
15 other relevant international bodies to support the
16 Office of the High Representative.

17 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
18 **EIGN PERSONS UNDERMINING THE DAYTON**
19 **PEACE AGREEMENT OR THREATENING THE**
20 **SECURITY OF BOSNIA AND HERZEGOVINA.**

21 (a) IMPOSITION OF SANCTIONS.—

22 (1) LIST REQUIRED.—Not later than 30 days
23 after the date of the enactment of this Act, and
24 every 90 days thereafter, the President shall submit

1 to the appropriate congressional committees a list of
2 foreign persons that are determined—

3 (A) to be responsible for or complicit in, or
4 to have directly or indirectly engaged in, any
5 action or policy that threatens the peace, secu-
6 rity, stability, or territorial integrity of Bosnia
7 and Herzegovina, including actions that seek to
8 undermine the authority of Bosnia and
9 Herzegovina's state-level institutions, such as
10 forming illegal parallel institutions or actions
11 that threaten the Office of the High Represent-
12 ative;

13 (B) to be responsible for or complicit in, or
14 to have directly or indirectly engaged in, any
15 action or policy that undermines democratic
16 processes or institutions in Bosnia and
17 Herzegovina;

18 (C) to be responsible for or complicit in, or
19 to have directly or indirectly engaged in, or to
20 have attempted, a violation of, or an act that
21 has obstructed or threatened the implementa-
22 tion of, the Dayton Peace Agreement or the
23 Conclusions of the Peace Implementation Con-
24 ference Council held in London in December
25 1995, including the decisions or conclusions of

1 the Office of the High Representative, the
2 Peace Implementation Council, or its Steering
3 Board;

4 (D) to be a member, official, or senior
5 leader of an illegal parallel institution or any
6 other institution that engages in activities de-
7 scribed in subparagraph (A), (B) or (C), as de-
8 termined by the Secretary of State;

9 (E) to be responsible for or complicit in, or
10 to have directly or indirectly engaged in, or at-
11 tempted to engage in, corruption related to
12 Bosnia and Herzegovina, including corruption
13 by, on behalf of, or otherwise related to the gov-
14 ernment in Bosnia and Herzegovina, or a cur-
15 rent or former government official at any level
16 of government in Bosnia and Herzegovina, such
17 as the misappropriation of public assets, expro-
18 priation of private assets for personal gain or
19 political purposes, corruption related to govern-
20 ment contracts or the extraction of natural re-
21 sources or bribery;

22 (F) to be an adult family member of any
23 foreign person described in subparagraph (A),
24 (B), (C), (D), or (E);

1 (G) to have knowingly facilitated a signifi-
2 cant transaction or transactions for or on be-
3 half of a foreign person described in subpara-
4 graph (A), (B), (C), (D), or (E);

5 (H) to be owned or controlled by, or to
6 have acted or purported to act for or on behalf
7 of, directly or indirectly, a foreign person de-
8 scribed in subparagraph (A), (B), (C), (D), or
9 (E); or

10 (I) to have knowingly materially assisted,
11 sponsored, or provided financial, material, or
12 technological support for, or goods or services
13 to or in support of, a foreign person described
14 in subparagraph (A), (B), (C), (D), or (E).

15 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
16 mission of each list required by paragraph (1), the
17 President shall impose the sanctions described in
18 subsection (c) with respect to each foreign person
19 identified on the list.

20 (b) ADDITIONAL MEASURE RELATING TO FACILITA-
21 TION OF TRANSACTIONS.—The Secretary of the Treasury
22 may, in consultation with the Secretary of State, prohibit
23 or impose strict conditions on the opening or maintaining
24 in the United States of a correspondent account or pay-
25 able-through account by a foreign financial institution

1 that the President determines has, on or after the date
2 of the enactment of this Act, knowingly conducted or fa-
3 cilitated a significant transaction or transactions on behalf
4 of a foreign person on the list required by subsection
5 (a)(1).

6 (c) SANCTIONS DESCRIBED.—The sanctions de-
7 scribed in this subsection are the following:

8 (1) PROPERTY BLOCKING.—Notwithstanding
9 the requirements of section 202 of the International
10 Emergency Economic Powers Act (50 U.S.C. 1701),
11 the President may exercise of all powers granted to
12 the President by that Act to the extent necessary to
13 block and prohibit all transactions in all property
14 and interests in property of the foreign person if
15 such property and interests in property are in the
16 United States, come within the United States, or are
17 or come within the possession or control of a United
18 States person.

19 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
20 SION, OR PAROLE.—

21 (A) IN GENERAL.—An alien on the list re-
22 quired by subsection (a)(1) is—

23 (i) inadmissible to the United States;

24 (ii) ineligible for a visa or travel to the
25 United States; and

1 (iii) otherwise ineligible to be admitted
2 or paroled into the United States or to re-
3 ceive any other benefit under the Immigra-
4 tion and Nationality Act (8 U.S.C. 1101 et
5 seq.).

6 (B) CURRENT VISAS REVOKED.—

7 (i) IN GENERAL.—The visa or other
8 documentation issued to an alien on the
9 list required by subsection (a)(1) shall be
10 revoked, regardless of when such visa or
11 other documentation is or was issued.

12 (ii) EFFECT OF REVOCATION.—A visa
13 or other entry documentation revoked
14 under clause (i) shall, in accordance with
15 section 221(i) of the Immigration and Na-
16 tionality Act (8 U.S.C. 1201(i)), no longer
17 be valid for travel to the United States.

18 (d) EXCEPTIONS.—

19 (1) EXCEPTION FOR INTELLIGENCE, LAW EN-
20 FORCEMENT, AND NATIONAL SECURITY ACTIVI-
21 TIES.—Sanctions under this section shall not apply
22 to any authorized intelligence, law enforcement, or
23 national security activities of the United States.

24 (2) EXCEPTION TO COMPLY WITH UNITED NA-
25 TIONS HEADQUARTERS AGREEMENT.—Sanctions

1 under subsection (c)(2) shall not apply with respect
2 to the admission of an alien to the United States if
3 the admission of the alien is necessary to permit the
4 United States to comply with the Agreement regard-
5 ing the Headquarters of the United Nations, signed
6 at Lake Success June 26, 1947, and entered into
7 force November 21, 1947, between the United Na-
8 tions and the United States, the Convention on Con-
9 sular Relations, done at Vienna April 24, 1963, and
10 entered into force March 19, 1967, or other applica-
11 ble international obligations.

12 (e) WAIVER.—

13 (1) IN GENERAL.—The President may, on a
14 case-by-case basis and for periods not to exceed 180
15 days each, waive the application of sanctions or re-
16 strictions imposed with respect to a foreign person
17 under this section if the President certifies to the
18 appropriate congressional committees not later than
19 15 days before such waiver is to take effect that the
20 waiver is vital to the national security interests of
21 the United States.

22 (2) SUNSET.—The authority to issue a waiver
23 under paragraph (1) shall terminate on the date
24 that is 2 years after the date of enactment of this
25 Act.

1 (f) REGULATIONS.—

2 (1) IN GENERAL.—The President shall, not
3 later than 180 days after the date of the enactment
4 of this Act, prescribe regulations as necessary for
5 the implementation of this Act.

6 (2) NOTIFICATION TO CONGRESS.—Not later
7 than 10 days before the prescription of regulations
8 under paragraph (1), the President shall notify the
9 appropriate congressional committees regarding the
10 proposed regulations and the provisions of this Act
11 that the regulations are implementing.

12 (g) IMPLEMENTATION.—The President may exercise
13 all authorities provided under sections 203 and 205 of the
14 International Emergency Economic Powers Act (50
15 U.S.C. 1702 and 1704) to carry out this Act.

16 (h) PENALTIES.—The penalties provided for in sub-
17 sections (b) and (c) of section 206 of the International
18 Emergency Economic Powers Act (50 U.S.C. 1705) shall
19 apply to a person that violates, attempts to violate, con-
20 spires to violate, or causes a violation of regulations pre-
21 scribed to carry out this Act to the same extent that such
22 penalties apply to a person that commits an unlawful act
23 described in subsection (a) of such section 206.

24 (i) TERMINATION OF SANCTIONS.—The President
25 may terminate the application of sanctions under this sec-

1 tion with respect to a foreign person if the President deter-
2 mines and reports to the appropriate congressional com-
3 mittees not later than 15 days before the termination of
4 the sanctions that—

5 (1) credible information exists that the foreign
6 person did not engage in the activity for which sanc-
7 tions were imposed;

8 (2) the foreign person has been prosecuted and
9 sentenced appropriately for the activity for which
10 sanctions were imposed; or

11 (3) the foreign person has credibly dem-
12 onstrated a significant change in behavior, has paid
13 an appropriate consequence for the activity for
14 which sanctions were imposed, and has credibly com-
15 mitted to not engage in an activity described in sub-
16 section (a)(1) in the future.

17 **SEC. 4. CODIFICATION OF SANCTIONS RELATING TO THE**
18 **WESTERN BALKANS.**

19 (a) **IN GENERAL.**—Each sanction imposed through
20 Executive orders described in subsection (b), including
21 each sanction imposed with respect to a person under such
22 an Executive order, as of the date of the enactment of
23 this Act, shall remain in effect, except as provided in sub-
24 section (c).

1 (b) EXECUTIVE ORDERS SPECIFIED.—The Executive
2 orders specified in this subsection are—

3 (1) Executive Order 13219 (50 U.S.C. 1701
4 note; relating to blocking property of persons who
5 threaten international stabilization efforts in the
6 Western Balkans), as in effect on the date of the en-
7 actment of this Act; and

8 (2) Executive Order 14033 (50 U.S.C. 1701
9 note; relating to blocking property and suspending
10 entry into the United States of certain persons con-
11 tributing to the destabilizing situation in the West-
12 ern Balkans), as in effect on such date of enact-
13 ment.

14 (c) TERMINATION OF SANCTIONS.—The President
15 may terminate the application of a sanction described in
16 subsection (a) with respect to a person if the President
17 certifies to the appropriate congressional committees
18 that—

19 (1) such person—

20 (A) is not engaging in the activity that was
21 the basis for such sanctions; or

22 (B) has taken significant verifiable steps
23 toward stopping such activity; and

1 (2) the President has received reliable assur-
2 ances that such person will not knowingly engage in
3 activity subject to such sanctions in the future.

4 **SEC. 5. CONSIDERATION OF CERTAIN INFORMATION IN IM-**
5 **POSING SANCTIONS.**

6 Not later than 60 days after receiving a request from
7 the chairman and ranking member of one of the appro-
8 priate congressional committees with respect to whether
9 a person, foreign person, or foreign financial institution,
10 as the case may be, meets the criteria of a person de-
11 scribed in section 3 or a person described in Executive
12 Order 13219 or Executive Order 14033 as provided for
13 in section 4(b), or any Executive order issued pursuant
14 to this Act or under the Balkans regulatory regime, the
15 President shall—

16 (1) determine if the person, foreign person, or
17 foreign financial institution, as the case may be,
18 meets such criteria; and

19 (2) submit a classified or unclassified report to
20 such chairman and ranking member with respect to
21 such determination that includes a statement of
22 whether or not the President imposed or intends to
23 impose sanctions with respect to such person, for-
24 eign person, or foreign financial institution.

1 **SEC. 6. DEFINITIONS.**

2 In this Act:

3 (1) **ADMITTED; ALIEN.**—The terms “admitted”
4 and “alien” have the meanings given those terms in
5 section 101 of the Immigration and Nationality Act
6 (8 U.S.C. 1101).

7 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
8 **TEES.**—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Foreign Affairs and
11 the Committee on Financial Services of the
12 House of Representatives; and

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

16 (3) **CORRESPONDENT ACCOUNT; PAYABLE-**
17 **THROUGH ACCOUNT.**—The terms “correspondent ac-
18 count” and “payable-through account” have the
19 meanings given those terms in section 5318A of title
20 31, United States Code.

21 (4) **DAYTON PEACE AGREEMENT.**—The term
22 “Dayton Peace Agreement”, also known as the
23 “Dayton Accords”, means the General Framework
24 Agreement for Peace in Bosnia and Herzegovina,
25 initialed by the parties in Dayton, Ohio, on Novem-

1 ber 21, 1995, and signed in Paris on December 14,
2 1995.

3 (5) FOREIGN FINANCIAL INSTITUTION.—The
4 term “foreign financial institution” has the meaning
5 of that term as determined by the Secretary of the
6 Treasury by regulation.

7 (6) FOREIGN PERSON.—The term “foreign per-
8 son” means a person that is not a United States
9 person.

10 (7) ILLEGAL PARALLEL INSTITUTION.—The
11 term “illegal parallel institution” means an agency,
12 structure, or instrumentality at the Republika
13 Srpska entity level that disrupts the authority of the
14 state-level institutions of Bosnia and Herzegovina
15 and undermines its constitutional order.

16 (8) KNOWINGLY.—The term “knowingly”, with
17 respect to conduct, a circumstance, or a result,
18 means that a person has actual knowledge, or should
19 have known, of the conduct, the circumstance, or the
20 result.

21 (9) PERSON.—The term “person” means an in-
22 dividual or entity.

23 (10) UNITED STATES PERSON.—The term
24 “United States person” means—

1 (A) a United States citizen or an alien law-
2 fully admitted to the United States for perma-
3 nent residence;

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

8 (C) any person in the United States.

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AMENDMENT TO 4723

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AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4723
OFFERED BY M. _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Upholding the Dayton
3 Peace Agreement Through Sanctions Act”.

4 SEC. 2. STATEMENT OF POLICY.

5 It is the policy of the United States—

6 (1) to support Bosnia and Herzegovina’s sov-
7 ereignty, territorial integrity, multi-ethnic character
8 and the prosperity of the Republika Srpska entity,
9 the Federation of Bosnia and Herzegovina entity,
10 and the Breko District within one Bosnia and
11 Herzegovina;

12 (2) to support Bosnia and Herzegovina’s
13 progress towards Euro-Atlantic integration;

14 (3) to encourage officials in Bosnia and
15 Herzegovina to resume institutional participation at
16 all levels of government to advance functionality and
17 common-sense reforms for greater prosperity;

1 (4) to call on Bosnia and Herzegovina to imple-
2 ment the rulings of the European Court of Human
3 Rights;

4 (5) to support the robust use of targeted sanc-
5 tions against persons who undermine the Dayton
6 Peace Agreement, as well as the democratic institu-
7 tions and Constitution of Bosnia and Herzegovina,
8 to support peace and stability in that country;

9 (6) to urge the European Union to join the
10 United States and United Kingdom in sanctioning
11 Milorad Dodik, a member of the Presidency of Bos-
12 nia and Herzegovina, for his actions that undermine
13 the stability and territorial integrity of Bosnia and
14 Herzegovina;

15 (7) to expose and condemn the Government of
16 Russia for its role in fueling instability in Bosnia
17 and Herzegovina and undermining the Dayton Peace
18 Agreement, the role of the Office of the High Rep-
19 resentative, and the European Union Force in BiH's
20 Operation Althea;

21 (8) to work with other regional states, including
22 Serbia and Croatia, to support the territorial integ-
23 rity and stability of Bosnia and Herzegovina; and

24 (9) to encourage the United States to use its
25 voice and vote at the United Nations, the Peace Im-

1 plementation Council and its Steering Board, and
 2 other relevant international bodies to support the
 3 Office of the High Representative.

4 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
 5 **EIGN PERSONS UNDERMINING THE DAYTON**
 6 **PEACE AGREEMENT OR THREATENING THE**
 7 **SECURITY OF BOSNIA AND HERZEGOVINA.**

8 (a) IMPOSITION OF SANCTIONS.—

9 (1) LIST REQUIRED.—Not later than 30 days
 10 after the date of the enactment of this Act, and
 11 every 90 days thereafter, the President shall submit
 12 to the appropriate congressional committees a list of
 13 foreign persons that are determined—

14 (A) to be responsible for or complicit in, or
 15 to have directly or indirectly engaged in, any
 16 action or policy that threatens the peace, secu-
 17 rity, stability, or territorial integrity of Bosnia
 18 and Herzegovina, including actions that seek to
 19 undermine the authority of Bosnia and
 20 Herzegovina’s state-level institutions, such as
 21 forming illegal parallel institutions or actions
 22 that threaten the Office of the High Represent-
 23 ative;

24 (B) to be responsible for or complicit in, or
 25 to have directly or indirectly engaged in, any

1 action or policy that undermines democratic
2 processes or institutions in Bosnia and
3 Herzegovina;

4 (C) to be responsible for or complicit in, or
5 to have directly or indirectly engaged in, or to
6 have attempted, a violation of, or an act that
7 has obstructed or threatened the implementa-
8 tion of, the Dayton Peace Agreement or the
9 Conclusions of the Peace Implementation Con-
10 ference Council held in London in December
11 1995, including the decisions or conclusions of
12 the Office of the High Representative, the
13 Peace Implementation Council, or its Steering
14 Board;

15 (D) to be a member, official, or senior
16 leader of an illegal parallel institution or any
17 other institution that engages in activities de-
18 scribed in subparagraph (A), (B) or (C), as de-
19 termined by the Secretary of State;

20 (E) to be responsible for or complicit in, or
21 to have directly or indirectly engaged in, or at-
22 tempted to engage in, corruption related to
23 Bosnia and Herzegovina, including corruption
24 by, on behalf of, or otherwise related to the gov-
25 ernment in Bosnia and Herzegovina, or a cur-

1 rent or former government official at any level
2 of government in Bosnia and Herzegovina, such
3 as the misappropriation of public assets, expro-
4 priation of private assets for personal gain or
5 political purposes, corruption related to govern-
6 ment contracts or the extraction of natural re-
7 sources or bribery;

8 (F) to be an adult family member of any
9 foreign person described in subparagraph (A),
10 (B), (C), (D), or (E), unless the President de-
11 termines that the adult family member—

12 (i) has condemned the activity or ac-
13 tivities of the foreign person described in
14 any such subparagraph; and

15 (ii) has taken tangible steps to oppose
16 the activity or activities;

17 (G) to have knowingly facilitated a signifi-
18 cant transaction or transactions for or on be-
19 half of a foreign person described in subpara-
20 graph (A), (B), (C), (D), or (E);

21 (H) to be owned or controlled by, or to
22 have acted or purported to act for or on behalf
23 of, directly or indirectly, a foreign person de-
24 scribed in subparagraph (A), (B), (C), (D), or
25 (E); or

1 (I) to have knowingly materially assisted,
2 sponsored, or provided financial, material, or
3 technological support for, or goods or services
4 to or in support of, a foreign person described
5 in subparagraph (A), (B), (C), (D), or (E).

6 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
7 mission of each list required by paragraph (1), the
8 President shall impose the sanctions described in
9 subsection (c) with respect to each foreign person
10 identified on the list.

11 (b) ADDITIONAL MEASURE RELATING TO FACILITA-
12 TION OF TRANSACTIONS.—The Secretary of the Treasury
13 may, in consultation with the Secretary of State, prohibit
14 or impose strict conditions on the opening or maintaining
15 in the United States of a correspondent account or pay-
16 able-through account by a foreign financial institution
17 that the President determines has, on or after the date
18 of the enactment of this Act, knowingly conducted or fa-
19 cilitated a significant transaction or transactions on behalf
20 of a foreign person on the list required by subsection
21 (a)(1).

22 (c) SANCTIONS DESCRIBED.—The sanctions de-
23 scribed in this subsection are the following:

24 (1) PROPERTY BLOCKING.—Notwithstanding
25 the requirements of section 202 of the International

1 Emergency Economic Powers Act (50 U.S.C. 1701),
 2 the President may exercise of all powers granted to
 3 the President by that Act to the extent necessary to
 4 block and prohibit all transactions in all property
 5 and interests in property of the foreign person if
 6 such property and interests in property are in the
 7 United States, come within the United States, or are
 8 or come within the possession or control of a United
 9 States person.

10 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
 11 SION, OR PAROLE.—

12 (A) IN GENERAL.—An alien on the list re-
 13 quired by subsection (a)(1) is—

14 (i) inadmissible to the United States;
 15 (ii) ineligible for a visa or travel to the
 16 United States; and

17 (iii) otherwise ineligible to be admitted
 18 or paroled into the United States or to re-
 19 ceive any other benefit under the Immigra-
 20 tion and Nationality Act (8 U.S.C. 1101 et
 21 seq.).

22 (B) CURRENT VISAS REVOKED.—

23 (i) IN GENERAL.—The visa or other
 24 documentation issued to an alien on the
 25 list required by subsection (a)(1) shall be

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1 revoked, regardless of when such visa or
2 other documentation is or was issued.

3 (ii) EFFECT OF REVOCATION.—A visa
4 or other entry documentation revoked
5 under clause (i) shall, in accordance with
6 section 221(i) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1201(i)), no longer
8 be valid for travel to the United States.

9 (d) EXCEPTIONS.—

10 (1) EXCEPTION FOR INTELLIGENCE, LAW EN-
11 FORCEMENT, AND NATIONAL SECURITY ACTIVI-
12 TIES.—Sanctions under this section shall not apply
13 to any authorized intelligence, law enforcement, or
14 national security activities of the United States.

15 (2) EXCEPTION TO COMPLY WITH UNITED NA-
16 TIONS HEADQUARTERS AGREEMENT.—Sanctions
17 under subsection (c)(2) shall not apply with respect
18 to the admission of an alien to the United States if
19 the admission of the alien is necessary to permit the
20 United States to comply with the Agreement regard-
21 ing the Headquarters of the United Nations, signed
22 at Lake Success June 26, 1947, and entered into
23 force November 21, 1947, between the United Na-
24 tions and the United States, the Convention on Con-
25 sular Relations, done at Vienna April 24, 1963, and

1 entered into force March 19, 1967, or other applica-
2 ble international obligations.

3 (3) EXCEPTION RELATING TO THE PROVISION
4 OF HUMANITARIAN ASSISTANCE.—Sanctions under
5 this section may not be imposed with respect to
6 transactions or the facilitation of transactions for—

7 (A) the sale of agricultural commodities,
8 food, medicine, or medical devices;

9 (B) the provision of humanitarian assist-
10 ance;

11 (C) financial transactions relating to hu-
12 manitarian assistance or for humanitarian pur-
13 poses; and

14 (D) transporting goods or services that are
15 necessary to carry out operations relating to
16 humanitarian assistance or humanitarian pur-
17 poses.

18 (e) WAIVER.—The President may, on a case-by-case
19 basis and for periods not to exceed 180 days each, waive
20 the application of sanctions or restrictions imposed with
21 respect to a foreign person under this section if the Presi-
22 dent certifies to the appropriate congressional committees
23 not later than 15 days before such waiver is to take effect
24 that the waiver is vital to the national security interests
25 of the United States.

1 (f) REGULATIONS.—

2 (1) IN GENERAL.—The President shall, not
3 later than 180 days after the date of the enactment
4 of this Act, prescribe regulations as necessary for
5 the implementation of this Act.

6 (2) NOTIFICATION TO CONGRESS.—Not later
7 than 10 days before the prescription of regulations
8 under paragraph (1), the President shall notify the
9 appropriate congressional committees regarding the
10 proposed regulations and the provisions of this Act
11 that the regulations are implementing.

12 (g) IMPLEMENTATION.—The President may exercise
13 all authorities provided under sections 203 and 205 of the
14 International Emergency Economic Powers Act (50
15 U.S.C. 1702 and 1704) to carry out this Act.

16 (h) PENALTIES.—The penalties provided for in sub-
17 sections (b) and (c) of section 206 of the International
18 Emergency Economic Powers Act (50 U.S.C. 1705) shall
19 apply to a person that violates, attempts to violate, con-
20 spires to violate, or causes a violation of regulations pre-
21 scribed to carry out this Act to the same extent that such
22 penalties apply to a person that commits an unlawful act
23 described in subsection (a) of such section 206.

24 (i) TERMINATION OF SANCTIONS.—The President
25 may terminate the application of sanctions under this sec-

tion with respect to a foreign person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(1) credible information exists that the foreign person did not engage in the activity for which sanctions were imposed;

(2) the foreign person has been prosecuted and sentenced appropriately for the activity for which sanctions were imposed; or

(3) the foreign 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)(1) in the future.

SEC. 4. CODIFICATION OF SANCTIONS RELATING TO THE WESTERN BALKANS.

(a) IN GENERAL.—Each sanction imposed through Executive orders described in subsection (b), including each sanction imposed with respect to a person under such an Executive order, as of the date of the enactment of this Act, shall remain in effect, except as provided in subsection (c).

1 (b) EXECUTIVE ORDERS SPECIFIED.—The Executive
2 orders specified in this subsection are—

3 (1) Executive Order 13219 (50 U.S.C. 1701
4 note; relating to blocking property of persons who
5 threaten international stabilization efforts in the
6 Western Balkans), as in effect on the date of the en-
7 actment of this Act; and

8 (2) Executive Order 14033 (50 U.S.C. 1701
9 note; relating to blocking property and suspending
10 entry into the United States of certain persons con-
11 tributing to the destabilizing situation in the West-
12 ern Balkans), as in effect on such date of enact-
13 ment.

14 (c) TERMINATION OF SANCTIONS.—The President
15 may terminate the application of a sanction described in
16 subsection (a) with respect to a person if the President
17 certifies to the appropriate congressional committees
18 that—

19 (1) such person—

20 (A) is not engaging in the activity that was
21 the basis for such sanctions; or

22 (B) has taken significant verifiable steps
23 toward stopping such activity; and

1 (2) the President has received reliable assur-
2 ances that such person will not knowingly engage in
3 activity subject to such sanctions in the future.

4 **SEC. 5. CONSIDERATION OF CERTAIN INFORMATION IN IM-**
5 **POSING SANCTIONS.**

6 (a) IN GENERAL.—Not later than 60 days after re-
7 ceiving a request from the chairman and ranking member
8 of one of the appropriate congressional committees with
9 respect to whether a person, foreign person, or foreign fi-
10 nancial institution, as the case may be, meets the criteria
11 of a person described in section 3 or a person described
12 in Executive Order 13219 or Executive Order 14033 as
13 provided for in section 4(b), or any Executive order issued
14 pursuant to this Act or under the Balkans regulatory re-
15 gime, the President shall—

16 (1) determine if the person, foreign person, or
17 foreign financial institution, as the case may be,
18 meets such criteria; and

19 (2) submit a classified or unclassified report to
20 such chairman and ranking member with respect to
21 such determination that includes a statement of
22 whether or not the President imposed or intends to
23 impose sanctions with respect to such person, for-
24 eign person, or foreign financial institution.

1 (b) SUNSET.—This section shall terminate on the
2 date that is 5 years after the date of enactment of this
3 Act.

4 **SEC. 6. DEFINITIONS.**

5 In this Act:

6 (1) ADMITTED; ALIEN.—The terms “admitted”
7 and “alien” have the meanings given those terms in
8 section 101 of the Immigration and Nationality Act
9 (8 U.S.C. 1101).

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Affairs and
14 the Committee on Financial Services of the
15 House of Representatives; and

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

19 (3) CORRESPONDENT ACCOUNT; PAYABLE-
20 THROUGH ACCOUNT.—The terms “correspondent ac-
21 count” and “payable-through account” have the
22 meanings given those terms in section 5318A of title
23 31, United States Code.

24 (4) DAYTON PEACE AGREEMENT.—The term
25 “Dayton Peace Agreement”, also known as the

1 “Dayton Accords”, means the General Framework
2 Agreement for Peace in Bosnia and Herzegovina,
3 initialed by the parties in Dayton, Ohio, on Novem-
4 ber 21, 1995, and signed in Paris on December 14,
5 1995.

6 (5) FOREIGN FINANCIAL INSTITUTION.—The
7 term “foreign financial institution” has the meaning
8 of that term as determined by the Secretary of the
9 Treasury by regulation.

10 (6) FOREIGN PERSON.—The term “foreign per-
11 son” means a person that is not a United States
12 person.

13 (7) ILLEGAL PARALLEL INSTITUTION.—The
14 term “illegal parallel institution” means an agency,
15 structure, or instrumentality at the Republika
16 Srpska entity level that disrupts the authority of the
17 state-level institutions of Bosnia and Herzegovina
18 and undermines its constitutional order.

19 (8) KNOWINGLY.—The term “knowingly”, with
20 respect to conduct, a circumstance, or a result,
21 means that a person has actual knowledge, or should
22 have known, of the conduct, the circumstance, or the
23 result.

24 (9) PERSON.—The term “person” means an in-
25 dividual or entity.

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- 1 (10) UNITED STATES PERSON.—The term
2 “United States person” means—
3 (A) a United States citizen or an alien law-
4 fully admitted to the United States for perma-
5 nent residence;
6 (B) an entity organized under the laws of
7 the United States or any jurisdiction within the
8 United States, including a foreign branch of
9 such an entity; or
10 (C) any person in the United States.



Pursuant to notice, I now call up H.R. 4723, Upholding the Dayton Peace Agreement Through Sanctions Act.

The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. H.R. 4723, to provide for the imposition of sanctions with respect to foreign persons undermining the Dayton Peace Agreement or threatening the security of Bosnia or Herzegovina for other purposes.

Chairman McCaul. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point. Without objection, the Wagner amendment in the nature of a substitute was circulated to members in advance shall be considered as read and will be treated as original text for purposes of amendment.

Is there any discussion on the bill?

The gentlelady from Missouri is recognized.

Mrs. WAGNER. Chairman McCaul and Ranking Member Meeks, I would like to thank you both for working with me to include my legislation, the Upholding the Dayton Peace Agreement Through Sanctions Act in today's markup. I would also like to thank Representative Wild, our Europe Subcommittee Chairman Kean, and Intelligence Committee Chairman Turner for joining me in introducing this important and timely measure.

For months now, Bosnia and Herzegovina have suffered a serious political crisis. Today, the country is experiencing no less than an assault on its constitution and democratic institutions. Self-serving, corrupt politicians like Milorad Dodik President of Bosnia's Republic of Srpska entity are engaged in sustained attacks on Bosnia's unity, its sovereignty, and multi-ethnic character. This summer, Dodik unilaterally removed the Republic of Srpska from the jurisdiction of the Constitutional Court of Bosnia, a serious escalation in his campaign against Bosnian sovereignty. He has also threatened to hold a referendum on independence by the end of this year.

Again and again, he attacks the authority of the high representative and Bosnia's Federal Government. In short, he is taking a sledge hammer to the foundations of peace in the Western Balkans. Dodik and his cronies know that a prosperous, transparent and Western-facing Bosnia is a threat to their personal power and ill-gotten wealth. They are willing to tear their country apart to maintain control over their illicit patronage networks. Because of the reckless actions of a few corrupt elite, the foundations of Bosnia peace agreement, its democratic institutions, its ethnic power-sharing arrangements, even the Office of the High Representative, the independent body tasked with implementing the Dayton Accord are at risk. Let me add as well that the brutal and criminal Putin regime is actively aiding separatist actors in Bosnia and Herzegovina to sow more chaos and further undermine European stability.

As guarantor of the Dayton Peace Agreement that ended the horrific Bosnian war, the United States must deter these destabilizing and anti-democratic actors. It is in our clear, national security interest to oppose Russia's destructive influence and prevent the spread of conflict further in Europe.

Peace in Bosnia came at a very steep price, Mr. Chairman. Those who would threaten that hard-won peace must be held to account.

My bipartisan bill would codify and mandate key sanctions, authorities to send an unmistakable message to any actor that threatens the peace, security, stability, or territorial integrity of Bosnia. If such destabilizing behavior does not stop, that person will be sanctioned period. We know these sanctions are working, but much more leverage needs to be brought to bear against Dodik, his inner circle and his Russian backers.

In a hearing before the Europe Subcommittee, Deputy Assistant Secretary for the Western Balkans Gabriel Escobar shared with us that Republic of Srpska officials begged the U.S. and I quote, "Please, no more sanctions." When the bad actors are begging us to stop, you know the sanctions are working and that maximum pressure will produce changes in behavior. Mr. Escobar agrees this legislation was absolutely timely and necessary to hold accountable those who would damage the country. Time is running out to send a strong deterrent message to bad actors intent on destabilizing the country.

I hope my colleagues will join me today in demonstrating the United States' unequivocal commitment to a unified, sovereign, and multi-ethnic Bosnia. I would urge my colleagues to support to H.R. 4723, the Upholding the Dayton Peace Agreement Through Sanctions Act, and I yield back, Mr. Chairman.

Chairman McCAUL. The gentlelady yields back.

Any further discussion on the bill?

Oh, Mr. Kean?

Mr. Meeks is recognized.

Mr. MEEKS. I also support this measure authored by my friend, Representative Wagner, on the importance of fragility of the Dayton Peace Accords.

A tenuous diplomatic settlement led to the end of the Balkan Wars of the 1990's, and it kept the peace and allowed a post-war society to govern. It is frustratingly imperfect, and yet, provides a framework for Bosnia and, indeed, the Balkans, to succeed.

This bill calls attention to the difficulties on Bosnia's path toward joining the EU. It correctly criticizes those actors who are not only hampering progress, but are dismantling peace.

Furthermore, the bill reaffirms the United States' commitment, along with our European partners in Europe, to complete the Transatlantic Peace Project and make sure that Bosnia does not step away from that important future.

And with that, I yield back the balance of my time.

Chairman McCAUL. The gentleman yields back.

Any other discussion on the bill?

Mr. Kean is recognized.

Mr. KEAN. Thank you, Mr. Chairman.

And I thank my good friend, the gentlelady from Missouri and vice chair of the full committee, for her leadership on this issue.

The Bosnian War of the 1990's saw some of the most egregious war crimes and human rights abuses since the conclusion of the Second World War. The Dayton Peace Agreement of 1995 finally brought an end to that horrific conflict. It established a peace that was fragile, but it was peace, nonetheless, and it has held for almost 30 years.

Unfortunately, that peace has been threatened in recent years by malign actors in the region who seek to rewrite the status quo and reopen the violent disputes of the 1990's. Make no mistake, individuals like Milorad Dodik are playing with fire and threatening the peace and stability of the Western Balkans. This irresponsible and dangerous behavior must be held to account with strong sanctions.

H.R. 4723 would create new sanctions authority for the United States to use against these malign actors seeking to undermine the Dayton Peace Agreement. This authority has been tailored to protect the Dayton Agreement, uphold peace and stability in the Western Balkans, and punish those risking renewed conflict in the region.

Putin would like nothing more than to destabilize an already vulnerable region in order to distract the West from this unprovoked war against Ukraine. We cannot let Putin start fires elsewhere in Europe to distract from his crimes in Ukraine.

This legislation is timely and needed to ensure continued stability in the Western Balkans. I urge my colleagues to join me in supporting it.

Thank you, Mr. Chairman, and I yield back.

Chairman MCCAUL. The gentleman yields back.

Any further discussion?

Mr. SELF is recognized.

Mr. SELF. Thank you, Mr. Chairman.

I want to emphasize that precedent is powerful. This bill is necessary to stop the further spread of causing problems throughout the former Yugoslavia. So, I encourage my colleagues to vote for this bill to set a precedent that we want the Dayton Accords to be adhered to.

I yield back.

Chairman MCCAUL. The gentleman yields back.

Any further discussion on the bill?

Mr. CONNOLLY. Mr. Chairman? Mr. Chairman?

Chairman MCCAUL. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Mr. Chairman.

I just want to add my support for the resolution, but I also want to remind my colleagues who talked about precedent and talked about standing up to Putin, that's why we need to make sure that we continue providing military and humanitarian and economic assistance to Ukraine. If we're going to stand up against authoritarianism, if we're going to send a message not only to the Balkans, but to all of the aspiring nations of the former Soviet Union, especially right now including Ukraine, the best thing we could do is to pass an aid package for Ukraine.

I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion on the bill?

There being no further discussion on the bill, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.R. 4723, as amended, to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

It's a leadership ask, you know. You know, just cut me a little slack here.

[Laughter.]

Pursuant to notice, I now call up H.Res. 149, "Condemning the illegal abduction of children from Ukraine to the Russian Federation." This resolution was circulated in advance.

The clerk shall designate the resolution.

The CLERK. "H.Res. 149, Condemning the illegal abduction of children from Ukraine to the Russian Federation.

Whereas, on January 12, 1951, the Convention on the Prevention and Punishment of the Crime of Genocide"—

Chairman MCCAUL. Without objection, the first reading is dispensed with.

The resolution is considered read and open to amendment at any point.

[The resolution H.Res. 149 follows:]

118TH CONGRESS
1ST SESSION

H. RES. 149

Condemning the illegal abduction of children from Ukraine to the Russian Federation.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2023

Ms. WILD (for herself, Mrs. WAGNER, and Ms. SLOTKIN) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning the illegal abduction of children from Ukraine to the Russian Federation.

Whereas, on January 12, 1951, the Convention on the Prevention and Punishment of the Crime of Genocide (commonly known as the “Genocide Convention”), of which the Russian Federation is a signatory, came into effect;

Whereas, on February 24, 2022, the Russian Federation renewed their illegal and unprovoked large-scale invasion of Ukraine;

Whereas, on March 9, 2022, Russian Forces attacked a maternity hospital in Mariupol, Ukraine, resulting in the deaths of 3 individuals and injuries to 17 other individuals;

Whereas, on March 22, 2022, the Ukrainian Foreign Ministry announced that the Russian military had forcefully and illegally kidnapped 2,389 Ukrainian children from temporarily occupied areas of Ukraine;

Whereas, on June 2, 2022, Ukrainian President Volodymyr Zelenskyy stated that 200,000 children are among the Ukrainians who have been forcefully resettled in Russia;

Whereas forcibly transferring children of one group to another group is a violation of Article II(e) of the Genocide Convention;

Whereas Maria Lvova-Belova, Children's Rights Commissioner for the President of Russia, admitted to kidnapping Ukrainian children and facilitating forced adoptions to Russian families;

Whereas Ukrainian authorities have stated that a number of the kidnapped Ukrainian children have families who remain in Ukraine, but have been separated due to the renewed Russian invasion;

Whereas, on June 16, 2022, Russian authorities announced that children born in occupied Ukrainian territories after the February 24, 2022, invasion will be deemed Russian citizens;

Whereas, on June 22, 2022, the United Nations Human Rights Office of the High Commissioner has verified that at least 320 children have been killed since Russia's renewed invasion began;

Whereas, on July 11, 2022, United Nations Secretary General António Guterres ordered an investigation into the deaths and injuries of Ukrainian children; and

Whereas, on July 13, 2022, Secretary of State Antony J. Blinken issued a statement calling upon Russia to "im-

mediately halt its systemic filtration operations in Ukraine'', which have caused the disappearance, detention, or forcible deportation of between 900,000 and 1,600,000 Ukrainians (approximately 260,000 of whom are children): Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) holds the Government of the Russian Fed-
3 eration, under the leadership of Vladimir Putin, re-
4 sponsible for the wrongful and illegal kidnapping of
5 children from Ukraine and officially condemns these
6 actions in the strongest terms;

7 (2) declares that the facilitation of illegal adop-
8 tions is contrary to Russia's obligations under the
9 Genocide Convention and amounts to genocide;

10 (3) claims that the Russian Federation is at-
11 tempting to wipe out a generation of Ukrainian chil-
12 dren, thereby crippling Ukraine's ability to nurture
13 the next generation of Ukrainian citizens and lead-
14 ers and to rebuild their country after Russia's
15 unprovoked war, with the purpose of demolishing
16 Ukraine's unique language, culture, history, and
17 identity; and

18 (4) asserts that the invasion of Ukraine by the
19 Russian Federation has significantly increased the
20 risks of children being exposed to human trafficking
21 and exploitation, child labor, gender-based violence,

- 1 hunger, injury, trauma, deprivation of education and
- 2 shelter, and death.

Æ

Chairman McCAUL. Without objection, the Wild amendment in the nature of a substitute, No. 29, circulated to members in advance, shall be considered as read and will be treated as original text for purposes of the amendment.

[The amendment No. 29 in the nature of a substitute offered by Ms. Wild follows:]

AMENDMENT TO HRES149WILD

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**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 149
OFFERED BY MS. WILD OF PENNSYLVANIA**

Strike the preamble and insert the following:

Whereas, on January 12, 1951, the Convention on the Prevention and Punishment of the Crime of Genocide (commonly known as the “Genocide Convention”), of which the Russian Federation is a party, came into effect;

Whereas, on February 24, 2022, the Russian Federation escalated its eight-year-long occupation of sovereign Ukrainian territory by launching an unprovoked large-scale invasion of Ukraine;

Whereas, on March 9, 2022, Russian Forces attacked a maternity hospital in Mariupol, Ukraine, resulting in the deaths of 5 individuals and injuries to 17 other individuals;

Whereas, on March 22, 2022, the Ukrainian Foreign Ministry announced that the Russian military had illegally abducted and forcibly transferred 2,389 Ukrainian children from temporarily occupied areas of Ukraine;

Whereas, on June 2, 2022, Ukrainian President Volodymyr Zelenskyy stated that 200,000 children are among the Ukrainians who have been forcibly transferred to Russia;

Whereas forcibly transferring children of one group to another group is a violation of Article II(e) of the Genocide Convention;

Whereas Maria Lvova-Belova, Children's Rights Commissioner for the President of Russia, admitted to abducting and forcibly transferring Ukrainian children and facilitating forced adoptions to Russian families;

Whereas Ukrainian authorities have stated that a number of the abducted and forcibly transferred Ukrainian children have families who remain in Ukraine, but have been separated due to the renewed Russian invasion;

Whereas, on June 16, 2022, Russian authorities announced that children born in occupied Ukrainian territories after the February 24, 2022, invasion will be deemed Russian citizens;

Whereas, on June 22, 2022, the United Nations Human Rights Office of the High Commissioner verified that at least 320 children have been killed since Russia's renewed invasion began;

Whereas, on July 11, 2022, United Nations Secretary General António Guterres ordered an investigation into the deaths and injuries of Ukrainian children; and

Whereas, on July 13, 2022, Secretary of State Antony J. Blinken issued a statement calling upon Russia to “immediately halt its systemic filtration operations in Ukraine”, which have caused the disappearance, detention, or forcible deportation of between 900,000 and 1,600,000 Ukrainians (approximately 260,000 of whom are children): Now, therefore, be it

Strike the resolving clause and insert the following:

1 *Resolved*, That the House of Representatives—

1 (1) declares that the abduction and forcible
2 transfer of children and facilitation of illegal adop-
3 tions is contrary to Russia's obligations under the
4 Genocide Convention and amounts to genocide;

5 (2) further declares that the Russian Federa-
6 tion is attempting to wipe out a generation of
7 Ukrainian children, thereby crippling Ukraine's abil-
8 ity to nurture the next generation of Ukrainian citi-
9 zens and leaders and to rebuild their country after
10 Russia's unprovoked war, with the purpose of demol-
11 ishing Ukraine's unique language, culture, history,
12 and identity;

13 (3) notes with concern that the invasion of
14 Ukraine by the Russian Federation has significantly
15 increased the risks of children being exposed to
16 human trafficking and exploitation, child labor, gen-
17 der-based violence, hunger, injury, trauma, depriva-
18 tion of education and shelter, and death; and

19 (4) holds the Government of the Russian Fed-
20 eration, under the leadership of Vladimir Putin, re-
21 sponsible for the wrongful and illegal abduction and
22 forcible transfer of children from Ukraine and offi-
23 cially condemns these actions in the strongest terms.

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Amend the title so as to read: “A resolution condemning the illegal abduction and forcible transfer of children from Ukraine to the Russian Federation.”.



Chairman McCAUL. Is there any discussion on the resolution?

Mrs. Wagner is recognized.

Mrs. WAGNER. I thank you, Mr. Chairman.

And I want to urge support for Representative Wild's H.Res. 149, condemning Russia's abhorrent abduction of Ukrainian children for resettlement and reeducation in Russia.

Representative Wild and I have worked together on a number of bills over the years—from legislative to secure allied and partnered telecommunication systems against Chinese influence to Upholding the Dayton Peace Agreement Through Sanctions Act. I am proud to co-lead this resolution with her.

Just a couple of weeks after Russia invaded Ukraine, Representative Wild and I, alongside several other members of this committee, traveled to the Poland-Ukraine border, as millions of Ukrainians families—women, children, and the elderly—fled their homeland. We saw firsthand the incalculable cost, human cost, of this war.

The sweet little ones that we met in Poland should be spending their childhood playing outside with their parents and siblings and going to school. Instead, they were forced to hide from lethal Russian artillery assaults in subways, in theaters. Many of these assaults were specifically designed to target children.

And in yet another act of chilling and unadulterated evil, Putin's forces have kidnapped hundreds of thousands of Ukrainian children, ripping them away from loving parents and caregivers, to be raised as Russians. This is a depraved attempt to erase Ukraine's identity as an independent nation, and I believe it is an act of genocide, Mr. Chairman. Only a butcher attacks families and children. It is clear to me that Putin is personally culpable for the staggering atrocities and war crimes the people of Ukraine have suffered, and he must be stopped and punished.

This resolution condemns Russia in the strongest possible terms for this flagrant violation of the Genocide Convention. It sends a clear signal that the U.S. Congress is watching and that we are prepared to bring Putin to justice for his crimes against humanity.

I urge my colleagues to support H.Res. 149, and, Mr. Chairman, I yield back.

Mr. CONNOLLY. Would my friend yield?

Mrs. WAGNER. I yield to my friend.

Mr. CONNOLLY. I thank my friend.

And I, of course, had the honor of joining her and Mr. McCaul and Mr. Meeks on that visit you talked about on the Polish-Ukraine border. And you are right, we were so struck with all of these innocent children crossing the border in tens of thousands. We visited one crossing. There were six at that time, each of which was hosting over 20,000 refugees a day.

And I think your point about what Putin is up to with respect to children and the abduction of children from Ukraine is abhorrent and repugnant and to be condemned. Hostage-taking, whether it be in Israel or whether it be in Ukraine, is to be condemned.

And that is why it is important, at least for this Member—and I hope for this committee—that we work in tandem to address both sets of atrocities, because a human life is a human life, whether it

is in Ukraine or whether it is in Israel or whether it is in the West Gaza.

So, I thank my friend for yielding and join her in supporting this resolution.

Mrs. WAGNER. I thank my friend, Mr. Connolly, for his support of this resolution.

Representative Wild and I, along with the chairman, Ranking Member Meeks, and others, were on that incredible trip. It was horrifying to see the atrocities that this war criminal, Vladimir Putin, has put forward. It's horrific to see the hostages that have been taken in Gaza.

I appreciate his support. I stand in solidarity in this regard.

And, Mr. Chairman, I now yield back.

Chairman MCCAUL. The gentlelady yields.

Any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman.

I would like to thank Representative Wild for her introduction of this resolution and her tireless work on the issue of Russia's abduction of Ukrainian children.

In fact, as indicated, only 3 weeks after Russia's brutal invasion, I led a delegation to the Ukraine-Polish border, along with Representative Wild, and then-Ranking Member McCaul, and others on this committee.

We met fleeing families, children, and other refugees escaping the war. Simultaneously, however, Russian authorities were forcing Ukrainians in besieged territories the other way—east into the Russia.

This resolution highlights the systemic nature of Russia's attempt to wipe out Ukraine and its culture. Not only are Russian forces targeting cities and towns and civilian structures in their attacks, but they have also abducted and reeducated young Ukrainians. I should say, "re-miseducated" young Ukrainians.

And guess what? Russia, they are not hiding these acts. In the Kremlin, they are showcasing these acts.

In March this year, the ICC issued an arrest warrant for Vladimir Putin for the unlawful deportation of children. Until that reckoning comes, Congress will continue to work to support the push toward justice, to support Ukraine in its fight, and to help heal the scars that generations of Ukrainians are already working to heal.

And with that, Mr. Chairman, I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields back.

Any further discussion?

Ms. Wild is recognized?

Ms. WILD. Thank you, Mr. Chairman.

I rise in support of H.Res. 149.

And I want to begin by thanking my good friend and colleague, Representative Ann Wagner, for joining me from the other side of the aisle to co-lead this resolution.

As Ranking Member Meeks just commented, we were together on a trip in the very beginning of this war, and we saw many of these children who, thankfully, were coming across the border—hopefully, to safety.

And I want to thank so many colleagues of both parties who have cosponsored this resolution.

And above all, I want to thank the extraordinary Ukrainian American leaders in my community who have worked so hard to build and maintain support for the Ukrainian people in the face of unthinkable aggression. You know who you are. Father Richard Jendras, Marta Fedoriw, and many, many other constituents. This legislation would not have gotten to this point without your tireless efforts. Thank you for your partnership, for your moral leadership, and for keeping the cause of a principled United States stance in support of Ukraine alive day-in and day-out in our community in Pennsylvania 7.

With that, let me say that, since the beginning of Russia's full-scale invasion of Ukraine, Russian forces have engaged in a systemic attempt to destroy Ukraine's democracy, sovereignty, territorial integrity, and ultimately, the country's identity itself. Russian authorities' crimes against children stand out as the most heinous aspect of a much larger strategy—a relentless campaign of State violence against the most vulnerable members of Ukrainian society.

As part of this effort, Russian forces have abducted and forcibly relocated thousands of Ukrainian children to Russian-occupied and affiliated areas—in complete violation of Article II(e) of the Genocide Convention. The Russian objective is clear: to wipe out the young generations of Ukrainians by attempting to eradicate their sense of national and cultural identity.

In response to this atrocity, a bipartisan group of colleagues in the U.S. House of Representatives and I introduced a resolution at the end of the previous Congress condemning Russia's mass abduction of Ukrainian children and stating that these actions amount to genocide. And on February 21st of this year, we reintroduced this same resolution in the current Congress.

For the vibrant Ukrainian American community in my district and all those who stand with them, this resolution is very personal. This is not some abstract debate about geopolitics. It is about human lives, children's lives. It's about protecting children and our common humanity from the forces of inhumanity.

Together, Democrats and Republicans alike, we are sending a clear signal: the United States will not waver in our resolve. Our support for the Ukrainian people is not negotiable. This fight is not just for Ukraine; it is for every democracy and every people yearning to be free.

I urge my colleagues of both parties to stand with me and the Ukrainian American community in my district and across our country.

Thank you, Mr. Chairman. I yield back.

Chairman McCAUL. The gentlelady yields back.

Any further discussion?

Ms. Manning is recognized.

Ms. MANNING. Thank you, Chairman McCaul, Ranking Member Meeks, for your leadership and work to advance many important measures in this markup.

I am proud to support H.Res. 149, a bipartisan resolution I cosponsored, introduced by my friends and colleagues, Representative

Susan Wild and Representative Ann Wagner, which condemns the abduction of children from Ukraine.

Since Russia's full-scale, illegal invasion on February 24th, 2022, Russia has been engaged in an attempt to eradicate Ukraine's sovereignty and identity. Among the most horrific atrocities committed by Russians is the forcible relocation and indoctrination of Ukrainian children in a concerted effort to erase their identity.

The Ukrainian government has already verified at least 20,000 of these deportations. It is truly unthinkable, and as a mother, I can barely stand learning what has been going on. It is horrific to see Russian forces bombard Ukrainian cities like Mariupol, Kherson, and Kharkiv, then, cynically, use its illegal invasion as a pretext to evacuate Ukrainian children to Russia—separating thousands from their parents and placing them into reeducation camps, camps in Russia where they have been mistreated, forced to speak only Russian, and effectively, are culturally brainwashed. These are clear violations of the Geneva Convention, the Convention on the Rights of Children, and fundamental international norms, laws, and principles.

I'm glad that in March the International Criminal Court indicted Vladimir Putin, as well as Maria Lvova-Belova, Russia's Commissioner for Children Rights, for these atrocities and issued warrants for their arrest.

Mr. Chairman, Russia would like the world to believe that it is somehow rescuing these children; that its war against Ukraine is justified, and that its forces somehow are not guilty of war crimes, atrocities, and genocide. Nothing could be further from the truth.

This is exactly why the United States and the international community needs to highlight the facts for all the world to see and hear. This resolution does just that. It sets forth the facts, demonstrated for the entire world, that Congress acknowledges and condemns the horrific reality of Russia's mass abduction and indoctrination of children. It resolves to hold Putin and his cronies, like Maria Lvova-Belova, responsible for their horrific crimes.

That is why I urge all members to join me in supporting the resolution. And I yield back.

Chairman McCAUL. The gentlelady yields back. Any further discussion on the resolution?

I recognize myself.

I, too, was on that trip and have seen all those children fleeing Ukraine. I also met with a group of young girls who got out of these indoctrination camps, and they were completely traumatized. And it was one of the saddest things to see these girls who had been in these camps, and you could tell; you could see it in their eyes that they were traumatized.

As the ranking member pointed out, there is an indictment now on Mr. Putin for this dark crime—one of the darkest, I think, of this war, because our innocent children should be protected.

And after World War II, and after the Holocaust, the United Nations got together and had the Genocide Convention. Article II of the 1948 U.N. Genocide Convention identifies five acts that qualify as genocide. The fifth act, "Forcibly transferring the children of a national, ethnic, racial, or religious group to another group, concisely and accurately describes Russia's actions in Ukraine."

Kremlin officials have attempted to disguise the abductions as a routine wartime security measure, but Moscow's well-documented efforts to reeducate young Ukrainians and turn them into Russians tells a very different story. And to date, we have had probably upwards of 25,000 children being abducted, taken from their homes or families, for this re-indoctrination purpose.

I just find this one of the most offensive things about this. War is hell and war is never good in any circumstance, but when the children are affected like this, that is probably one of the worst.

So, I support this resolution very strongly, and I appreciate Ms. Wild for bringing this forward.

Any further discussion?

There being no further discussion of the resolution, the committee—

Ms. WILD. Mr. Chairman? I'm sorry, may I request a roll call vote on this?

Chairman MCCAUL. Yes.

Ms. WILD. Thank you.

Chairman MCCAUL. Just I have to get this—

Ms. WILD. Sorry, sorry. Bad timing.

Chairman MCCAUL. I know you're there.

[Laughter.]

All right. The committee will move to consideration of amendments.

Does any member wish to offer an amendment?

There being no amendments, I move the committee report H.Res. 149, as amended, to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

Ms. WILD. Mr. Chairman, may I request a roll call vote?

Chairman MCCAUL. A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Pursuant to notice, I now call up H.R. 5856, "The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2023."

The bill was circulated in advance.

The clerk shall designate the bill.

The CLERK. "H.R. 5856, To reauthorize the Trafficking Victim Protection Act of 2000, and for other purposes."

Chairman MCCAUL. Without objection, the first reading is dispensed with.

The bill is considered read and open to amendment at any point.

[The bill H.R. 5856 follows:]

118TH CONGRESS
1ST SESSION

H. R. 5856

To reauthorize the Trafficking Victims Protection Act of 2000, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2023

Mr. SMITH of New Jersey (for himself, Mr. McCAUL, Ms. WILD, Mrs. WAGNER, Ms. MANNING, Ms. SALAZAR, Mr. CUELLAR, Mr. WILSON of South Carolina, Mrs. RADEWAGEN, and Mr. BURGESS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize the Trafficking Victims Protection Act of
2000, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Frederick Douglass
5 Trafficking Victims Prevention and Protection Reauthor-
6 ization Act of 2023”.

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

2 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Sec. 101. Modifications to grants to assist in the recognition of trafficking.

Sec. 102. Human trafficking survivors employment and education program.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Sec. 201. Modifications to program to end modern slavery grants.

Sec. 202. Amendments to tier standards.

Sec. 203. Expanding prevention efforts at the United States Agency for International Development.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Extension of authorizations under the Victims of Trafficking and Violence Protection Act of 2000.

Sec. 302. Extension of authorizations under the International Megan’s Law.

3 **TITLE I—COMBATING TRAF-**
 4 **FICKING IN PERSONS IN THE**
 5 **UNITED STATES**

6 **SEC. 101. MODIFICATIONS TO GRANTS TO ASSIST IN THE**
 7 **RECOGNITION OF TRAFFICKING.**

8 (a) AMENDMENTS TO AUTHORITIES TO PREVENT
 9 TRAFFICKING.—Section 106(b)(2) of the Victims of Traf-
 10 ficking and Violence Protection Act of 2000 (22 U.S.C.
 11 7104(b)) is amended—

12 (1) in the heading, by striking “GRANTS TO
 13 ASSIST IN THE RECOGNITION OF TRAFFICKING” and
 14 inserting “FREDERICK DOUGLASS HUMAN TRAF-
 15 FICKING PREVENTION EDUCATION GRANTS”;

16 (2) in subparagraph (B)—

1 (A) in the matter preceding clause (i), by
2 inserting “under a program named ‘Frederick
3 Douglass Human Trafficking Prevention Edu-
4 cation Grants’” after “may award grants”; and

5 (B) in clause (ii), by inserting “, linguis-
6 tically accessible, and culturally responsive”
7 after “age-appropriate”;

8 (3) in the heading of subparagraph (C), by in-
9 serting “FOR FREDERICK DOUGLASS HUMAN TRAF-
10 FICKING PREVENTION EDUCATION GRANTS” after
11 “PROGRAM REQUIREMENTS”;

12 (4) by amending subparagraph (D) to read as
13 follows:

14 “(D) PRIORITY.—In awarding Frederick
15 Douglass Human Trafficking Prevention Edu-
16 cation Grants under this paragraph, the Sec-
17 retary shall—

18 “(i) give priority to local educational
19 agencies serving a high-intensity child sex
20 trafficking area or an area with significant
21 child labor trafficking;

22 “(ii) give additional priority to local
23 educational agencies that partner with
24 non-profit organizations specializing in
25 human trafficking prevention education,

1 which partner with law enforcement and
2 technology or social media companies, to
3 assist in training efforts to protect children
4 from labor trafficking and sexual exploi-
5 tation and abuse including grooming, ma-
6 terials depicting the sexual abuse of chil-
7 dren, and human trafficking transmitted
8 through technology; and
9 “(iii) consult, as appropriate, with the
10 Secretary of Education, the Secretary of
11 Housing and Urban Development, the Sec-
12 retary of the Interior, the Secretary of
13 Labor, and the Attorney General, to iden-
14 tify the geographic areas in the United
15 States with the highest prevalence of at-
16 risk populations for child trafficking, in-
17 cluding children who are members of a ra-
18 cial or ethnic minority, homeless youth,
19 foster youth, youth involved in the child
20 welfare system, and children and youth
21 who run away from home or an out-of-
22 home placement.”; and
23 (5) by adding at the end the following:

1 “(E) CRITERIA FOR SELECTION.—Grant-
2 ees should be selected based on their dem-
3 onstrated ability to—

4 “(i) engage stakeholders, including
5 survivors of human trafficking, and Fed-
6 eral, State, local, or Tribal partners, to de-
7 velop the programs;

8 “(ii) train the trainers, guardians, K-
9 12 students, teachers, and other school
10 personnel in a linguistically accessible, cul-
11 turally responsive, age-appropriate, and
12 trauma-informed fashion; and

13 “(iii) create a scalable, repeatable pro-
14 gram to prevent child labor trafficking and
15 sexual exploitation and abuse including
16 grooming, child sexual abuse materials,
17 and trafficking transmitted through tech-
18 nology that—

19 “(I) uses evidence-based (as such
20 term is defined in section
21 8101(21)(A) of the Elementary and
22 Secondary Education Act of 1965 (20
23 U.S.C. 7801(21)(A))) best practices;
24 and

1 “(II) employs appropriate techno-
2 logical tools and methodologies, in-
3 cluding linguistically accessible, cul-
4 turally responsive, age-appropriate,
5 and trauma-informed approaches for
6 trainers, guardians, educators, and
7 K–12 students.

8 “(F) TRAIN THE TRAINERS.—For pur-
9 poses of subparagraph (E), the term ‘train the
10 trainers’ means having experienced or master
11 trainers coach new trainers who are less experi-
12 enced with a particular topic or skill, or with
13 training overall, who can then teach the mate-
14 rial to others, creating a broader reach, sustain-
15 ability, and making efforts cost- and time-effi-
16 cient (commonly referred to as ‘training of
17 trainers’).

18 “(G) DATA COLLECTION.—The Secretary
19 shall consult with the Secretary of Education,
20 the Secretary of Housing and Urban Develop-
21 ment, and the Secretary of the Interior to de-
22 termine the appropriate demographics of the re-
23 cipients or of students at risk of being traf-
24 ficked or exploited, to be collected and reported
25 with respect to grants under this paragraph,

1 which shall include data collection of, at a min-
2 imum, students who are economically disadvan-
3 taged, members of a racial or ethnic minority,
4 homeless youth, foster youth, youth involved in
5 the child welfare system, and children and
6 youth who run away from home or an out-of-
7 home placement.

8 “(H) REPORT.—Not later than 540 days
9 after the date of the enactment of this Act, and
10 annually thereafter, the Secretary of Health
11 and Human Services shall submit to the Com-
12 mittees on Education and Labor, Energy and
13 Commerce, and the Judiciary of the House of
14 Representatives and the Committees on the Ju-
15 diciary and Health, Education, Labor, and Pen-
16 sions of the Senate and make available to the
17 public a report, including data on the following:

18 “(i) The total number of entities that
19 received a Frederick Douglass Human
20 Trafficking Prevention Education Grant
21 over the past year.

22 “(ii) The total number of partnerships
23 or consultants that included survivors,
24 non-profit organizations specialized in
25 human trafficking prevention education,

1 law enforcement, and technology or social
2 media companies.

3 “(iii) The total number of elementary
4 and secondary schools that established and
5 implemented evidence-based (as such term
6 is defined in section 8101(21)(A) of the
7 Elementary and Secondary Education Act
8 of 1965 (20 U.S.C. 7801(21)(A))) best
9 practices through programs developed
10 using such grants.

11 “(iv) The total number and geo-
12 graphic distribution of trainers, guardians,
13 students, teachers, and other school per-
14 sonnel trained using such grants pursuant
15 to this paragraph.

16 “(v) The results of pre-training and
17 post-training surveys to gauge trainees’ in-
18 creased understanding of the scope and
19 signs of child trafficking and child sexual
20 exploitation and abuse; how to interact
21 with potential victims and survivors of
22 child trafficking and child sexual exploi-
23 tation and abuse using age-appropriate
24 and trauma-informed approach; and the
25 manner in which to respond to potential

1 child trafficking and child sexual exploi-
2 tation and abuse.

3 “(vi) The number of potential victims
4 and survivors of child trafficking and child
5 sexual exploitation and abuse identified
6 and served by grantees, excluding any indi-
7 vidualy identifiable information about such
8 children and acting in full compliance with
9 all applicable privacy laws and regulations.

10 “(vii) The number of students in ele-
11 mentary or secondary school identified by
12 grantees as being at risk of being traf-
13 ficked or sexually exploited and abused, ex-
14 cluding any individually identifiable infor-
15 mation about such children.

16 “(viii) The demographic characteris-
17 tics of child trafficking survivors and vic-
18 tims, sexually exploited and abused chil-
19 dren, and students at risk of being traf-
20 ficked or sexually exploited and abused de-
21 scribed in clauses (vi) and (vii), excluding
22 any individually identifiable information
23 about such children.

24 “(ix) Any service gaps and best prac-
25 tices identified by grantees.”.

1 SEC. 102. HUMAN TRAFFICKING SURVIVORS EMPLOYMENT
2 AND EDUCATION PROGRAM.

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services may carry out a Human Trafficking Sur-
5 vivors Employment and Education Program to prevent the
6 re-exploitation of eligible individuals who have been vic-
7 tims of trafficking, by assisting such individuals to inte-
8 grate or reintegrate into society through social services
9 support for the attainment of life-skills, employment, and
10 education necessary to achieve self-sufficiency.

11 (b) SERVICES PROVIDED.—Services offered, pro-
12 vided, and funded by the Program shall include (as rel-
13 evant to the victim of trafficking)—

14 (1) enrollment and participation in—

15 (A) basic education, including literacy edu-
16 cation and English as a second language edu-
17 cation;

18 (B) job-related skills training;

19 (C) vocational and certificate programs;

20 and

21 (D) programs for attaining a regular high
22 school diploma or its recognized equivalent;

23 (2) life-skill training programs, including man-
24 agement of personal finances, self-care, and par-
25 enting classes;

26 (3) résumé creation and review;

- 1 (4) interview coaching and counseling;
- 2 (5) assistance with expungement of criminal
- 3 records when such records are for nonviolent crimes
- 4 that were committed as a consequence of the eligible
- 5 individual's victimization, including assistance with
- 6 credit repair;
- 7 (6) assistance with enrollment in college or
- 8 technical school;
- 9 (7) scholarship assistance for attending college
- 10 or technical school;
- 11 (8) professional coaching or professional devel-
- 12 opment classes;
- 13 (9) case management to develop an individual-
- 14 ized plan with each victim of trafficking, based on
- 15 each person's needs and goals; and
- 16 (10) assistance with obtaining victim compensa-
- 17 tion, direct victim assistance, or other funds for
- 18 mental health care.
- 19 (c) SERVICE PERIOD.—Eligible individuals may re-
- 20 ceive services through the Program for a cumulative pe-
- 21 riod of 5 years.
- 22 (d) COOPERATIVE AGREEMENTS.—Subject to the
- 23 availability of appropriations, the Secretary shall enter
- 24 into cooperative agreements with one or more eligible or-
- 25 ganizations to carry out this section.

1 (e) DEFINITIONS.—In this section:

2 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
3 individual” means a domestic or foreign victim of
4 trafficking who—

5 (A) has attained the age of 18 years; and

6 (B) is eligible to receive services under sec-
7 tion 107(b) of the Trafficking Victims Protec-
8 tion Act of 2000 (22 U.S.C. 7105(b)).

9 (2) ELIGIBLE ORGANIZATION.—The “eligible
10 organization” may include a non-governmental orga-
11 nization and means a service provider that meets the
12 following criteria:

13 (A) Experience in using national or local
14 anti-trafficking networks to serve victims of
15 trafficking.

16 (B) Experience qualifying, providing, and
17 coordinating services for victims of trafficking,
18 as described in subsection (b), that is linguis-
19 tically accessible, culturally responsive, age-ap-
20 propriate, and trauma-informed.

21 (C) With respect to a service provider for
22 victims of trafficking served by the Program
23 who are not United States citizens, a provider
24 that has experience in identifying and assisting
25 foreign-born victims of trafficking, including

1 helping them qualify for Continued Presence,
2 T-Visas, and other Federal, State, and local
3 services and funding.

4 (D) With respect to a service provider for
5 victims of trafficking served by the Program
6 who are United States citizens and legal perma-
7 nent residents, a provider that has experience
8 identifying and assisting victims of trafficking,
9 as such term is defined in section 103 of the
10 Trafficking Victims Protection Act of 2000 (22
11 U.S.C. 7102), especially youth and underserved
12 populations.

13 (3) PROGRAM.—The term “Program” means
14 the Human Trafficking Survivors Employment and
15 Education Program established under this section.

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of Health and Human Services.

18 **TITLE II—FIGHTING HUMAN** 19 **TRAFFICKING ABROAD**

20 **SEC. 201. MODIFICATIONS TO PROGRAM TO END MODERN** 21 **SLAVERY GRANTS.**

22 (a) IN GENERAL.—Section 1298 of the National De-
23 fense Authorization Act of 2017 (22 U.S.C. 7114) is
24 amended as follows:

1 (1) In subsection (g)(2), by striking “2020”
2 and inserting “2028”.

3 (2) In subsection (h)(1), by striking “Not later
4 than September 30, 2018, and September 30, 2020”
5 and inserting “Not later than September 30, 2024,
6 and September 30, 2028”.

7 (b) AWARD OF FUNDS.—All grants shall be awarded
8 on a competitive basis.

9 **SEC. 202. AMENDMENTS TO TIER STANDARDS.**

10 (a) MODIFICATIONS TO TIER 2 WATCH LIST.—Sub-
11 section (b)(2) of section 110 of the Trafficking Victims
12 Protection Act of 2000 (22 U.S.C. 7107), is amended—

13 (1) in the heading, by striking “SPECIAL” and
14 inserting “TIER 2”; and

15 (2) by amending subparagraph (A) to read as
16 follows:

17 “(A) SUBMISSION OF LIST.—Not later
18 than the date on which the determinations de-
19 scribed in subsections (c) and (d) are submitted
20 to the appropriate congressional committees in
21 accordance with such subsections, the Secretary
22 of State shall submit to the appropriate con-
23 gressional committees a list of countries that
24 the Secretary determines requires special scru-
25 tiny during the following year. The list shall be

1 composed of countries that have been listed
2 pursuant to paragraph (1)(B) pursuant to the
3 current annual report because—

4 “(i) the estimated number of victims
5 of severe forms of trafficking is very sig-
6 nificant or is significantly increasing and
7 the country is not taking proportional con-
8 crete actions; or

9 “(ii) there is a failure to provide evi-
10 dence of increasing efforts to combat se-
11 vere forms of trafficking in persons from
12 the previous year, including increased in-
13 vestigations, prosecutions and convictions
14 of trafficking crimes, increased assistance
15 to victims, and decreasing evidence of com-
16 plicity in severe forms of trafficking by
17 government officials.”.

18 (b) MODIFICATION TO SPECIAL RULE FOR DOWN-
19 GRADED AND REINSTATED COUNTRIES.—Subsection
20 (b)(2)(F) of such section 110 is amended—

21 (1) in the matter preceding clause (i), by strik-
22 ing “the special watch list” and all that follows
23 through “the country—” and inserting “the Tier 2
24 watchlist described in subparagraph (A) for more

1 than 1 year immediately after the country consecu-
2 tively—”;

3 (2) in clause (i), in the matter preceding sub-
4 clause (I), by striking “the special watch list de-
5 scribed in subparagraph (A)(iii)” and inserting “the
6 Tier 2 watch list described in subparagraph (A)”;
7 and

8 (3) in clause (ii), by inserting “in the year fol-
9 lowing such waiver under subparagraph (D)(ii)” be-
10 fore the period at the end.

11 (c) CONFORMING AMENDMENTS.—Subsection (b) of
12 such section 110 is amended as follows:

13 (1) In paragraph (2), as amended by subsection
14 (a)—

15 (A) in subparagraph (B), by striking “spe-
16 cial watch list” and inserting “Tier 2 watch
17 list”;

18 (B) in subparagraph (C), by striking “spe-
19 cial watch list” and inserting “Tier 2 watch
20 list”; and

21 (C) in subparagraph (D)—

22 (i) in the heading, by striking “SPE-
23 CIAL WATCH LIST” and inserting “TIER 2
24 WATCH LIST”; and

1 (ii) in clause (i), by striking “special
2 watch list” and inserting “Tier 2 watch
3 list”.

4 (2) In paragraph (3)(B), in the matter pre-
5 ceding clause (i), by striking “clauses (i), (ii), and
6 (iii) of”.

7 (3) In paragraph (4)—

8 (A) in subparagraph (A), in the matter
9 preceding clause (i), by striking “each country
10 described in paragraph (2)(A)(ii)” and inserting
11 “each country described in paragraph (2)(A)”;
12 and

13 (B) in subparagraph (D)(ii), by striking
14 “the Special Watch List under paragraph (2)”
15 and inserting “the Tier 2 watch list under para-
16 graph (2)”.

17 SEC. 203. EXPANDING PREVENTION EFFORTS AT THE
18 UNITED STATES AGENCY FOR INTER-
19 NATIONAL DEVELOPMENT.

20 In order to increase the prevention efforts by the
21 United States abroad, the Administrator of the United
22 States Agency for International Development shall encour-
23 age incorporation of activities to counter trafficking in
24 persons (C-TIP) into broader assistance programming.
25 The Administrator shall—

1 (1) determine a reasonable definition for the
2 term “C-TIP Incorporated Development Programs”,
3 which shall at a minimum include any programming
4 to address economic development, education, democ-
5 racy and governance, food security, and humani-
6 tarian assistance that the Administrator determines
7 includes a sufficient counter-trafficking in persons
8 element incorporated in the program design or deliv-
9 ery;

10 (2) encourage that any program design or deliv-
11 ery that may directly serve victims of trafficking in
12 persons is age-appropriate, linguistically accessible,
13 culturally responsive, and survivor- and trauma-in-
14 formed, and provides opportunities for anonymous
15 and voluntary feedback from the beneficiaries receiv-
16 ing such services;

17 (3) encourage that each USAID mission incor-
18 porates a counter-trafficking in persons perspective
19 and specific approaches into development programs,
20 project design, and methods for program monitoring
21 and evaluation, when addressing a range of develop-
22 ment issues, including—

- 23 (A) economic development;
- 24 (B) education;
- 25 (C) democracy and governance;

1 (D) food security; and
2 (E) humanitarian assistance;
3 (4) implement robust training and disseminate
4 tools around the incorporation of a counter-trafficking perspective and awareness in the day-to-day
5 work of development professionals; and
6 (5) encourage subsequent Country Development
7 Cooperation Strategies include a counter-trafficking
8 in persons analytic component to guide future
9 project design and promote the inclusion of counter-
10 trafficking elements in project design, implementa-
11 tion, monitoring, and evaluation required for Tier 2
12 Watch List and Tier 3 countries (as such terms are
13 defined for purposes of section 110 of the Traf-
14 ficking Victims Protection Act of 2000 (22 U.S.C.
15 7107), as amended).

17 **TITLE III—AUTHORIZATION OF**
18 **APPROPRIATIONS**

19 **SEC. 301. EXTENSION OF AUTHORIZATIONS UNDER THE**
20 **VICTIMS OF TRAFFICKING AND VIOLENCE**
21 **PROTECTION ACT OF 2000.**

22 Section 113 of the Victims of Trafficking and Vio-
23 lence Protection Act of 2000 (22 U.S.C. 7110) is amend-
24 ed—

1 (1) in subsection (a), by striking “2018 through
2 2021, \$13,822,000” and inserting “2024 through
3 2028, \$17,000,000”;

4 (2) in subsection (b)(1)—

5 (A) by striking “To carry out the purposes
6 of sections 106(b) and 107(b),” and inserting
7 “To carry out the purposes of sections 106(b)
8 and 107(b) of this Act and sections 101 and
9 102 of the Frederick Douglass Trafficking Vic-
10 tims Prevention and Protection Reauthorization
11 Act of 2023,”; and

12 (B) by striking “\$19,500,000” and all that
13 follows, and inserting “\$25,000,000 for each of
14 the fiscal years 2024 through 2028, of which
15 \$5,000,000 is authorized to be appropriated in
16 each fiscal year for the National Human Traf-
17 ficking Hotline and for cybersecurity and public
18 education campaigns, in consultation with the
19 Secretary of Homeland Security, for identifying
20 and responding as needed to cases of human
21 trafficking.”;

22 (3) in subsection (c)(1)—

23 (A) in the matter preceding subparagraph
24 (A), by striking “2018 through 2021,

1 \$65,000,000” and inserting “2024 through
2 2028, \$89,500,000”;

3 (B) in subparagraph (C), by striking “;
4 and” and inserting a semicolon;

5 (C) in subparagraph (D), by striking the
6 period at the end and inserting “; and”; and

7 (D) by adding at the end the following new
8 subparagraph:

9 “(E) to fund programs to end modern slav-
10 ery, in an amount not to exceed \$37,500,000
11 for each of the fiscal years 2024 through
12 2028.”; and

13 (4) in subsection (d) in paragraph (1), by strik-
14 ing “2018 through 2021” and inserting “2024
15 through 2028, of which \$35,000,000 is authorized to
16 be appropriated for each fiscal year for the Office of
17 Victims of Crime Housing Assistance Grants for
18 Victims of Human Trafficking”.

19 **SEC. 302. EXTENSION OF AUTHORIZATIONS UNDER THE**
20 **INTERNATIONAL MEGAN’S LAW.**

21 Section 11 of the International Megan’s Law to Pre-
22 vent Child Exploitation and Other Sexual Crimes Through
23 Advanced Notification of Traveling Sex Offenders (34

142

22

1 U.S.C. 21509) is amended by striking “2018 through
2 2021” and inserting “2024 through 2028”.

Æ

Chairman McCAUL. Is there any discussion on the bill?

Mr. SMITH. Mr. Chairman?

Chairman McCAUL. Mr. Smith is recognized.

Mr. SMITH. I have an amendment in the nature of a substitute.

Chairman McCAUL. Yes. Is there any discussion on the bill?

No? OK. There being no further discussion on the bill, the committee will move to consideration of amendments.

Does any member wish to offer an amendment?

Mr. SMITH. I have an amendment, Mr. Chairman, at the desk, in the nature of a substitute, and I ask for its consideration at this time.

Chairman McCAUL. The clerk shall distribute the Smith Amendment in the nature of a substitute.

And the clerk shall report the amendment.

The CLERK. "Amendment in the nature of a substitute to H.R. 5856 offered by Mr. Smith of New Jersey.

Strike all after the enacting clause and insert the following:"

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment in the nature of a substitute offered by Mr. Smith follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5856
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Frederick Douglass
3 Trafficking Victims Prevention and Protection Reauthor-
4 ization Act of 2023”.

5 SEC. 2. TABLE OF CONTENTS.

6 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs To Support Victims and Persons Vulnerable to Human Trafficking

Sec. 101. Modifications to grants to assist in the recognition of trafficking.

Sec. 102. Human Trafficking Survivors Employment and Education Program.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Sec. 201. Modifications to program to end modern slavery grants.

Sec. 202. Amendments to tier standards.

Sec. 203. Expanding prevention efforts at the United States Agency for International Development.

Sec. 204. Counter-trafficking in persons efforts in development cooperation and assistance policy.

Sec. 205. Clarification of nonhumanitarian, nontrade-related foreign assistance.

Sec. 206. Trafficking for the purposes of organ harvesting.

Sec. 207. Elimination of duplicative reporting.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Extension of authorizations under the Victims of Trafficking and Violence Protection Act of 2000.

Sec. 302. Extension of authorizations under the International Megan's Law.

1 **TITLE I—COMBATING TRAF-**
 2 **FICKING IN PERSONS IN THE**
 3 **UNITED STATES**

4 **Subtitle A—Programs To Support**
 5 **Victims and Persons Vulnerable**
 6 **to Human Trafficking**

7 **SEC. 101. MODIFICATIONS TO GRANTS TO ASSIST IN THE**
 8 **RECOGNITION OF TRAFFICKING.**

9 (a) AMENDMENTS TO AUTHORITIES TO PREVENT
 10 TRAFFICKING.—Section 106(b)(2) of the Victims of Traf-
 11 ficking and Violence Protection Act of 2000 (22 U.S.C.
 12 7104(b)) is amended—

13 (1) in the heading, by striking “GRANTS TO AS-
 14 SIST IN THE RECOGNITION OF TRAFFICKING” and
 15 inserting “FREDERICK DOUGLASS HUMAN TRAF-
 16 FICKING PREVENTION EDUCATION GRANTS”;

17 (2) in subparagraph (B)—

18 (A) in the matter preceding clause (i), by
 19 inserting “under a program named ‘Frederick
 20 Douglass Human Trafficking Prevention Edu-
 21 cation Grants’” after “may award grants”; and

22 (B) in clause (ii), by inserting “, linguis-
 23 tically accessible, and culturally responsive”
 24 after “age-appropriate”;

1 (3) in the heading of subparagraph (C), by in-
2 sserting “FOR FREDERICK DOUGLASS HUMAN TRAF-
3 FICKING PREVENTION EDUCATION GRANTS” after
4 “PROGRAM REQUIREMENTS”;

5 (4) by amending subparagraph (D) to read as
6 follows:

7 “(D) PRIORITY.—In awarding Frederick
8 Douglass Human Trafficking Prevention Edu-
9 cation Grants under this paragraph, the Sec-
10 retary shall—

11 “(i) give priority to local educational
12 agencies serving a high-intensity child sex
13 trafficking area or an area with significant
14 child labor trafficking;

15 “(ii) give additional priority to local
16 educational agencies that partner with
17 non-profit organizations specializing in
18 human trafficking prevention education,
19 which partner with law enforcement and
20 technology or social media companies, to
21 assist in training efforts to protect children
22 from labor trafficking and sexual exploi-
23 tation and abuse including grooming, ma-
24 terials depicting the sexual abuse of chil-

1 dren, and human trafficking transmitted
2 through technology; and

3 “(iii) consult, as appropriate, with the
4 Secretary of Education, the Secretary of
5 Housing and Urban Development, the Sec-
6 retary of the Interior, the Secretary of
7 Labor, and the Attorney General, to iden-
8 tify the geographic areas in the United
9 States with the highest prevalence of at-
10 risk populations for child trafficking, in-
11 cluding children who are members of a ra-
12 cial or ethnic minority, homeless youth,
13 foster youth, youth involved in the child
14 welfare system, and children and youth
15 who run away from home or an out-of-
16 home placement.”; and

17 (5) by adding at the end the following:

18 “(E) CRITERIA FOR SELECTION.—Grant-
19 ees should be selected based on their dem-
20 onstrated ability to—

21 “(i) engage stakeholders, including
22 survivors of human trafficking, and Fed-
23 eral, State, local, or Tribal partners, to de-
24 velop the programs;

1 “(ii) train the trainers, guardians, K–
2 12 students, teachers, and other school
3 personnel in a linguistically accessible, cul-
4 turally responsive, age-appropriate, and
5 trauma-informed fashion; and

6 “(iii) create a scalable, repeatable pro-
7 gram to prevent child labor trafficking and
8 sexual exploitation and abuse including
9 grooming, child sexual abuse materials,
10 and trafficking transmitted through tech-
11 nology that—

12 “(I) uses evidence-based (as such
13 term is defined in section
14 8101(21)(A) of the Elementary and
15 Secondary Education Act of 1965 (20
16 U.S.C. 7801(21)(A))) best practices;
17 and

18 “(II) employs appropriate techno-
19 logical tools and methodologies, in-
20 cluding linguistically accessible, cul-
21 turally responsive, age-appropriate,
22 and trauma-informed approaches for
23 trainers, guardians, educators, and
24 K–12 students.

1 “(F) TRAIN THE TRAINERS.—For pur-
2 poses of subparagraph (E), the term ‘train the
3 trainers’ means having experienced or master
4 trainers coach new trainers who are less experi-
5 enced with a particular topic or skill, or with
6 training overall, who can then teach the mate-
7 rial to others, creating a broader reach, sustain-
8 ability, and making efforts cost- and time-effi-
9 cient (commonly referred to as ‘training of
10 trainers’).

11 “(G) DATA COLLECTION.—The Secretary
12 shall consult with the Secretary of Education,
13 the Secretary of Housing and Urban Develop-
14 ment, and the Secretary of the Interior to de-
15 termine the appropriate demographics of the re-
16 cipients or of students at risk of being traf-
17 ficked or exploited, to be collected and reported
18 with respect to grants under this paragraph,
19 which shall include data collection of, at a min-
20 imum, students who are economically disadvan-
21 taged, members of a racial or ethnic minority,
22 homeless youth, foster youth, youth involved in
23 the child welfare system, and children and
24 youth who run away from home or an out-of-
25 home placement.

1 “(H) REPORT.—Not later than 540 days
2 after the date of the enactment of this Act, and
3 annually thereafter, the Secretary of Health
4 and Human Services shall submit to the Com-
5 mittees on Education and Labor, Energy and
6 Commerce, and the Judiciary of the House of
7 Representatives and the Committees on the Ju-
8 diciary and Health, Education, Labor, and Pen-
9 sions of the Senate and make available to the
10 public a report, including data on the following:

11 “(i) The total number of entities that
12 received a Frederick Douglass Human
13 Trafficking Prevention Education Grant
14 over the past year.

15 “(ii) The total number of partnerships
16 or consultants that included survivors,
17 non-profit organizations specialized in
18 human trafficking prevention education,
19 law enforcement, and technology or social
20 media companies.

21 “(iii) The total number of elementary
22 and secondary schools that established and
23 implemented evidence-based (as such term
24 is defined in section 8101(21)(A) of the
25 Elementary and Secondary Education Act

1 of 1965 (20 U.S.C. 7801(21)(A))) best
2 practices through programs developed
3 using such grants.

4 “(iv) The total number and geo-
5 graphic distribution of trainers, guardians,
6 students, teachers, and other school per-
7 sonnel trained using such grants pursuant
8 to this paragraph.

9 “(v) The results of pre-training and
10 post-training surveys to gauge trainees’ in-
11 creased understanding of the scope and
12 signs of child trafficking and child sexual
13 exploitation and abuse; how to interact
14 with potential victims and survivors of
15 child trafficking and child sexual exploi-
16 tation and abuse using age-appropriate
17 and trauma-informed approach; and the
18 manner in which to respond to potential
19 child trafficking and child sexual exploi-
20 tation and abuse.

21 “(vi) The number of potential victims
22 and survivors of child trafficking and child
23 sexual exploitation and abuse identified
24 and served by grantees, excluding any indi-
25 vidually identifiable information about such

1 children and acting in full compliance with
2 all applicable privacy laws and regulations.

3 “(vii) The number of students in ele-
4 mentary or secondary school identified by
5 grantees as being at risk of being traf-
6 ficked or sexually exploited and abused, ex-
7 cluding any individually identifiable infor-
8 mation about such children.

9 “(viii) The demographic characteris-
10 ties of child trafficking survivors and vic-
11 tims, sexually exploited and abused chil-
12 dren, and students at risk of being traf-
13 ficked or sexually exploited and abused de-
14 scribed in clauses (vi) and (vii), excluding
15 any individually identifiable information
16 about such children.

17 “(ix) Any service gaps and best prac-
18 tices identified by grantees.”.

19 **SEC. 102. HUMAN TRAFFICKING SURVIVORS EMPLOYMENT**
20 **AND EDUCATION PROGRAM.**

21 (a) IN GENERAL.—The Secretary of Health and
22 Human Services may carry out a Human Trafficking Sur-
23 vivors Employment and Education Program to prevent the
24 re-exploitation of eligible individuals who have been vic-
25 tims of trafficking, by assisting such individuals to inte-

1 grate or reintegrate into society through social services
2 support for the attainment of life-skills, employment, and
3 education necessary to achieve self-sufficiency.

4 (b) SERVICES PROVIDED.—Services offered, pro-
5 vided, and funded by the Program shall include (as rel-
6 evant to the victim of trafficking)—

7 (1) enrollment and participation in—

8 (A) basic education, including literacy edu-
9 cation and English as a second language edu-
10 cation;

11 (B) job-related skills training;

12 (C) vocational and certificate programs;
13 and

14 (D) programs for attaining a regular high
15 school diploma or its recognized equivalent;

16 (2) life-skill training programs, including man-
17 agement of personal finances, self-care, and par-
18 enting classes;

19 (3) résumé creation and review;

20 (4) interview coaching and counseling;

21 (5) assistance with expungement of criminal
22 records when such records are for nonviolent crimes
23 that were committed as a consequence of the eligible
24 individual's victimization, including assistance with
25 credit repair;

1 (6) assistance with enrollment in college or
2 technical school;

3 (7) scholarship assistance for attending college
4 or technical school;

5 (8) professional coaching or professional devel-
6 opment classes;

7 (9) case management to develop an individual-
8 ized plan with each victim of trafficking, based on
9 each person's needs and goals; and

10 (10) assistance with obtaining victim compensa-
11 tion, direct victim assistance, or other funds for
12 mental health care.

13 (c) SERVICE PERIOD.—Eligible individuals may re-
14 ceive services through the Program for a cumulative pe-
15 riod of 5 years.

16 (d) COOPERATIVE AGREEMENTS.—Subject to the
17 availability of appropriations, the Secretary shall enter
18 into cooperative agreements with one or more eligible or-
19 ganizations to carry out this section.

20 (e) DEFINITIONS.—In this section:

21 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
22 individual” means a domestic or foreign victim of
23 trafficking who—

24 (A) has attained the age of 18 years; and

1 (B) is eligible to receive services under sec-
2 tion 107(b) of the Trafficking Victims Protec-
3 tion Act of 2000 (22 U.S.C. 7105(b)).

4 (2) ELIGIBLE ORGANIZATION.—The “eligible
5 organization” may include a nongovernmental orga-
6 nization and means a service provider that meets the
7 following criteria:

8 (A) Experience in using national or local
9 anti-trafficking networks to serve victims of
10 trafficking.

11 (B) Experience qualifying, providing, and
12 coordinating services for victims of trafficking,
13 as described in subsection (b), that is linguis-
14 tically accessible, culturally responsive, age-ap-
15 propriate, and trauma-informed.

16 (C) With respect to a service provider for
17 victims of trafficking served by the Program
18 who are not United States citizens, a provider
19 that has experience in identifying and assisting
20 foreign-born victims of trafficking, including
21 helping them qualify for Continued Presence,
22 T-Visas, and other Federal, State, and local
23 services and funding.

24 (D) With respect to a service provider for
25 victims of trafficking served by the Program

1 who are United States citizens and legal perma-
2 nent residents, a provider that has experience
3 identifying and assisting victims of trafficking,
4 as such term is defined in section 103 of the
5 Trafficking Victims Protection Act of 2000 (22
6 U.S.C. 7102), especially youth and underserved
7 populations.

8 (3) PROGRAM.—The term “Program” means
9 the Human Trafficking Survivors Employment and
10 Education Program established under this section.

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Health and Human Services.

13 **TITLE II—FIGHTING HUMAN** 14 **TRAFFICKING ABROAD**

15 **SEC. 201. MODIFICATIONS TO PROGRAM TO END MODERN** 16 **SLAVERY GRANTS.**

17 (a) IN GENERAL.—Section 1298 of the National De-
18 fense Authorization Act of 2017 (22 U.S.C. 7114) is
19 amended as follows:

20 (1) In subsection (g)(2), by striking “2020”
21 and inserting “2028”.

22 (2) In subsection (h)(1), by striking “Not later
23 than September 30, 2018, and September 30, 2020”
24 and inserting “Not later than September 30, 2024,
25 and September 30, 2028”.

1 (b) AWARD OF FUNDS.—All grants awarded under
2 the authority provided by section 1298 of the National De-
3 fense Authorization Act of 2017, as amended by sub-
4 section (a), shall be awarded on a competitive basis.

5 **SEC. 202. AMENDMENTS TO TIER STANDARDS.**

6 (a) MODIFICATIONS TO TIER 2 WATCH LIST.—Sub-
7 section (b)(2) of section 110 of the Trafficking Victims
8 Protection Act of 2000 (22 U.S.C. 7107) is amended—

9 (1) in the heading, by striking “SPECIAL” and
10 inserting “TIER 2”; and

11 (2) by amending subparagraph (A) to read as
12 follows:

13 “(A) SUBMISSION OF LIST.—Not later
14 than the date on which the determinations de-
15 scribed in subsections (c) and (d) are submitted
16 to the appropriate congressional committees in
17 accordance with such subsections, the Secretary
18 of State shall submit to the appropriate con-
19 gressional committees a list of countries that
20 the Secretary determines require special scru-
21 tiny during the following year. The list shall be
22 composed of countries that have been listed
23 pursuant to paragraph (1)(B) pursuant to the
24 current annual report because—

1 “(i) the estimated number of victims
2 of severe forms of trafficking is very sig-
3 nificant or is significantly increasing and
4 the country is not taking proportional con-
5 crete actions; or

6 “(ii) there is a failure to provide evi-
7 dence of increasing efforts to combat se-
8 vere forms of trafficking in persons from
9 the previous year, including increased in-
10 vestigations, prosecutions and convictions
11 of trafficking crimes, increased assistance
12 to victims, and decreasing evidence of com-
13 plicity in severe forms of trafficking by
14 government officials.”.

15 (b) MODIFICATION TO SPECIAL RULE FOR DOWN-
16 GRADED AND REINSTATED COUNTRIES.—Subsection
17 (b)(2)(F) of such section 110 (22 U.S.C. 7107) is amend-
18 ed—

19 (1) in the matter preceding clause (i), by strik-
20 ing “the special watch list” and all that follows
21 through “the country—” and inserting “the Tier 2
22 watch list described in subparagraph (A) for more
23 than 2 years immediately after the country consecu-
24 tively—”;

1 (2) in clause (i), in the matter preceding sub-
2 clause (I), by striking “the special watch list de-
3 scribed in subparagraph (A)(iii)” and inserting “the
4 Tier 2 watch list described in subparagraph (A)”;
5 and

6 (3) in clause (ii), by inserting “in the year fol-
7 lowing such waiver under subparagraph (D)(ii)” be-
8 fore the period at the end.

9 (c) CONFORMING AMENDMENTS.—Subsection (b) of
10 such section 110 (22 U.S.C. 7107) is amended as follows:

11 (1) In paragraph (2), as amended by subsection
12 (a)—

13 (A) in subparagraph (B), by striking “spe-
14 cial watch list” and inserting “Tier 2 watch
15 list”;

16 (B) in subparagraph (C), by striking “spe-
17 cial watch list” and inserting “Tier 2 watch
18 list”; and

19 (C) in subparagraph (D)—

20 (i) in the heading, by striking “SPE-
21 CIAL WATCH LIST” and inserting “TIER 2
22 WATCH LIST”; and

23 (ii) in clause (i), by striking “special
24 watch list” and inserting “Tier 2 watch
25 list”.

1 (2) In paragraph (3)(B), in the matter pre-
 2 ceding clause (i), by striking “clauses (i), (ii), and
 3 (iii) of”.

4 (3) In paragraph (4)—

5 (A) in subparagraph (A), in the matter
 6 preceding clause (i), by striking “each country
 7 described in paragraph (2)(A)(ii)” and inserting
 8 “each country described in paragraph (2)(A);
 9 and

10 (B) in subparagraph (D)(ii), by striking
 11 “the Special Watch List under paragraph (2)”
 12 and inserting “the Tier 2 watch list under para-
 13 graph (2)”.

14 **SEC. 203. EXPANDING PREVENTION EFFORTS AT THE**
 15 **UNITED STATES AGENCY FOR INTER-**
 16 **NATIONAL DEVELOPMENT.**

17 In order to increase the prevention efforts by the
 18 United States abroad, the Administrator of the United
 19 States Agency for International Development (USAID)
 20 shall encourage incorporation of activities to counter traf-
 21 ficking in persons (C-TIP) into broader assistance pro-
 22 gramming. The Administrator shall—

23 (1) determine a reasonable definition for the
 24 term “C-TIP Incorporated Development Programs”,
 25 which shall at a minimum include any programming

1 to address economic development, education, democ-
2 racy and governance, food security, and humani-
3 tarian assistance that the Administrator determines
4 includes a sufficient counter-trafficking in persons
5 element incorporated in the program design or deliv-
6 ery;

7 (2) encourage that any program design or deliv-
8 ery that may directly serve victims of trafficking in
9 persons is age-appropriate, linguistically accessible,
10 culturally responsive, and survivor- and trauma-in-
11 formed, and provides opportunities for anonymous
12 and voluntary feedback from the beneficiaries receiv-
13 ing such services;

14 (3) encourage that each USAID mission incor-
15 porates a counter-trafficking in persons perspective
16 and specific approaches into development programs,
17 project design, and methods for program monitoring
18 and evaluation, when addressing a range of develop-
19 ment issues, including—

- 20 (A) economic development;
- 21 (B) education;
- 22 (C) democracy and governance;
- 23 (D) food security; and
- 24 (E) humanitarian assistance;

1 (4) implement robust training and disseminate
 2 tools around the incorporation of a counter-trafficking perspective and awareness in the day-to-day
 3 work of development professionals; and
 4 work of development professionals; and

5 (5) encourage subsequent Country Development
 6 Cooperation Strategies include a counter-trafficking
 7 in persons analytic component to guide future
 8 project design and promote the inclusion of counter-
 9 trafficking elements in project design, implementa-
 10 tion, monitoring, and evaluation required for Tier 2
 11 Watch List and Tier 3 countries (as such terms are
 12 defined for purposes of section 110 of the Traf-
 13 ficking Victims Protection Act of 2000 (22 U.S.C.
 14 7107), as amended).

15 **SEC. 204. COUNTER-TRAFFICKING IN PERSONS EFFORTS IN**
 16 **DEVELOPMENT COOPERATION AND ASSIST-**
 17 **ANCE POLICY.**

18 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
 19 et seq.) is amended—

20 (1) in section 102(b)(4) (22 U.S.C. 2151–
 21 1(b)(4))—

22 (A) in subparagraph (F), by striking
 23 “and” at the end;

24 (B) in subparagraph (G), by striking the
 25 period at the end and inserting “; and”; and

1 (C) by adding at the end the following:
2 “(H) effective counter-trafficking in per-
3 sons policies and programs.”; and
4 (2) in section 492(d)(1) (22 U.S.C.
5 2292a(d)(1))—
6 (A) by striking the period at the end and
7 inserting “; and”;
8 (B) by striking “that the funds” and in-
9 serting the following:— “that
10 “(A) the funds”; and
11 (C) by adding at the end the following:
12 “(B) in carrying out the provisions of this
13 chapter, the President shall, to the greatest ex-
14 tent possible—
15 “(i) ensure that assistance made
16 available under this section does not create
17 or contribute to conditions that can be rea-
18 sonably expected to result in an increase in
19 trafficking in persons who are in condi-
20 tions of heightened vulnerability as a result
21 of natural and manmade disasters; and
22 “(ii) integrate appropriate protections
23 into the planning and execution of activi-
24 ties authorized under this chapter.”.

1 **SEC. 205. CLARIFICATION OF NONHUMANITARIAN,**
2 **NONTRADE-RELATED FOREIGN ASSISTANCE.**

3 (a) CLARIFICATION OF SCOPE OF WITHHELD AS-
4 SISTANCE.—Section 110(d)(1)(A) of the Trafficking Vic-
5 tims Protection Act of 2000 (22 U.S.C. 7107(d)(1)(A))
6 is amended to read as follows:

7 “(A) the United States will not provide
8 nonhumanitarian, nontrade-related foreign as-
9 sistance to the central government of the coun-
10 try, or any funding to facilitate the participa-
11 tion by officials or employees of such central
12 government in educational and cultural ex-
13 change programs, before the end of the first fis-
14 cal year beginning after such government com-
15 plies with the minimum standards or makes sig-
16 nificant efforts to bring itself into compliance;
17 and”.

18 (b) DEFINITION OF NONHUMANITARIAN, NONTRADE-
19 RELATED ASSISTANCE.—Section 103(10) of the Traf-
20 ficking Victims Protection Act of 2000 (22 U.S.C.
21 7102(10)) is amended to read as follows:

22 “(10) NONHUMANITARIAN, NONTRADE-RE-
23 LATED FOREIGN ASSISTANCE.—

24 “(A) IN GENERAL.—The term ‘non-
25 humanitarian, nontrade-related foreign assist-

1 2601(a)–(c)) to meet refugee and migra-
2 tion needs;

3 “(iv) any form of United States for-
4 eign assistance provided through non-
5 governmental organizations, international
6 organizations, or private sector partners—

7 “(I) to combat human and wild-
8 life trafficking;

9 “(II) to promote food security;

10 “(III) to respond to emergencies;

11 “(IV) to provide humanitarian
12 assistance;

13 “(V) to address basic human
14 needs, including for education;

15 “(VI) to advance global health
16 security; or

17 “(VII) to promote trade;

18 “(v) any other form of United States
19 foreign assistance that the President deter-
20 mines, by not later than October 1 of each
21 fiscal year, is necessary to advance the se-
22 curity, economic, humanitarian, or global
23 health interests of the United States with-
24 out compromising the country’s steadfast

1 commitment to combating human traf-
2 ficking globally; or

3 “(vi) sales, or financing on any terms,
4 under the Arms Export Control Act (22
5 U.S.C. 2751 et seq.), other than sales or
6 financing provided for narcotics-related
7 purposes following notification in accord-
8 ance with the prior notification procedures
9 applicable to reprogramming pursuant to
10 section 634A of the Foreign Assistance Act
11 of 1961 (22 U.S.C. 2394–1).

12 “(B) EXCLUSIONS.—The term ‘non-
13 humanitarian, nontrade-related foreign assist-
14 ance’ also excludes payments to, or the partici-
15 pation of, government entities necessary or inci-
16 dental to the implementation of a program that
17 is otherwise consistent with section 110 of this
18 Act.”.

19 **SEC. 206. TRAFFICKING FOR THE PURPOSES OF ORGAN**
20 **HARVESTING.**

21 Section 110(b)(1) of the Trafficking Victims Protec-
22 tion Act of 2000 (22 U.S.C. 7107(b)(1)) is amended—

23 (1) in subparagraph (G), by striking “and” at
24 the end;

1 (2) in subparagraph (H), by striking the period
2 at the end and inserting “; and”; and

3 (3) by inserting after subparagraph (H) the fol-
4 lowing:

5 “(I) information about the trafficking in
6 persons for the purpose of organ removal, in-
7 cluding cases and steps governments are under-
8 taking to prevent, identify, and eliminate such
9 trafficking.”.

10 **SEC. 207. ELIMINATION OF DUPLICATIVE REPORTING.**

11 Sec. 106(b)(6)(C) of the Bipartisan Congressional
12 Trade Priorities and Accountability Act, P.L. 114-26, as
13 added by Sec. 914(e)(1) of the Trade Facilitation and
14 Trade Enforcement Act, P.L. 114-125 (19 U.S.C.
15 4205(b)(6)(C)), is hereby repealed.

16 **TITLE III—AUTHORIZATION OF**
17 **APPROPRIATIONS**

18 **SEC. 301. EXTENSION OF AUTHORIZATIONS UNDER THE**
19 **VICTIMS OF TRAFFICKING AND VIOLENCE**
20 **PROTECTION ACT OF 2000.**

21 Section 113 of the Trafficking Victims Protection Act
22 of 2000 (22 U.S.C. 7110) is amended—

23 (1) in subsection (a), by striking “for each of
24 the fiscal years 2018 through 2021, \$13,822,000”

1 and inserting “for each of the fiscal years 2024
2 through 2028, \$17,000,000”;

3 (2) in subsection (b)(1)—

4 (A) by striking “To carry out the purposes
5 of sections 106(b) and 107(b),” and inserting
6 “To carry out the purposes of sections 106(b)
7 and 107(b) of this Act and sections 101 and
8 102 of the Frederick Douglass Trafficking Vic-
9 tims Prevention and Protection Reauthorization
10 Act of 2023,”; and

11 (B) by striking “\$19,500,000” and all that
12 follows, and inserting “\$25,000,000 for each of
13 the fiscal years 2024 through 2028, of which
14 \$5,000,000 is authorized to be appropriated in
15 each fiscal year for the National Human Traf-
16 ficking Hotline and for cybersecurity and public
17 education campaigns, in consultation with the
18 Secretary of Homeland Security, for identifying
19 and responding as needed to cases of human
20 trafficking.”;

21 (3) in subsection (c)(1)—

22 (A) in the matter preceding subparagraph
23 (A), by striking “2018 through 2021,
24 \$65,000,000” and inserting “2024 through
25 2028, \$116,400,000”;

1 (4) in subsection (c) by adding at the end the
2 following new paragraphs:

3 “(3) PROGRAMS TO END MODERN SLAVERY.—
4 Of the amounts authorized by paragraph (1) to be
5 appropriated for a fiscal year, not more than
6 \$37,500,000 may be made available to fund pro-
7 grams to end modern slavery.

8 “(4) PROGRAMS AT THE USAID.—Of the
9 amount authorized to be appropriated by paragraph
10 (1), \$22,000,000 is authorized to be made available
11 each fiscal year to the United States Agency for
12 International Development, of which \$2,000,000 is
13 authorized to be allocated for countering trafficking
14 in persons from Mexico, Guatemala, Honduras, and
15 El Salvador.”; and

16 (5) in subsection (d)(1), by striking “2018
17 through 2021” and inserting “2024 through 2028,
18 of which \$35,000,000 is authorized to be appro-
19 priated for each fiscal year for the Office of Victims
20 of Crime Housing Assistance Grants for Victims of
21 Human Trafficking”.

22 **SEC. 302. EXTENSION OF AUTHORIZATIONS UNDER THE**
23 **INTERNATIONAL MEGAN’S LAW.**

24 Section 11 of the International Megan’s Law to Pre-
25 vent Child Exploitation and Other Sexual Crimes Through

1 Advanced Notification of Traveling Sex Offenders (34
2 U.S.C. 21509) is amended by striking “2018 through
3 2021” and inserting “2024 through 2028”.



Chairman McCAUL. The gentleman is recognized for 5 minutes on his amendment.

Mr. SMITH. Thank you so very much, Mr. Chairman. Thank you for arranging for the committee to consider this legislation today, for your sponsorship of the bill itself. And I want to thank Mr. Meeks. Last Congress Karen Bass and I had a very similar piece of legislation. We tried for 2 years, over 2 years to get it passed. He was very supportive. So I thank him. And, again, I thank you, Mr. Chairman, for your strong support and that of your staff in making this a reality.

Mr. Chairman, more than 20 years ago, the U.S. Congress approved and the president signed historic legislation that I had authored called the Trafficking Victims Protection Act of 2000, a comprehensive, whole-of-government initiative to combat sex and labor trafficking in the United States and around the world. The TVPA created a bold new domestic and international anti-human trafficking strategy and established numerous new programs to protect victims, prosecute traffickers, and to the extent possible prevent human trafficking in the first place, what we often refer to as the three Ps.

Though it is hard to believe now, the TVPA was met with a wall of skepticism and opposition, dismissed by many as a solution in search of a problem. For most people at that time, including many lawmakers, the term trafficking applied almost exclusively to drugs and weapons, not to human beings. Reports of vulnerable persons, especially women and children, being reduced to commodities for sale were often met with surprise and incredulity or outright indifference.

The bill was signed into law finally on October 28, 2000. And within a year after enactment, no one, I say again no one because I chaired the hearings, was arguing anymore that the Trafficking Victims Protection Act and its integrated three P strategy was flawed, unworkable, unnecessary, or counterproductive.

Today we are marking up reauthorization of the Trafficking Victims Protection Act, named in honor of Frederick Douglass. This legislation was cosponsored by my friend and subcommittee ranking member, Susan Wild, and I want to thank her for that, and Chairman McCaul, of course, Ann Wagner, Kathy Manning, Henry Cuellar, Joe Wilson, Amata Radewagen, Michael Burgess, and Donald Davis.

I especially want to thank our staffs, including Mary Vigil for her tremendous work on this and Janice Kaguyutan for her work as well. It has been a great collaboration of the staffs and members. So I want to thank them for that.

Specifically, the bill encourages the usage of prevention efforts to include assessable, age appropriate, and trauma-informed approaches for USAID beneficiaries. And a big emphasis in the bill is on prevention and the further incorporation of counter-trafficking efforts across the development portfolio.

It streamlines statutory language for the Tier 2 Watch List. It reauthorizes the Department of State office to monitor and combat trafficking in persons. And it reauthorizes funding for the International Megan's Law and the Angel Watch Program.

Just parenthetically on that issue, little Megan Kanka, a girl who has lived in my hometown, my wife and I, hometown of Hamilton, New Jersey, in 1994 was killed by a convicted pedophile who lived across the street. We now have Megan's Laws in every State. But unfortunately, many of the people who commit these crimes upon leaving jail after their incarceration go on child sex tourism trips, and they abuse little children all around the world, from Thailand to Brazil to Mexico, all around the world.

This legislation, which it took 8 years to pass, it passed the House three times. The Senate kept objecting to it. Finally we got it enacted into law. And now it provides notice to countries of destination of any of these convicted pedophiles before they travel so that if the country wants to say you are not coming in, they are empowered to do so knowing that the reason for that travel could likely be and probably is child sex tourism.

The Homeland Security on October 27th, just a few days ago, provided me with an update. So far they have provided 22,790 notifications. And countries who have denied travel include 8,357 times where they said you are not coming in. So it is having an impact. And hopefully it is taking the secrecy, or some of it, out of these child sex tourism trips. That is reauthorized in the bill.

Again, I want to thank you, Mr. Chairman, again for your steadfast support of trafficking, for the laws that you have written, including when you were chairman of Homeland Security, with the Blue Campaign, a tremendous law. And I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields back.

Any further discussion? Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman.

I strongly support this bipartisan measure that is led by Representative Smith, who has worked on this tirelessly, and I admire him for it, as well as Representative Wild, to reauthorize the Trafficking Victims Protection Act of 2000.

We have reauthorized this bill several times, in 2003, 2006, 2008, 2013, and most recently in 2019. This legislation serves as a reminder that Congress has played and will continue to play a critical role in advancing the United States in global efforts to combat and eliminate human trafficking.

I thank Representative Smith for authoring the first modern trafficking bill and its subsequent reauthorizations, again tirelessly fighting to do the right thing to protect children. We thank you for your leadership. And we are proud to partner with you, not only in elevating this issue but also in making real differences in people's lives, which is what this is really all about.

Today we build on the successes and the lessons learned over the last decades. This bill is a 5-year reauthorization of important counter-trafficking programs. And it also modernizes some of the prevention, protections, and prosecution tools and to eradicate this billion dollar criminal enterprise.

I support the Smith ANS. And I again thank him. As he has indicated, he worked with Congresswoman Bass in the past. He has worked with Congresswoman Wild. You know, he has done this in a completely bipartisan effort because this is not about politics.

This is about doing the right thing. It is about humanity. And it is about protecting kids and stopping this heinous trafficking.

And I encourage all of my colleagues to support this. And I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Do any other members seek recognition? Mrs. Wagner.

Mrs. WAGNER. I want to thank you, Mr. Chairman, Ranking Member Meeks, Representative Wild, and most especially Representative Smith, for your decades, sir, of leadership on this vital legislation.

The Trafficking Victims Protection Act of 2000, or TVPA, is the most significant Federal anti-trafficking law in the United States. The landmark provisions of this law have helped rescue countless victims from abuse and exploitation, both in the United States and around the world.

However, tragically, human trafficking and child exploitation continue to rise within our own borders and internationally. According to the Department of Justice, the number of individuals prosecuted for human trafficking has more than doubled in the past decade. Even worse, the National Center for Missing and Exploited Children has seen an 89 percent increase in online child sexual abuse material since 2019 and a 567 percent increase in the sexual enticement of children since 2018. All of these issues are interconnected. And Congress must adopt a whole-of-government approach in reversing these horrific trends.

Passing this bill, H.R. 5856, is a vital step that we must take to combat the scourge of trafficking and exploitation. This legislation will ensure Federal dollars go toward areas with high intensity child sex trafficking and prioritizes prevention and education programs to focus on how social media is used to groom and entice children. These efforts are crucial to not only rescuing victims but also ensuring that vulnerable individuals are aware of the potential dangers online and in communities throughout the country.

Last, I want to highlight the Trafficking Survivor Employment and Education Program in this bill. I have worked with numerous survivors throughout my time in Congress and in Missouri's 2d congressional District. And one of the most important issues for these brave individuals is breaking the cycle of exploitation that traps victims in such horrifying situations. This program will help give survivors the tools they need to restart their lives, whether it is assistance with education, job skills and vocational training, or financial literacy. This program will help survivors break that vicious cycle and begin a new life.

I want to again thank Representative Chris Smith for his work on this bill. And as a proud original cosponsor of this legislation, I look forward to its bipartisan approval by this committee and eventual passage into law.

I thank you, Mr. Chairman. And I yield back.

Chairman MCCAUL. The gentlelady yields back.

Does any other member seek recognition? Ms. Wild.

Ms. WILD. Thank you, Mr. Chairman.

I, too, rise in support of H.R. 5856, the Trafficking Victims Protection Act of 2000. And I, too, would like to thank the chair of the Subcommittee on Global Health and Human Rights, Mr. Smith, a

subcommittee that I am proud to be ranking member on and have been present at the hearings where we have heard from the witnesses who have been the victims of this type of trafficking, in addition to which I spent time this summer in Nepal visiting, meeting with survivors of human trafficking and sex trafficking and with NGO's that are on the ground trying very, very hard to help those survivors.

I could think of no subject more suitable for bipartisan support. And I hope that all of our members will vote in favor of this. One of the things that is most enjoyable about the Foreign Affairs Committee, quite frankly, is our ability to work in a bipartisan manner on so many important issues. And this is certainly one of them.

And I just, again, want to thank you, Chairman Smith, for your efforts on this and for asking me to co-lead it. And with that, I yield back.

Chairman MCCAUL. The gentlelady yields back.

Any further discussion? Ms. Manning is recognized.

Ms. MANNING. Thank you, Mr. Chairman.

I am proud to support H.R. 5856, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2023, bipartisan legislation I helped introduce alongside my good friends and colleagues, Representatives Chris Smith of New Jersey and Susan Wild of Pennsylvania.

I want to thank them for their leadership. And I am very proud to serve alongside them on the Subcommittee on Global Health, Global Human Rights, and International Organizations where we have had important hearings about the problem of human trafficking. And, Representative Smith, I just want to mention how much I appreciate your passion and tenacity on this critically important issue.

Human trafficking and modern day slavery is a horrific crime whose continued existence should be a shock to the conscience of our society. Each year millions of people around the world are trafficked across borders. Violent cartels and some States prey on and abuse the most vulnerable among us, forcing them into child labor, sex slavery, and other abhorrent crimes. That is why it is important that Congress pass this 5-year reauthorization of the Trafficking Victims Protection Act of 2000, which established the Department of State's office to monitor and combat trafficking in persons which ranks governments around the world on their efforts to confront and combat human trafficking.

This bill and the ANS would make several important updates to the law, incorporating trauma and victim-centered approaches supported by many stakeholders, as well as an extension of International Megan's Law, which helps prevent convicted predators from preying on and exploiting victims in other countries around the world.

In closing, I urge all my colleagues to support this important bipartisan bill that I am proud to cosponsor. I yield back the balance of my time.

Chairman MCCAUL. The gentlelady yields back.

Any other members seek recognition? I recognize myself.

Let me just say to my dear friend, Mr. Smith, you know, I know who has worked very hard and tirelessly for many years to get to

this point. And we suffered together through much of that with the Senate. I just congratulate you on getting this thing done.

It is a milestone bill. You know, there is nothing better than when you pass a bill and you know you are going to save lives, you know. It does not happen every day up here, but to pass a bill, to know that you are not only going to save children's lives but you are going to make their lives better, the most innocent people in our society with one of the most grotesque crimes.

You know, as a Federal prosecutor for many years, I have seen the victims and what was done to them. And, you know, in many respects, it is the absolute worst. And, you know, we always said there is a special place in hell for people like that, especially in prison. And I have sent some of them to prison and rescued many of them.

And I just think you are doing, you know, when you do God's work here on earth, that really, that is what it is all about, making a difference in this Nation and this world. And, sir, I just want to commend you and all the members of this committee. I know the ranking member, I know Mrs. Wagner has worked really hard on this issue. This is a righteous one. This is a righteous issue. And I am delighted we could move it forward. And I am delighted that we have the Senate now that may actually pass it. And it is well deserved. And I just wanted to say that.

So any other members seek recognition?

There being no further discussion, do any members wish to offer an amendment to the Smith amendment in the nature of a substitute?

There being no further amendments, the question now occurs on the amendment in the nature of a substitute offered by Representative Smith.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it. And the amendment is agreed to.

There being no further amendments, I move that the committee report H.R. 5856 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it. And the motion is agreed to.

Mr. CONNOLLY. Mr. Chair, I ask for a recorded vote.

Chairman MCCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

Pursuant to notice, I now call up H.R. 4681, the Illicit Captagon Trafficking Suppression Act. The bill was circulated in advance. The clerk shall designate the bill.

[The Bill H.R. 4681 follows:]

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HR 4681

I

118TH CONGRESS
1ST SESSION

H. R. 4681

To provide for the imposition of sanctions with respect to illicit captagon trafficking.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2023

Mr. HILL (for himself and Mr. MOSKOWITZ) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the imposition of sanctions with respect to illicit captagon trafficking.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Illicit Captagon Traf-
5 ficking Suppression Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Industrial scale production of the amphet-
9 amine-type stimulant also known as captagon, and

1 the illicit production of precursor chemicals, in terri-
2 tories held by the regime of President Bashar al
3 Assad in Syria are becoming more sophisticated and
4 pose a severe challenge to regional and international
5 security.

6 (2) Elements of the Government of Syria are
7 key drivers of illicit trafficking in captagon, with
8 ministerial-level complicity in production and smug-
9 gling, using other armed groups such as Hizballah
10 for technical and logistical support in captagon pro-
11 duction and trafficking.

12 (3) As affiliates of the Government of Syria and
13 other actors seek to export captagon, they under-
14 mine regional security by empowering a broad range
15 of criminal networks, militant groups, mafia syn-
16 dicates, and autocratic governments.

17 **SEC. 3. STATEMENT OF POLICY.**

18 It is the policy of the United States to target individ-
19 uals, entities, and networks associated with the Govern-
20 ment of Syria to dismantle and degrade the transnational
21 criminal organizations, including narcotics trafficking net-
22 works, associated with the regime of President Bashar al
23 Assad in Syria and Hizballah.

1 SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO IL-
2 LICIT CAPTAGON TRAFFICKING.

3 (a) IN GENERAL.—The sanctions described in sub-
4 section (b) shall be imposed with respect to any foreign
5 person the President determines, on or after the date of
6 enactment of this Act—

7 (1) engages in, or attempts to engage in, activi-
8 ties or transactions that have materially contributed
9 to, or pose a significant risk of materially contrib-
10 uting to, the illicit production and international il-
11 licit proliferation of captagon; or

12 (2) knowingly receives any property or interest
13 in property that the foreign person knows—

14 (A) constitutes or is derived from proceeds
15 of activities or transactions that have materially
16 contributed to, or pose a significant risk of ma-
17 terially contributing to, the illicit production
18 and international illicit proliferation of
19 captagon; or

20 (B) was used or intended to be used to
21 commit or to facilitate activities or transactions
22 that have materially contributed to, or pose a
23 significant risk of materially contributing to,
24 the illicit production and international illicit
25 proliferation of captagon.

1 (b) SANCTIONS DESCRIBED.—The sanctions de-
2 scribed in this subsection are the following:

3 (1) BLOCKING OF PROPERTY.—The President
4 shall exercise all authorities granted under the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1701 et seq.) to the extent necessary to block
7 and prohibit all transactions in property and inter-
8 ests in property of the foreign person if such prop-
9 erty and interests in property are in the United
10 States, come within the United States, or come with-
11 in the possession or control of a United States per-
12 son.

13 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
14 PAROLE.—

15 (A) VISAS, ADMISSION, OR PAROLE.—An
16 alien described in subsection (a) shall be—

17 (i) inadmissible to the United States;
18 (ii) ineligible to receive a visa or other
19 documentation to enter the United States;
20 and

21 (iii) otherwise ineligible to be admitted
22 or paroled into the United States or to re-
23 ceive any other benefit under the Immigra-
24 tion and Nationality Act (8 U.S.C. 1101 et
25 seq.).

1 (B) CURRENT VISAS REVOKED.—

2 (i) IN GENERAL.—The visa or other
3 entry documentation of any alien described
4 in subsection (a) is subject to revocation
5 regardless of the issue date of the visa or
6 other entry documentation.

7 (ii) IMMEDIATE EFFECT.—A revoca-
8 tion under clause (i) shall, in accordance
9 with section 221(i) of the Immigration and
10 Nationality Act (8 U.S.C. 1201(i))—

11 (I) take effect immediately; and

12 (II) cancel any other valid visa or
13 entry documentation that is in the
14 possession of the alien.

15 (c) PENALTIES.—Any person that violates, or at-
16 tempts to violate, subsection (b) or any regulation, license,
17 or order issued pursuant to that subsection, shall be sub-
18 ject to the penalties set forth in subsections (b) and (c)
19 of section 206 of the International Emergency Economic
20 Powers Act (50 U.S.C. 1705) to the same extent as a per-
21 son that commits an unlawful act described in subsection
22 (a) of that section.

23 (d) WAIVER.—

24 (1) IN GENERAL.—The President may waive
25 the application of sanctions under this section with

1 respect to a foreign person only if, not later than 15
2 days prior to the date on which the waiver is to take
3 effect, the President submits to the appropriate con-
4 gressional committees a written determination and
5 justification that the waiver is in the vital national
6 security interests of the United States.

7 (2) BRIEFING.—Not later than 60 days after
8 the issuance of a waiver under paragraph (1), and
9 every 180 days thereafter while the waiver remains
10 in effect, the President shall brief the appropriate
11 congressional committees on the reasons for the
12 waiver.

13 (e) IMPLEMENTATION.—The President may exercise
14 all authorities provided under sections 203 and 205 of the
15 International Emergency Economic Powers Act (50
16 U.S.C. 1702 and 1704) to carry out this section.

17 (f) REGULATIONS.—

18 (1) IN GENERAL.—The President shall, not
19 later than 120 days after the date of the enactment
20 of this Act, promulgate regulations as necessary for
21 the implementation of this section.

22 (2) NOTIFICATION TO CONGRESS.—Not later
23 than 10 days before the promulgation of regulations
24 under this subsection, the President shall notify the
25 appropriate congressional committees of the pro-

1 posed regulations and the provisions of this section
2 that the regulations are implementing.

3 (g) EXCEPTIONS.—

4 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
5 TIES.—Sanctions under this section shall not apply
6 to any activity subject to the reporting requirements
7 under title V of the National Security Act of 1947
8 (50 U.S.C. 3091 et seq.) or any authorized intel-
9 ligence activities of the United States.

10 (2) EXCEPTION TO COMPLY WITH INTER-
11 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
12 MENT ACTIVITIES.—Sanctions under this section
13 shall not apply with respect to an alien if admitting
14 or paroling the alien into the United States is nec-
15 essary—

16 (A) to permit the United States to comply
17 with the Agreement regarding the Head-
18 quarters of the United Nations, signed at Lake
19 Success June 26, 1947, and entered into force
20 November 21, 1947, between the United Na-
21 tions and the United States, or other applicable
22 international obligations; or

23 (B) to carry out or assist authorized law
24 enforcement activity in the United States.

1 SEC. 5. DETERMINATIONS WITH RESPECT TO THE GOVERN-
2 MENT OF SYRIA, HIZBALLAH, AND NETWORKS
3 AFFILIATED WITH THE GOVERNMENT OF
4 SYRIA OR HIZBALLAH.

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the President shall—

7 (1) determine whether each foreign person de-
8 scribed in subsection (b) meets the criteria for sanc-
9 tions under this Act; and

10 (2) submit to the appropriate congressional
11 committees a report containing—

12 (A) a list of all foreign persons described
13 in subsection (b) that meet the criteria for im-
14 position of sanctions under this Act;

15 (B) for each foreign person identified pur-
16 suant to subparagraph (A), a statement of
17 whether sanctions have been imposed or will be
18 imposed within 30 days of the submission of the
19 report; and

20 (C) with respect to any person identified
21 pursuant to subparagraph (A) for whom sanc-
22 tions have not been imposed and will not be im-
23 posed within 30 days of the submission of the
24 report, the specific authority under which other-
25 wise applicable sanctions are being waived, have
26 otherwise been determined not to apply, or are

1 not being imposed and a complete justification
2 of the decision to waive or otherwise not apply
3 such sanctions.

4 (b) FOREIGN PERSONS DESCRIBED.—The foreign
5 persons described in this subsection are the following:

- 6 (1) Maher Al Assad.
7 (2) Imad Abu Zureiq.
8 (3) Amer Taysir Khiti.
9 (4) Taher al-Kayyali.
10 (5) Raji Falhout.
11 (6) Mohammed Asif Issa Shalish.
12 (7) Abdellatif Hamid, a Syrian national.
13 (8) Mustafa Al Masalmeh.

14 **SEC. 6. DEFINITIONS.**

15 In this Act:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on the Judiciary of the House of
21 Representatives; and

22 (B) the Committee on Foreign Relations,
23 the Committee on Banking, Housing, and
24 Urban Affairs, and the Committee on the Judi-
25 ciary of the Senate.

1 (2) CAPTAGON.—The term “captagon” means
2 any compound, mixture, or preparation which con-
3 tains any quantity of a stimulant in schedule I or II
4 of section 202 of the Controlled Substances Act (21
5 U.S.C. 812), including—

6 (A) amphetamine, methamphetamine, and
7 fenethylline;

8 (B) any immediate precursor or controlled
9 substance analogue of such a stimulant, as de-
10 fined in section 102 of the Controlled Sub-
11 stances Act (21 U.S.C. 802); and

12 (C) any isomers, esters, ethers, salts, and
13 salts of isomers, esters, and ethers of such a
14 stimulant, whenever the existence of such iso-
15 mers, esters, ethers, and salts is possible within
16 the specific chemical designation.

17 (3) FOREIGN PERSON.—The term “foreign per-
18 son”—

19 (A) means an individual or entity that is
20 not a United States person; and

21 (B) includes a foreign state (as such term
22 is defined in section 1603 of title 28, United
23 States Code).

24 (4) ILLICIT PROLIFERATION.—The term “illicit
25 proliferation” refers to any illicit activity to produce,

1 manufacture, distribute, sell, or knowingly finance or
2 transport.

3 (5) KNOWINGLY.—The term “knowingly” has
4 the meaning given that term in section 14 of the
5 Iran Sanctions Act of 1996 (Public Law 104–172;
6 50 U.S.C. 1701 note).

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

9 (A) a United States citizen;

10 (B) a permanent resident alien of the
11 United States;

12 (C) an entity organized under the laws of
13 the United States or of any jurisdiction within
14 the United States, including a foreign branch of
15 such an entity; or

16 (D) a person in the United States.

Æ

The CLERK. H.R. 4681, to provide for the imposition of sanctions with respect to illicit captagon trafficking—

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point.

Is there any discussion on the bill? Mr. Hill is recognized.

Mr. HILL. Mr. Chairman, thank you for scheduling H.R. 4681, the Illicit Captagon Trafficking Suppression Act, for today's debate and markup. I want to particularly thank Congressman Moskowitz, who is my partner in offering this legislation after 2 years of working very closely with your team, including in the last Congress when I was not a member of this committee. So I want to thank you and the Foreign Affairs Committee staff for the hard work and appreciate helping me address this issue effectively.

In addition to being a documented war criminal, Bashar al-Assad in Syria has become a transnational drug kingpin whose captagon drug is devastating families in the region and fueling his terror partnership with Iran and Hezbollah and now with additional of millions if not billions of new, growing illegal sources of funds.

In June, the Biden Administration outlined their strategy to combat the illegal revenue of captagon mandated by my first bill, the Captagon Act, which was signed into law as a part of the fiscal 1923 NDAA. The Illicit Captagon Trafficking Suppression Act will further press the Assad regime by imposing new sanctions to directly target individuals and networks associated with the production and trafficking of this drug. To ensure stability in the region, the U.S. Government must continue to work with our allies and partners and put pressure on stopping the proliferation of this drug and the money it generates.

I have been to the region, Mr. Chairman, three times this year, and captagon has come up in every visit with the regional governments. Jordan, Saudi Arabia, Iraq directly have seen captagon trade infiltrate their borders and affect their populations. And Egypt, Israel, and Turkey are certainly concerned about the money generated by captagon which fuels terrorism on their borders and against their people.

The Israeli Defense Force just in the last few weeks announced that captagon pills had been found on killed and captured Hamas fighters in the days following the October 7th brutal massacre in southern Israel. The New Lines Institute's Captagon Trade Project has now tracked more than 800 seizures of captagon since 2015. Further, earlier this year the British government estimated the global value of the captagon trade at \$57 billion. With more than 80 percent of captagon being produced in Syria, that is big money for an economy on the brink of utter collapse.

While I commend the Biden Administration and the United Kingdom jointly for using Caesar sanctions this past spring to sanction individuals for captagon trade, it is important that we now have specific sanctions on the production and trafficking of this drug. This bill is an important piece to the other legislation that this committee has passed and related to the region's work at pushing back against the normalization of diplomatic relations with Assad, the presence Iran has in every conflict in the region, and in supporting our ally, Israel.

I ask for my colleagues' support. And I yield back the balance of my time.

Chairman McCAUL. The gentleman yields.

Any further discussion? Mr. Meeks is recognized.

Mr. MEEKS. [Audio malfunction.]

Chairman McCAUL. OK. Any further discussion on the bill? Mr. Wilson is recognized.

Mr. WILSON. Thank you, Mr. Chairman.

I am grateful to support my colleague and friend, French Hill, in this critical legislation to hold the mass murdering regime of Bashar al-Assad accountable for his narcoState in trafficking the dangerous drug captagon across the region. The Assad regime is already notorious for its torture of children, use of chemical weapons against civilians, and continued bombing of non-regime areas of Syria. Nearly a million people have been murdered at the hands of Assad, yet the world remains largely silent about his crimes against Syrians. Assad saw an opportunity to line his pockets and give his criminal regime more leverage with countries in the region who are desperately seeking to curb the proliferation of the drug captagon.

Congressman Hill is correct. It has been reported that Hamas puppets of Iran were deranged with captagon as they committed the massacre in Israel of Israeli citizens a month ago today, October 7th. Appropriately, it was on Vladimir Putin's birthday. Burning babies alive and parading the murdered Israeli-German Shani Louk in the back of a pickup truck through Gaza exposes the barbarism enhanced by captagon. Thirty-two Americans were murdered and civilians kidnapped as hostages held in the murderous tradition of Iran, as in 1979 the U.S. Embassy, as war criminal Putin now has kidnapped babies to replace the brave Russians who have fled the Putin oppression.

I am grateful to French Hill, appreciated for his South Carolina heritage, for his commitment to holding mass murder and puppet Putin Assad accountable. I yield back.

Chairman McCAUL. The gentleman yields.

Any further discussion on the bill?

There being no further discussion, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mr. HILL. Mr. Chairman, I have an amendment at the desk. And I ask for its consideration at this time.

Chairman McCAUL. Mr. Hill is recognized. And the clerk shall distribute the Hill amendment in the nature of a substitute. The clerk shall report the amendment.

[The Amendment offered by Mr. Hill follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4681
OFFERED BY MR. HILL OF ARKANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Illicit Captagon Traf-
3 ficking Suppression Act of 2023”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) Industrial scale production of the amphet-
7 amine-type stimulant also known as captagon, and
8 the illicit production of precursor chemicals, in terri-
9 tories held by the regime of President Bashar al
10 Assad in Syria are becoming more sophisticated and
11 pose a severe challenge to regional and international
12 security.

13 (2) Elements of the Government of Syria are
14 key drivers of illicit trafficking in captagon, with
15 ministerial-level complicity in production and smug-
16 gling, using other armed groups such as Hizballah
17 for technical and logistical support in captagon pro-
18 duction and trafficking.

1 (3) As affiliates of the Government of Syria and
2 other actors seek to export captagon, they under-
3 mine regional security by empowering a broad range
4 of criminal networks, militant groups, mafia syn-
5 dicates, and autocratic governments.

6 **SEC. 3. STATEMENT OF POLICY.**

7 It is the policy of the United States to target individ-
8 uals, entities, and networks associated with the Govern-
9 ment of Syria to dismantle and degrade the transnational
10 criminal organizations, including narcotics trafficking net-
11 works, associated with the regime of President Bashar al
12 Assad in Syria and Hizballah.

13 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO IL-**
14 **LICIT CAPTAGON TRAFFICKING.**

15 (a) IN GENERAL.—The sanctions described in sub-
16 section (b) shall be imposed with respect to any foreign
17 person the President determines, on or after the date of
18 enactment of this Act—

19 (1) engages in, or attempts to engage in, activi-
20 ties or transactions that have materially contributed
21 to, or pose a significant risk of materially contrib-
22 uting to, the illicit production and international il-
23 licit proliferation of captagon; or

24 (2) knowingly receives any property or interest
25 in property that the foreign person knows—

1 (A) constitutes or is derived from proceeds
2 of activities or transactions that have materially
3 contributed to, or pose a significant risk of ma-
4 terially contributing to, the illicit production
5 and international illicit proliferation of
6 captagon; or

7 (B) was used or intended to be used to
8 commit or to facilitate activities or transactions
9 that have materially contributed to, or pose a
10 significant risk of materially contributing to,
11 the illicit production and international illicit
12 proliferation of captagon.

13 (b) SANCTIONS DESCRIBED.—The sanctions de-
14 scribed in this subsection are the following:

15 (1) BLOCKING OF PROPERTY.—The President
16 shall exercise all authorities granted under the Inter-
17 national Emergency Economic Powers Act (50
18 U.S.C. 1701 et seq.) to the extent necessary to block
19 and prohibit all transactions in property and inter-
20 ests in property of the foreign person if such prop-
21 erty and interests in property are in the United
22 States, come within the United States, or come with-
23 in the possession or control of a United States per-
24 son.

1 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
2 PAROLE.—

3 (A) VISAS, ADMISSION, OR PAROLE.—An
4 alien described in subsection (a) shall be—

5 (i) inadmissible to the United States;

6 (ii) ineligible to receive a visa or other
7 documentation to enter the United States;

8 and

9 (iii) otherwise ineligible to be admitted
10 or paroled into the United States or to re-
11 ceive any other benefit under the Immigra-
12 tion and Nationality Act (8 U.S.C. 1101 et
13 seq.).

14 (B) CURRENT VISAS REVOKED.—

15 (i) IN GENERAL.—The visa or other
16 entry documentation of any alien described
17 in subsection (a) is subject to revocation
18 regardless of the issue date of the visa or
19 other entry documentation.

20 (ii) IMMEDIATE EFFECT.—A revoca-
21 tion under clause (i) shall, in accordance
22 with section 221(i) of the Immigration and
23 Nationality Act (8 U.S.C. 1201(i))—

24 (I) take effect immediately; and

1 (II) cancel any other valid visa or
2 entry documentation that is in the
3 possession of the alien.

4 (c) PENALTIES.—Any person that violates, or at-
5 tempts to violate, subsection (b) or any regulation, license,
6 or order issued pursuant to that subsection, shall be sub-
7 ject to the penalties set forth in subsections (b) and (c)
8 of section 206 of the International Emergency Economic
9 Powers Act (50 U.S.C. 1705) to the same extent as a per-
10 son that commits an unlawful act described in subsection
11 (a) of that section.

12 (d) WAIVER.—

13 (1) IN GENERAL.—The President may waive
14 the application of sanctions under this section with
15 respect to a foreign person only if, not later than 15
16 days prior to the date on which the waiver is to take
17 effect, the President submits to the appropriate con-
18 gressional committees a written determination and
19 justification that the waiver is important to the na-
20 tional security interests of the United States.

21 (2) BRIEFING.—Not later than 60 days after
22 the issuance of a waiver under paragraph (1), and
23 every 180 days thereafter while the waiver remains
24 in effect, the President shall brief the appropriate

1 congressional committees on the reasons for the
2 waiver.

3 (e) HUMANITARIAN WAIVER.—

4 (1) IN GENERAL.—The President may waive,
5 for renewable periods not to exceed 2 years, the ap-
6 plication of sanctions with respect to a nongovern-
7 mental organization providing humanitarian assist-
8 ance if the President certifies to the appropriate
9 congressional committees that such a waiver is im-
10 portant to address a humanitarian need and is con-
11 sistent with the national security interests of the
12 United States.

13 (2) BRIEFING.—Not later than 90 days after
14 the issuance of a waiver under paragraph (1), and
15 every 180 days thereafter while the waiver remains
16 in effect, the President shall brief the appropriate
17 congressional committees on the reasons for the
18 waiver.

19 (f) IMPLEMENTATION.—The President may exercise
20 all authorities provided under sections 203 and 205 of the
21 International Emergency Economic Powers Act (50
22 U.S.C. 1702 and 1704) to carry out this section.

23 (g) REGULATIONS.—

24 (1) IN GENERAL.—The President shall, not
25 later than 120 days after the date of the enactment

1 of this Act, promulgate regulations as necessary for
2 the implementation of this section.

3 (2) NOTIFICATION TO CONGRESS.—Not later
4 than 10 days before the promulgation of regulations
5 under this subsection, the President shall notify the
6 appropriate congressional committees of the pro-
7 posed regulations and the provisions of this section
8 that the regulations are implementing.

9 (h) EXCEPTIONS.—

10 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
11 TIES.—Sanctions under this section shall not apply
12 to any activity subject to the reporting requirements
13 under title V of the National Security Act of 1947
14 (50 U.S.C. 3091 et seq.) or any authorized intel-
15 ligence activities of the United States.

16 (2) EXCEPTION TO COMPLY WITH INTER-
17 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
18 MENT ACTIVITIES.—Sanctions under this section
19 shall not apply with respect to an alien if admitting
20 or paroling the alien into the United States is nec-
21 essary—

22 (A) to permit the United States to comply
23 with the Agreement regarding the Head-
24 quarters of the United Nations, signed at Lake
25 Success June 26, 1947, and entered into force

1 November 21, 1947, between the United Na-
2 tions and the United States, or other applicable
3 international obligations; or

4 (B) to carry out or assist authorized law
5 enforcement activity in the United States.

6 **SEC. 5. DETERMINATIONS WITH RESPECT TO THE GOVERN-**
7 **MENT OF SYRIA, HIZBALLAH, AND NETWORKS**
8 **AFFILIATED WITH THE GOVERNMENT OF**
9 **SYRIA OR HIZBALLAH.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the President shall—

12 (1) determine whether each foreign person de-
13 scribed in subsection (b) meets the criteria for sanc-
14 tions under this Act; and

15 (2) submit to the appropriate congressional
16 committees a report containing—

17 (A) a list of all foreign persons described
18 in subsection (b) that meet the criteria for im-
19 position of sanctions under this Act;

20 (B) for each foreign person identified pur-
21 suant to subparagraph (A), a statement of
22 whether sanctions have been imposed or will be
23 imposed within 30 days of the submission of the
24 report; and

1 (C) with respect to any person identified
2 pursuant to subparagraph (A) for whom sanc-
3 tions have not been imposed and will not be im-
4 posed within 30 days of the submission of the
5 report, the specific authority under which other-
6 wise applicable sanctions are being waived, have
7 otherwise been determined not to apply, or are
8 not being imposed and a complete justification
9 of the decision to waive or otherwise not apply
10 such sanctions.

11 (b) FOREIGN PERSONS DESCRIBED.—The foreign
12 persons described in this subsection are the following:

- 13 (1) Maher Al Assad.
- 14 (2) Imad Abu Zureiq.
- 15 (3) Amer Taysir Khiti.
- 16 (4) Taher al-Kayyali.
- 17 (5) Raji Falhout.
- 18 (6) Mohammed Asif Issa Shalish.
- 19 (7) Abdellatif Hamid.
- 20 (8) Mustafa Al Masalmeh.

21 **SEC. 6. DEFINITIONS.**

22 In this Act:

- 23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Foreign Affairs and
2 the Committee on the Judiciary of the House of
3 Representatives; and

4 (B) the Committee on Foreign Relations,
5 the Committee on Banking, Housing, and
6 Urban Affairs, and the Committee on the Judi-
7 ciary of the Senate.

8 (2) CAPTAGON.—The term “captagon” means
9 any compound, mixture, or preparation which con-
10 tains any quantity of a stimulant in schedule I or II
11 of section 202 of the Controlled Substances Act (21
12 U.S.C. 812), including—

13 (A) amphetamine, methamphetamine, and
14 fenethylline;

15 (B) any immediate precursor or controlled
16 substance analogue of such a stimulant, as de-
17 fined in section 102 of the Controlled Sub-
18 stances Act (21 U.S.C. 802); and

19 (C) any isomers, esters, ethers, salts, and
20 salts of isomers, esters, and ethers of such a
21 stimulant, whenever the existence of such iso-
22 mers, esters, ethers, and salts is possible within
23 the specific chemical designation.

24 (3) FOREIGN PERSON.—The term “foreign per-
25 son”—

1 (A) means an individual or entity that is
2 not a United States person; and

3 (B) includes a foreign state (as such term
4 is defined in section 1603 of title 28, United
5 States Code).

6 (4) ILLICIT PROLIFERATION.—The term “illicit
7 proliferation” refers to any illicit activity to produce,
8 manufacture, distribute, sell, or knowingly finance or
9 transport.

10 (5) KNOWINGLY.—The term “knowingly” has
11 the meaning given that term in section 14 of the
12 Iran Sanctions Act of 1996 (Public Law 104–172;
13 50 U.S.C. 1701 note).

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

16 (A) a United States citizen;

17 (B) a permanent resident alien of the
18 United States;

19 (C) an entity organized under the laws of
20 the United States or of any jurisdiction within
21 the United States, including a foreign branch of
22 such an entity; or

23 (D) a person in the United States.



The CLERK. Amendment in the nature of a substitute to H.R. 4681, offered by Mr. Hill of Arkansas, strike all after—

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with.

The gentleman is recognized for 5 minutes on his amendment.

Mr. HILL. Well, Mr. Chairman, thank you.

This amendment in the nature of a substitute makes two changes in the base text. And these are being made after detailed discussions and support from the ranking member, Mr. Meeks, and the minority staff.

First, we changed the national security waiver provision standard from vital to important on page 5, line 19 of the ANS. And second, we add in a humanitarian waiver on page 6. And this humanitarian waiver language is consistent with the precise same waiver language that we had in the Caesar Act that was approved by this committee and has been utilized in sanctioning the Assad regime.

I want to thank my friend, the ranking member, for his work and, of course, his staff for their willingness to collaborate with me and get this measure in a position where the ranking member can have support of my bill.

Barring any back and forth with the ranking member on this point, I would urge everybody's support and yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Any further discussion? Mr. Meeks is recognized.

Mr. MEEKS. Let me thank Congressman Hill for offering this measure in addressing the Assad regime's trafficking of the drug captagon.

For years now the brutal Assad regime, its affiliates and criminal networks have used the sale and trafficking of the illegal narcotic captagon to enrich itself and fuel its campaign of brutality against Syria's people. The Biden Administration has taken steps to improve coordination with allies and partners to interdict, counter, and disrupt the networks that perpetuate these flows. However, more, much more can be done.

This bill builds upon this committee's previous legislative efforts to mandate additional sanctions on individuals and entities responsible for captagon's trafficking, as well as important congressional reporting on steps the United States is taking to counter these criminal efforts.

And I also want to give a special thank you to Mr. Hill for working with me on a bipartisan amendment which ensures legitimate humanitarian work and that work will continue while making sure that these additional sanctions are, in fact, targeted and effective. I want to thank you, Mr. Hill. I want to thank your staff for working collectively. Again, this is what I am happy to do. And you are a person of integrity. And I really appreciate it and working with you as always.

And again, I encourage all of the members of this committee to support this bill as I do also. And I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Any other members seek recognition? I recognize myself for a brief Statement.

I want to congratulate Mr. Hill for bringing this forward.

I think a lot of people did not know what captagon was prior to the Hamas invasion of Israel. But it is a very wicked amphetamine that causes delusional behavior. And if you look at the videos of Hamas terrorizing the kibbutz and the Jewish people with these horrific crimes of humanity, against humanity, you know, raping, tearing a baby out of a mother's womb and burning children alive and cutting heads off, and what drives people to do something like this, it's terrorism. And just like the Nazis, they are all jacked up on amphetamine and other things. And it causes very, very violent behavior.

So I think this is an excellent bill. And I fully support.

Any other members seek recognition?

There being no further discussion, do any members wish to offer an amendment to the Hill amendment in the nature of a substitute?

There being no further amendments, the question now occurs on the amendment in the nature of a substitute offered by Mr. Hill.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it. And the amendment is agreed to.

There being no further amendments, I move that the committee report H.R. 4681, as amended, to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

Mr. HILL. Mr. Chairman?

Chairman MCCAUL. Mr. Hill is recognized.

Mr. HILL. I would ask for a recorded vote, please.

Chairman MCCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

Pursuant to notice, I now call up H.R. 5961, No Funds for Iranian Terrorism Act. The bill was circulated in advance. The clerk shall designate the bill.

[The Bill H.R. 5961 follows:]

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HR5961

IB

Union Calendar No. 218

118TH CONGRESS
1ST SESSION

H. R. 5961

[Report No. 118–270, Part I]

To freeze certain Iranian funds involved in the 2023 hostage deal between
the United States and Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2023

Mr. McCaul (for himself, Mr. Scalise, Ms. Stefanik, Mr. Wilson of South Carolina, Mrs. Rodgers of Washington, Mr. Barr, Mr. Burchett, Mrs. Wagner, Ms. Salazar, Mr. Kean of New Jersey, Mr. Baird, Mr. Smith of New Jersey, Mr. Issa, Mr. Moran, Mr. James, Mr. Waltz, Mr. Self, Mrs. Radewagen, Mr. Mast, Mr. McCormick, Mrs. Kim of California, Mr. Buck, Mr. Mills, Mr. Huizenga, Mr. Jackson of Texas, and Mr. Lawler) introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on Foreign Affairs

NOVEMBER 9, 2023

Additional sponsors: Mrs. González-Colón, Mr. Green of Tennessee, Mr. Johnson of South Dakota, Mr. Kiley, Mr. Moolenaar, Mr. Fitzpatrick, Ms. De La Cruz, Mrs. Houchin, and Mr. Guthrie

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2

NOVEMBER 9, 2023

Reported with an amendment and referred to the Committee on Financial Services for a period ending not later than November 9, 2023, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h) of rule X

[Insert the part printed in italic]

NOVEMBER 9, 2023

Committee on Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Funds for Iranian
5 Terrorism Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On October 7, 2023, Iran-backed Hamas
9 terrorists launched a massive, unprovoked war on
10 Israel by air, land, and sea, in which they engaged
11 in the brutal murder of over 1,300 people and kid-
12 napped 130 people who are now being held hostage.

13 (2) Hamas, Palestinian Islamic Jihad, and
14 Hezbollah have all been designated by the United
15 States as Foreign Terrorist Organizations pursuant
16 to section 219 of the Immigration and Nationality
17 Act (8 U.S.C. 1189).

18 (3) According to an unclassified United States
19 government assessment, “Iran has historically pro-
20 vided up to \$100 million annually in combined sup-
21 port to Palestinian terrorist groups, including
22 Hamas, Palestinian Islamic Jihad (PIJ), and the
23 Popular Front for the Liberation of Palestine-Gen-
24 eral Command.”.

1 (4) As National Security Advisor Jake Sullivan
2 stated on October 10, 2023, “Iran is complicit in
3 this attack in a broad sense because they have pro-
4 vided the lion’s share of the funding for the military
5 wing of Hamas, they have provided training, they
6 have provided capabilities, they have provided sup-
7 port, and they have provided engagement and con-
8 tact with Hamas over years and years.”.

9 (5) *President Biden reached an agreement with*
10 *the Iranian regime to bring home Siamak Namazi,*
11 *Morad Tahbaz, Emad Shargi, and two additional*
12 *American hostages all of whom were wrongfully de-*
13 *tained in Iran.*

14 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO COV-**
15 **ERED IRANIAN ASSETS.**

16 (a) **IN GENERAL.**—On and after the date of the en-
17 actment of this Act, the President shall impose the sanc-
18 tion described in subsection (c) with respect to each for-
19 eign financial institution and each international financial
20 institution that the President determines engages in an
21 activity described in subsection (b).

22 (b) **ACTIVITIES DESCRIBED.**—A foreign financial in-
23 stitution or international financial institution engages in
24 an activity described in this subsection if the institution

1 processes, participates in, or facilitates a transaction using
2 or involving covered Iranian funds.

3 (c) BLOCKING OF PROPERTY.—The sanction de-
4 scribed in this subsection is the exercise of all of the pow-
5 ers granted to the President under the International
6 Emergency Economic Powers Act (50 U.S.C. 1701 et
7 seq.) to the extent necessary to block and prohibit all
8 transactions in property and interests in property of a for-
9 eign financial institution or international financial institu-
10 tion described in subsection (a) if such property and inter-
11 ests in property are in the United States, come within the
12 United States, or are or come within the possession or
13 control of a United States person.

14 (d) PENALTIES.—The penalties provided for in sub-
15 sections (b) and (c) of section 206 of the International
16 Emergency Economic Powers Act (50 U.S.C. 1705) shall
17 apply to a person that violates, attempts to violate, con-
18 spires to violate, or causes a violation of this section or
19 any regulations promulgated to carry out this section to
20 the same extent that such penalties apply to a person that
21 commits an unlawful act described in section 206(a) of
22 that Act.

23 (e) TERMINATION OF SANCTIONS.—The President
24 shall not be required to impose sanctions under this sec-
25 tion with respect to a foreign financial institution or inter-

1 national financial institution described in subsection (a)
2 if the President certifies in writing to the appropriate con-
3 gressional committees that the Government of Iran—

4 (1) no longer repeatedly provides support for
5 international terrorism as determined by the Sec-
6 retary of State pursuant to—

7 (A) section 1754(c)(1)(A) of the Export
8 Control Reform Act of 2018 (50 U.S.C.
9 4318(c)(1)(A));

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

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

14 (D) any other provision of law; and

15 (2) has ceased the pursuit, acquisition, and de-
16 velopment of, and verifiably dismantled its, nuclear,
17 biological, and chemical weapons and ballistic mis-
18 siles and ballistic missile launch technology.

19 **SEC. 4. DEFINITIONS.**

20 In this Act:

21 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
22 **TEES.**—The term “appropriate congressional com-
23 mittees” means—

1 (A) the Committee on Foreign Affairs and
2 the Committee on Financial Services of the
3 House of Representatives; and

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

7 (2) COVERED IRANIAN FUNDS.—The term “cov-
8 ered Iranian funds” means any funds transferred
9 from accounts in the Republic of Korea to Qatar
10 pursuant to or under the authority or guaranty of
11 a waiver, license, assurance letter, or other guidance
12 issued pursuant to or in furtherance of the waiver
13 determination made pursuant to sections 1244(i)
14 (22 U.S.C. 8803(i)) and 1247(f) of the Iran Free-
15 dom and Counter-Proliferation Act of 2012 (22
16 U.S.C. 8806(f)) and section 1245(d)(5) of the Na-
17 tional Defense Authorization Act for Fiscal Year
18 2012 (22 U.S.C. 8513a(d)(5)) that is the subject of
19 the document entitled “Waiver of Sanctions with Re-
20 spect to the Transfer of Funds from the Republic of
21 Korea to Qatar” and was transmitted to Congress in
22 September 2023.

23 (3) FOREIGN FINANCIAL INSTITUTION.—The
24 term “foreign financial institution” has the meaning

1 given such term under section 561.308 of title 31,
2 Code of Federal Regulations.

3 (4) INTERNATIONAL FINANCIAL INSTITU-
4 TION.—The term “international financial institu-
5 tion” has the meaning given such term in section
6 1701(c) of the International Financial Institutions
7 Act (22 U.S.C. 262r(c)).

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HR5961PT2

Union Calendar No. 218

118TH CONGRESS
1ST SESSION

H. R. 5961

[Report No. 118–270, Part I]

A BILL

To freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes.

NOVEMBER 9, 2023

Reported with an amendment and referred to the Committee on Financial Services for a period ending not later than November 9, 2023, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h) of rule X

NOVEMBER 9, 2023

Committee on Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

MR. MILLS

AMENDMENT TO H.R. 5961
OFFERED BY MR. MILLS OF FLORIDA

At the end of section 3, add the following:

- 1 (f) PROHIBITION ON ISSUING LICENSES.—The Presi-
2 dent may not issue any license for any of the covered Ira-
3 nian funds described in this Act.



The CLERK. H.R. 5961, to freeze certain Iranian funds involved in the 2023 hostage deals between the United States and Iran and for other purposes being enacted by the Senate and the House of Representatives of the United States of America—

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point.

I recognize myself in support of this bill. This bill, the No Funds for Iranian Terrorism Act, imposes new sanctions on the \$6 billion of Iranian funds transferred to Qatar as part of the 2023 hostage deal.

First, let me say that I am relieved that Americans held hostage by Iran are safely at home. They have been through a terrible ordeal and should never have been imprisoned. But cutting a \$6 billion deal with a leading State sponsor of terrorism, with a 44 year-long history of hostage taking, is in my judgment foolish and only incentivizes more hostage taking. It is about 1.2 billion per blue passport.

Fourteen hundred people were killed during the Hamas barbaric attack against Israel. Two hundred and forty-two hostages were taken. There is no acceptable response to this brutal terrorist assault other than to impose new restrictions to permanently prevent Iran from tapping into a \$6 billion windfall, which it will use to prop up its terror proxies.

Money is fungible. And giving Iran access to funds in any form frees up money for its malign activities. Iran has historically spent 100 million a year supporting Hamas alone. That is just a fraction of what it contributes its network of terrorist proxies overall.

Iran's long documented history of sanctions evasion and money laundering means we cannot trust Iran to use this money for humanitarian purposes. And if you have any doubt about this, any doubt about Iran's intentions, just look at not my words but the words of the Iranian president, Raisi, bragging to the world that Iran would spend the \$6 billion "wherever we need it."

Well, I take him at his word. It would be irresponsible to allow another cent to flow to Iran. So that is why my bill ensures the funds remain permanently off limits to the Iranian regime. This bill would impose immediate mandatory sanctions on any financial institution that helps Iran use the \$6 billion, effectively freezing it.

With such instability in the region, the last thing we need is to give Iran access to \$6 billion to be diverted to terrorism. We must sanction anyone who enables the transfer or processing of transactions involving these funds, plain and simple. And I urge my colleagues to support this bill.

Is there any further discussion on the bill? Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman.

President Biden did the right thing. He brought five Americans home who were rotting in Iran's notorious Evin prison. And every Member of Congress who was aware of these cases wanted our fellow citizens to come home. We promised their families we would fight to bring them home. We were all calling on the president to make it happen. President Obama could not get them out. President Trump could not get them out. President Joe Biden succeeded.

The agreement isn't pleasant for anybody. The Administration does not love it. Democrats in Congress do not love it. Republicans in Congress do not love it. No hostage agreement with an enemy is pleasant or easy. And no deal with the regime in Tehran, a murderous and corrupt regime, is pleasant or easy. But thanks to this agreement five American families are now whole again. And Iran has lost the leverage of holding American hostages.

The bill before us would sanction parties that carry out the financial terms of the hostage agreement in question. Let's take a moment and walk through some facts. The Trump Administration established a restricted account in South Korea where billions of Iran's own profits from oil sales were sitting for Iran to make approved humanitarian purposes. We had no control over this account, none.

This agreement moved that \$6 billion from the restricted account in South Korea, converted it into euros, and relocated it into a restricted account in Qatar. The United States has visibility now over this account, which we did not before. Not a single penny has moved into Iran. Iran has gained nothing, zero, nada, period. The regime just lost their hostages.

Under the terms of the agreement, Iran can use its money in Qatar to make approved humanitarian purchases to acquire medicine, medical equipment, agriculture goods, and food. Iran will never touch this money. The entirety of the transaction occurs outside of Iran. And Iran only received the vetted humanitarian goods. Thus far, Iran has not made any request of this humanitarian fund.

Again, nothing has been gained by Iran. All of the money remains in the account, every single penny of it, an account that we can watch, an account we now have leverage over due to our relationships with the correspondent banks in Europe that are integral to process any transactions, which we did not have before. In other words, we now have more control over this money than we did when it was in Korea. In fact, this account provides us with leverage, not the other way around.

Furthermore, following the horrific attacks in Israel on October 7th, the humanitarian fund has been frozen indefinitely by the United States and Qatar. No humanitarian purchase will be approved any time soon. Again, nothing has changed. The money remains in the account. And we continue to have leverage.

But if we pass this bill, that leverage will be gone. We will also lose our ability to conduct diplomacy with Iran and others in the future, because if we blow up this agreement by passing this bill we, the United States, will be the ones breaking yet another sensitive negotiated agreement with Iran. Our word and integrity will no longer be good in negotiations. This prisoner agreement has eliminated a longstanding obstacle for improvement in U.S.-Iranian relations for the purpose of preventing Iran from ever obtaining a nuclear weapon.

And I am not suggesting we try to befriend Iran, quite the opposite. Iran has only served to destabilize the broader Middle East by including supporting terrorist groups like Hezbollah and Hamas. The population of Gaza would not be engulfed in war were it not for Hamas. Iran-backed Hamas brought this upon everyone.

But we must remain sober and serious about the challenge of Iran and keep a focus on Iran's nefarious nuclear program. None of the bad options we possess to stop Iran's nuclear ambitions are better than the diplomatic track which has already proven successful.

Remember, it was the United States who violated the JCPOA, not Iran. Pulling out of this hostage agreement will be the second time we violated an agreement with Iran's leaders. Passage of this bill would mean potentially slamming the door closed on future diplomacy and leaving us only with dangerous and highly risky options of confronting Iran's nuclear program.

The prisoner swap confirms to the Iranian regime and others watching that the United States is a reliable negotiating partner. This is a crucial basis for the reopening of formal nuclear negotiations in the future. We must keep this possibility alive.

So, concluding, this agreement has freed five Americans who were suffering in Iranian prison. It shifted Iran's own money from an account in Korea we did not control to one where we play a role. And not a single penny has left the account or entered Iran. And this fund remains frozen indefinitely by the U.S. and Qatar. And there is no reason to jeopardize future negotiations or further inflame an already dangerous situation by passing this bill.

And I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion? Mr. Mast is recognized.

Mr. MAST. Thank you, Chairman.

I rise in support. And I guess the way that I would capture this is to say it is literally a situation of adding injury to insult. And not injury in the immediate but injury in the future.

And I recognize everybody in this room has had the opportunity for classified briefing on this. I do not know if everybody attended classified briefing on it. I will only say this about the briefing. I received a briefing on it. And I remain 100 percent not convinced that the status quo will keep these funds from being used by Iran for terror activities. Let me say that one more time. I remain unconvinced that the status quo would keep the funds from being used for terrorism by Iran, by any of their proxies, shuffled on down the line to whoever it is that they want to shuffle that to. And I do not know if other people heard different things in the briefings than what I heard.

But I would make this point as well, as we are in a moment of hundreds of hostages being held by these same arms. I cannot speak for Iran. But I consider it highly unlikely that Iran is out there speaking to its proxies right now telling them that you are not going to get anything for these hostages. See, look, we had this deal. And yes, it says \$6 billion, but we actually did not get anything. I just somehow doubt that that is the conversation that is taking place right now between Iran and the Palestinian Army of Hamas that they are out there supporting.

And that, I thank you for the time, Mr. Chairman. And I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion? Ms. Kamlager-Dove.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair. This bill, I think, sets a dangerous precedent by questioning our commitment to securing the release of American hostages and fracturing U.S. diplomatic credibility and upholding negotiated agreements. The deal with Iran advanced two important U.S. interests.

First, it got the Iranian government to use its own funds for humanitarian aid for the Iranian people, something deeply needed as they are suffering under this regime and remain menaced by and acute economic crisis. And this is the part everyone conveniently forgets. Return five Americans who are being held hostage by the regime.

These Americans had been sitting in an Iranian jail for years over the course of several Presidential Administrations, unsure if they would ever see their loved ones again. They were held at Evin Prison which is notorious for human rights violations, psychological torture, and repulsive living conditions. One of the Americans had been imprisoned for seven and a half years which is longer than some of us have served in Congress.

The fundamental expectation that we would uphold our side of the bargain is the only reason those prisoners were able to come home to see their families. So what message are we sending our constituents when we renege on this deal, that if they are held hostage we won't help them? Well, my constituent, Eyvin Hernandez, is being wrongfully detained in Venezuela, and there is nothing that I would not do to make sure that he gets to see his family again.

I think he's worth it. I think he's worth all kinds of negotiations. And I would hope I can say the same for this country. By refusing to uphold our end of the bargain, we also lose diplomatic credibility.

And we severely disincentivize any agreement like this from happening again with other countries who have American hostages. This bill jeopardizes the changes of freedom for American hostages in order to score political points. No country would make a deal with someone who does not follow through, and we are all learning our lesson of dealing with bad faith actors in Congress.

We cut deals with all kinds of actors every single day, good and bad. And it is so important that we separate policy from politics and propaganda. To the points made by the ranking member, the timing was poor on this deal, yes.

But sanctions are already present and will continue. Checks and balances are already in place. And heightened accountability has been added as a result of October 7th. Diplomacy means you talk to your friends, and it means you also find ways to talk to your enemies.

And at the end of the day, we should not forget that this was about bringing home American hostages, people who deserve our attention and as much diplomatic and negotiated interactions as possible to bring them home safely to their families. We must be abundantly clear what is really at stake when we treat diplomacy like it does not matter. You literally put American lives at risk. So I would urge my colleagues to oppose this legislation, and I yield back.

Chairman MCCAUL. Gentlelady yields. Any further—

Mr. HILL. Mr. Chair.

Chairman McCaul [continuing]. Discussion? Mr. Hill is recognized.

Mr. HILL. Thank you, Mr. Chairman. I want to rise in support of this Bill 5961, No Funds for Iranian Terrorism Act. And I think we all acknowledge on both sides of the aisle that we certainly support efforts by the Administration to bring Americans wrongfully detained or held hostage by State actors or non-State actors home.

That's the goal of our country. It's the goal of everybody in this Congress. Congressman Haley Stevens and I co-chair the task force in the House to help educate members about what they can do to support their constituents that, in fact, have family members held wrongfully abroad by a State actor or non-State actor.

So that's to be commended. But when you put a price on the blue passport, you encourage more hostage taking, not less. And if we're talking about diplomatic relations and not honoring agreements, let's start with Tehran and the Biden policy of continuing the appeasement of the Obama Administration which is at the root of much of the drama and terror that we are witnessing right this week.

Iran is the world's largest and No. 1 State sponsor of terrorism. Sanctions relief and appeasement under the past Democratic Administrations absolutely aren't accomplishing any diplomatic objective. And it's certainly not accomplishing easier access to hostages.

In fact, under this Administration, Iran's GDP is growing. It's now 550 billion dollars. It was that level under President Obama with the all of the above sanctions policies that President Trump took, shrunk to 300 billion by a loss of 200 billion per year.

And now under President Biden, it's back growing again. It was 359 billion in 1921 and it's now almost 400 billion in 2022. So Iran is growing.

They aren't facing sanctions like they were under the Trump Administration. And while it's important to recognize the 6 billion dollars is also just a small part of the money freed up for this terrorist State. Because just as has been described accurately by Mr. Meeks and Mr. McCaul, this 6 billion dollars is just one account that is Iranian money held in escrow in Qatar.

But there's another one of 10 billion that's in Oman that is for gas sales from Iran to Iraq that's also being freed up at this time. And when you look at 17 billion dollars in an economy of that size, that's a lot of fungible money that as Chairman McCaul has said can be spent for whatever the mullahs want. So this Administration has allowed Iran back into the global economy.

And yet they're exporting ballistic missile technologies. In Ukraine, to defeat Ukraine, Iran is selling drones and arms to Russia to kill Israelis and wipe Israel off the map. Iran is the primary financier of Hamas and Hizballah and Lebanon as a protector and partner to Assad who we just discussed in Syria.

Iran is the principal financier of the Assad regime, Hamas, and fights alongside Russia in killing Syrians. And then Yemen, Iran is the principal financial supporter of the Houthis which last time I checked in the last few days have been firing rockets over Saudi Arabia to hit Israel. And this is who we want to give more money to.

This makes no sense to me. So circumstances change in negotiations. Circumstances change in negotiations. And Iran is directly involved in all these conflicts, directly involved in funding terror, directly involved in killing Israelis.

And to cap it all off, 91 percent of the Iranian oil exports are being bought by China, the largest part of Iran's economy. Why is it growing? Because they're selling oil to China.

This builds an important step and a small step. But it allows us to make consistent U.S. policy that sees Iran for what it is and puts the sanction pressure where it deserves. I thank the Chairman. I support this bill, and I yield back my time.

Chairman MCCAUL. The gentleman yields. Any further discussion? Mr. Davidson is recognized.

Mr. DAVIDSON. I thank the chairman. And I just have to address Mr. Meeks' argument and some of our colleagues that have defended the idea of even entering into negotiation for hostages. Look, I think we should do everything we can to get hostages back.

It's shameful. Frankly, so much conflict in the world comes about because people just cannot live by basic maxims. Don't hurt people, and do not take their stuff. But somehow that breaks down.

And so you have to right it. There has to be justice. But the idea that there's a greater moral good by setting a market price for taking American hostages. And make no mistake, that's what this does.

It sets a market price on the head of every American. If I take this hostage, I might be able to exchange him for this kind of money. And that is an incredible moral hazard.

I think it's a horrible approach to diplomacy by our Administration or any Administration for that matter. But I think one of the other things that I'm concerned about and while I do, I think, in balance support this bill, one of the ways that Congress is broken that most folks back home do not really appreciate is why are so many things kind of in half measures here? And it's because of the committees of jurisdiction.

And frankly, Mr. Pfluger has a similar bill, but it involves other committees of jurisdiction, ways and means, financial services, maybe oversight. You might need four committees of jurisdiction to try to holistically solve this problem. And that creates challenges to being able to make things work.

It certainly slows things down. And we all know Congress already works slower than is necessary to solve problems on the pace of real world time demands. So I think it's disappointing.

I hope we'll collaborate to find a way to work through some of these committees of jurisdiction. I hope that when we do bring this to the floor that we do not simply do it in a way that is a suspension vote. I hope we do it in a way that allows for debate and amendment so that some of these things that are in other areas of jurisdiction can be considered because I think we can make this good bill stronger.

But we cannot necessarily do that within the jurisdiction of foreign affairs. So look, it's a common sense approach. The arguments are made well. But I do not think the whole solution can be made narrowly within the foreign affairs jurisdiction. I believe I'll sup-

port it, but I hope we can make it even stronger. And with that, I yield back.

Chairman MCCAUL. The gentleman yields. And let me just say I have been in touch with my colleague from Texas. And we've been working on this.

I anticipate this will go to the floor under a rule. And we will have amendments that I will negotiate with him to get that in. So if that gives you some relief from your concern. Mr. Baird?

Mr. BAIRD. I'm good.

Chairman MCCAUL. You're good? OK. No further discussion?

Chairman MCCAUL. The committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mrs. CHERFILUS-MCCORMICK. Mr. Chairman, I have an amendment at the desk.

Chairman MCCAUL. OK. The clerk shall distribute the amendment.

Mr. MEEKS. Meeks number 9.

Chairman MCCAUL. Clerk shall report the amendment.

[The Amendment offered by Mr. Meeks follows:]

AMENDMENT TO H.R. 5961
OFFERED BY MR. MEEKS OF NEW YORK

In section 3, redesignate subsection (e) as subsection (f).

In section 3, insert after subsection (d) the following:

1 (e) WAIVER.—The President may waive the applica-
2 tion of sanctions imposed under this section if the Presi-
3 dent determines that such a waiver is important to the
4 national interests of the United States.



The CLERK. Amendment to H.R. 5961 offered by Mr. Meeks of New York. In Section 3, redesignate Subsection E as Subsection F. In Section 3—

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with. The gentleman is recognized for 5 minutes on his amendment.

Mr. MEEKS. Thank you, Mr. Chairman. I offer this amendment to reiterate something I stated unequivocally at the first markup of this Congress. I will not support any sanction measures that moves through this committee if it does not include a waiver in some form or fashion.

And if the sanctions authority has broad global economic consequences like some legislation that has moved through the committee, this Congress, then the waiver standard must explicitly make room for economic considerations. We should not pass sanctions legislation intended to have an economic impact and then not allow the President or the Secretary of State to consider economic factors when making decisions about waivers. The de facto position of the bill is that no Administration should be able to negotiate humanitarian aid for the Iranian people in exchange for any American global interest, including to free American hostages.

I cannot support that position. So I request all members support my amendment and add a waiver to this legislation. And with that, I yield back.

Chairman MCCAUL. I thank the ranking member for offering this amendment. However, I must oppose it. This amendment would allow the President to waive the sanctions in this bill if he decides that it is, quote-unquote, important to our national security interest.

This is very broad. I think it would undermine the purpose of the bill. I think that the intent and motive of the Administration is clear.

When they transferred the funding for the South Korean bank account to the account in Qatar that the whole purpose of the whole negotiation was to bring that money in to Iran. I understand it was for humanitarian purposes. I'm not sure about the fidelity of the money going in only for humanitarian when it is, A, fungible, B, the President of Iran's Statements that he's going to use the money for whatever he wants to.

So this does not give me enough assurance that the intent of this legislation would be carried out. In fact, I think it would be waived almost immediately. And so for that reason, I oppose. Do any other members seek recognition? Ms.—can I just say Cher-McCormick?

Mrs. CHERFILUS-McCORMICK. Mr. Chair, I have an amendment at the desk. I ask to be recognized.

Chairman MCCAUL. No, no, no. Oh, yes. We're on the Meeks amendment. Sorry. We're discussing Meeks amendment right now. But you are recognized if you'd like to speak on the Meeks amendment.

Mr. MEEKS. Would the gentlelady yield?

Mrs. CHERFILUS-McCORMICK. Yes.

Mr. MEEKS. Did she yield?

Chairman MCCAUL. Yes.

Mr. MEEKS. OK.

I just want to stress, Mr. Chairman, that no money goes into Iran at all. It was in one account, of which President Trump put it in, in Korea, where we had no oversight, and it was moved from one account to another account in Qatar, not Iran. Not a dime goes into Iran, not a cent, not a penny. That we have now greater oversight over it.

And I would just stress that I do not believe, whether it's a Democratic President or a Republican President, that the President of the United States should not take into consideration the interests of the people of the United States and have the ability to have a waiver for economic considerations or other. That is the reason why the elected President of the United States—we have a check and a balance, but information and concerns and moving forward is extremely important.

But I just wanted to stress that not one—because I hear “money going into Iran, money going into Iran, money going into Iran.” No money is going into Iran.

I yield. I give back the time to the gentlelady.

Chairman MCCAUL. The gentlelady yields.

And any further discussion?

Mr. Mast?

Mr. MAST. Thank you. I'm recognized?

Chairman MCCAUL. You are recognized.

Mr. MAST. Thank you.

What was just said is fundamentally false, Mr. Ranking Member. The idea that there was an exchange of funds in an account for hostages, and that maybe they're not spending something today, but that they're not going to have access to spend something when they make the appropriate request to spend whatever—I mean, it's a difficult conversation to have in here because a lot of what we have discussed has been in classified briefings.

But we know for a fact they can get their hands on the money and utilize the money. They can get their hands on the money and utilize the money.

I see some of your staff that weren't sitting in classified briefings nodding their heads, so I'm thinking they do not know squat.

But that's a fact. And this is it. I mean, that's—

Mr. MEEKS. Would the gentleman yield?

Mr. MAST. Well, yes, I will yield in a moment. Last time I asked you to yield, you said, I think your exact words were I wasn't worth it. I operate differently than you do, and I will give you the respect of yielding you a few moments of time. By all means.

Mr. MEEKS. Obviously, we're in the same—because I've made many classified meetings. Some you were in and some you were not in. And most of the members of my staff happened to have been in. I know the one that you were in with me, they were also in the classified meeting. So, obviously, we might have heard, then, different things and different facts.

But for you to say that money has gone into Iran is incorrect.

Mr. MAST. Is that what I just said?

Mr. MEEKS. Say it again?

Mr. MAST. That's literally not what I just said to you.

Mr. MEEKS. That is what I heard you say. What did you say?

Mr. MAST. So, it kind of goes to your point of hearing what you want to hear.

I literally just said, to make the point that they cannot, through the channels that they have to go through to request funds—we know that there are specific channels to request funds, be it for agricultural equipment or whatever somebody wants to say it might be for, that they won't be able to use the funds of this agreement is fundamentally false. They will.

Mr. MEEKS. I cannot say exactly what we were told at the classified meeting. All I could say is, in the meeting it was clear that the money—and frozen is a technical term—that the money is frozen.

Mr. MAST. Let me—we'll continue this colloquy for a moment.

Do you believe that term "frozen" to be a permanent term?

Mr. MEEKS. I believe the term—

Mr. MAST. It will not end?

Mr. MEEKS. The term "frozen" means that the money, as we speak, cannot go into Iran.

Mr. MAST. But do you think that is a permanent term without end?

Mr. MEEKS. Without end? I believe—and I think what we were debating here—and what I heard was that the money is going into Iran. And I know, and what I've stated, is that we now have more control over that money in Qatar than we did when it was in Korea.

Mr. MAST. I want to make sure you said—you did just now say the money is going into Iran? I want to—

Mr. MEEKS. Is not going into Iran.

Mr. MAST. You just said, "in". And I realize maybe you might have made a mistake.

Mr. MEEKS. I said the money is not going into Iran. And we now have more control over that money than we did when it was in the account in Korea.

Mr. MAST. But you won't say that that term "frozen" is a permanent term. And I believe that you won't say that because that is not a permanent term.

Mr. MEEKS. Well—

Mr. MAST. You might be speaking in the short term, saying, well, maybe they cannot access something today or tomorrow, but to pretend that there is not a method, a set of—a set path for them to get the dollars that are a part of this deal—it is at risk.

Mr. MEEKS. My position is diplomacy matters. So, if you're asking if—you know, we do not know what the future holds.

Mr. MAST. But we know they can access the money.

Mr. MEEKS. They cannot access the money today.

Mr. MAST. But we know they can access the money.

Mr. MEEKS. They cannot access the money today.

Mr. MAST. But they can access it.

Mr. MEEKS. They cannot access the money today.

Mr. MAST. So, I think the American people can see you're purposefully saying, "today," and you're mincing words by not saying—

Mr. MEEKS. No, you're mincing words. The question is, can they access the money now?

Mr. MAST. That's not the question that I have.

Chairman MCCAUL. The gentleman's time has expired.

Mr. MAST. The question I——

Chairman MCCAUL. Any further discussion on the Meeks amendment?

I recognize myself for 5 minutes.

I'd just like to say that, well, first of all, I do not condone any remarks impugning staff. Staff works hard. They do not deserve that on either side. They work very hard. I think, member-to-member, that's fair game.

But, having said that, I have to agree with my colleague in the sense that, why was the money transferred? Well, because it was part of the hostage negotiation deal. And why was it transferred to a Qatari bank? Why could not they just provide humanitarian assistance from the South Korean bank? But they did not do that. It wasn't done that way. It was transferred through this wire transfer to the Qatari bank with the understanding that it would go into Iran for humanitarian purposes. Which takes me back to my argument again, that money is fungible, and the President of Iran said himself he will do whatever he wants with that money.

And I think that's why, although, you know, I respect the ranking member greatly, I just do not trust this Administration, given the conduct that set this whole deal up in the first place; that we give him a waiver, he will exercise that waiver. And then, we're looking at \$6 billion going in. Maybe they will take it for humanitarian, but we know the President of Iran has said that's not where it's going to go.

And, my God, with them giving, you know, drones to Ukraine to kill Ukrainians—drones to Russia, I mean—with them, you know, lighting up Israel with all their proxies, I think it would be irresponsible and reckless, quite frankly, to do this.

And I do not understand the overall deal here. Perhaps behind the scenes there's some JCPOA going on where it will leverage Iran to start complying with the JCPOA, and that may be to your point on diplomacy. But they have not come out and told us that.

So, I do not have all the facts. All I know is \$6 billion was transferred. And you have to ask yourself the question, why? Why was it important to get it to a Qatari bank? I do not think we have all that information.

But, you know, as a Federal prosecutor—you were, too—if I see money moving around, I'm like, OK, why did they do that? And I was told, overall, it was because they wanted to put the money in Iran for humanitarian purposes.

And I think after they got caught is when they decided, ooh, wait a minute, we're not going to, we're not going to do that anymore. But it wasn't until the media caught onto this, and the Administration got caught with its hand in the cookie jar, that they realized, oh-oh, we'd better not do that because that's not going to look good.

And then, with the invasion of Hamas into Israel on top of all this, that's where the argument really starts to fall, in my humble opinion.

And I know that the ranking member and I, we agree to disagree; we always do it civilly. And I just make my points, as an

attorney like you, sir. And I just have my—I have my concerns; I have to be honest with you.

Any other members seek recognition?

Mr. Lawler?

Mr. LAWLER. Thank you, Mr. Chairman.

I railed against this \$6 billion in unfrozen assets back in August, back on September 11th, when this Administration formally informed Congress, and when we had a hearing at the end of September on the Taylor Force Act, and the failure of the Administration to enforce the Taylor Force Act and prevent the Palestinian Authority from getting aid, and continuing to have “pay-to-slay” policies.

This entire situation goes well beyond the \$6 billion in unfrozen assets that were part of a hostage negotiation deal brokered by this Administration. Their failure to enforce secondary sanctions on purchasers of Iranian petroleum has given Iran at least \$30 billion in additional revenue from the sale of Iranian petroleum.

They are the greatest State sponsor of terror. We all acknowledge that. And yet, we’re seeking ways to make it easier for them to find and receive funds and aid.

When we have reached out to this Administration and inquired with this Administration as to the \$6 billion, they cannot give us answers.

Now, my colleague from New York said, “They cannot access the funds today.” We have asked, and asked, and asked how long this period of freezing is supposed to last. There’s no answer. So, is it just at the whim of this Administration when they decide, OK, now Iran should get these funds?

We know Iran has backed Hamas and Hezbollah for years. We know Iran’s stated intent is to wipe Israel off the face of the earth.

The only rational, reasonable thing to do is void that agreement and refreeze the \$6 billion in funds. Leaving it in Qatar is absurd.

So, we all need to be rational in this discussion. And the only rational thing is to make sure that Iran does not get funds to use to fund terrorism to wipe out Israel and slaughter Jews, period. That’s it. That’s the only rational thing to do here.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

Mrs. McCormick?

Mrs. CHERFILUS-MCCORMICK. I’d like to request time yielded to me.

Mr. MEEKS. Let me try to explain this. Iran will never physically get dollars in their hands. What the process is, there’s a third-party contractor that Iran will have to work with. They have a vetted contractor. They would say, “Give us X amount of dollars to purchase”—whether it’s agriculture or pharmaceuticals—“for humanitarian purposes.”

The thing or the item that Iran would receive is not money. It’s not dollars. It would be the pharmaceutical product. It would be the agricultural product. It would be the products that I’ve enunciated that we were talking about earlier of which this deal cut. Not dollars. Products for humanitarian purposes. Not dollars.

And the purpose, as we talk about humanitarian concerns as a Nation, I think is the appropriate thing to do. But, even now, because of the oversight, because of what's taking place, the humanitarian physical items, the requests by the third-party contractor would be denied. But the possibility of in the future that Iran can get not the money, but the product for humanitarian purposes could happen.

And I yield back the time to the gentlelady.

Chairman McCAUL. The gentleman yields.

Any further discussion?

I would like to move—well, I know we have how many more minutes?

Anyway, I would just like to, in the little bit of time I have, “fungible”—“being something such as money or a commodity of such a nature that one part or quantity may be replaced by another equal part or quantity in paying a debt or selling an account.” “Fungible.”

And I think—and, you know, I have great respect—I think that's our biggest concern, is the fungibility—and the Statements by the Iranian President saying he is going to do whatever he wants.

But, in the spirit of moving forward, is there any further discussion?

Hearing no further discussion, the question now occurs on the amendment offered, No. 9, offered by Mr. Meeks.

All in favor, signify by saying aye.

All opposed, signify by saying no.

In the opinion of the chair, the noes have it, and the amendment is not agreed to.

A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments?

Ms. Titus is recognized.

Ms. TITUS. Thank you, Mr. Chairman.

As Members of Congress, and as members of this——

Chairman McCAUL. Wait, Ms. Titus.

Ms. TITUS. Oh, I'm sorry.

Chairman McCAUL. Ms. Titus has an amendment at the desk.

Ms. TITUS. I got carried away.

I have an amendment at the desk.

Chairman McCAUL. The clerk shall distribute the amendment.

And the clerk shall report the amendment.

The CLERK. “Amendment to H.R. 5961 offered by Ms. Titus of Nevada.

At the end of section 2, add the following:

‘President Biden reached an agreement with the Iranian regime to bring home Siamak’”——

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Ms. Titus follows:]

AMENDMENT TO H.R. 5961
OFFERED BY MS. TITUS OF NEVADA

At the end of section 2, add the following:

- 1 (5) President Biden reached an agreement with
- 2 the Iranian regime to bring home Siamak Namazi,
- 3 Morad Tahbaz, Emad Shergi, and two additional
- 4 American hostages all of whom were wrongfully de-
- 5 tained in Iran.



Chairman McCAUL. The gentlelady is recognized for 5 minutes on her amendment.

Ms. TITUS. Thank you again, Mr. Chairman.

As Members of Congress, and as members of this committee, we have no higher responsibility than to protect U.S. citizens, regardless of where they are. If we look at recent history, you can see that the practice of taking U.S. citizens hostage has become increasingly a common phenomenon. Over the past 8 years, Americans have been detained abroad at a rate of 500 percent greater than at any other time in history.

For the U.S., whenever we attempt to secure Americans wrongfully detained abroad, a number of factors come into play. Those factors are financial. They are political. They can be partisan. They can be personal. They depend on the timing of the negotiations and the players who are involved in the negotiations.

Fairly recently, in 2016, when Iran freed five Americans, including The Washington Post Journalist Jason Rezaian after 14 months of intensive diplomacy, this was conducted on the sidelines of the JCPOA. So, you can imagine all the factors that were—the confluence of factors that played in that negotiation.

Then, in the 2023 swap with Tehran, this came after 2 years of talks by the Biden Administration, negotiated through Qatar and Oman, since the Iranian officials refused to hold direct talks with their U.S. counterparts under Trump's Administration because of his withdrawal from the Iran nuclear deal.

The sensitivity of these talks cannot be overstated, as you see so many factors are involved. And I believe that Biden's Administration's masterful diplomatic maneuvering secured the release of these five Americans that had been subjected to such horrific treatment during their wrongful detention in Iran.

This bill's attempt to kind of thwart any future diplomacy with Iran, not just about the \$6 billion, but with restrictions and secondary sanctions on that \$6 billion, will only hamper our long-term goals to prevent a nuclear-armed Iran.

So, regardless of your position on Iran—and I think we've all made that pretty clear—you cannot dispute the fact that diplomacy is really our only and best way to prevent worse possible outcomes in the Middle East.

Not only does this bill fall short on policy, but it also fails to recognize the fact that this hostage swap really is about the lives of five Americans—and not just their lives personally, but the lives of their families who have lived in fear, in dread, not knowing what was going to happen, not seeing their loved ones. The stress and the trauma are just pretty unimaginable.

And yet, in this bill there's no mention of the names of these hostages who were released. I think that we need to put their names in this bill. We do not need to play politics with their lives.

I heard somebody say the only rational thing to do is to void the deal. Does that mean we're going to keep the money and give the hostages back? I'm not clear on that. Surely, that person did not really mean that.

But we should not think of these people as just pawns in a swap. We should not think of them as just headlines. We need to recognize them as the people, the Americans, that they are.

So, this amendment, as you can see, is just very short and very simple. It would insert the names of the hostages who were freed into the findings section of the bill.

So, as we speak about issues in this committee, we should remember that our words have impact. They carry weight. They affect international politics, as well as individual lives. And so, I think that the least we can do is put their names in this bill.

And I yield back.

Chairman MCCAUL. The gentlelady yields.

Let me say I support this amendment. I think you correctly State the Biden Administration negotiated a deal to free Americans who were wrongfully detained by Iran. And I think it's appropriate that their names be in this legislation.

And that's exactly what took place. The only good thing out of all of this is we have these innocent Americans now home and reunited with their families, and that's a big deal. It's a big deal, especially if you are one of the families.

And so, I support this amendment.

Any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. Yes, thank you, Mr. Chairman.

And I also strongly support the Titus amendment, you know, because, as just indicated, we cannot forget that we are talking about a deal that brought Americans home from imprisonment in a totalitarian regime. Yet, none of the findings right now mention this basic fact, and the definition does not acknowledge that they were covered by Iranian funds removed. Rep. Kamlager-Dove's amendment puts this attention back where it should be.

When we heard from Emad Shargi, he said just recently, upon his release, "They take you to a very small room and they throw a giant of a human being in there who proceeds to hit you, to push you around, to threaten to kill you." He also said, "And then, the good cop comes in, and he says, 'Look, I can put a stop to this. You just need to confess.'"

Thankful for his release, he recently stated, "I hadn't seen my daughters for five and a half, 6 years." He also said, "I had missed all their graduations, all of their birthdays, and anniversaries with my wife. It's like being born again."

This amendment of simple facts reminds us that American lives are at stake, and therefore, I strongly support this amendment. I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

There being no further discussion, the question now occurs on Amendment No. 14 offered by Representative Titus.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the amendment is agreed to.

Are there any further amendments?

Mrs. CHERFILUS-MCCORMICK. Mr. Chairman, I have an amendment at the desk.

Chairman MCCAUL. OK. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. "Amendment to H.R. 5961 offered by Mrs. Cherfilus-McCormick.

Redesignate section 3 as section 4.

Insert"——

The CLERK. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Mrs. Cherfilus-McCormick follows:]

AMENDMENT TO H.R. 5961

OFFERED BY M .

Redesignate section 3 as section 4.

Insert after section 2 the following:

1 SEC. 3. SENSE OF CONGRESS.

2 It is the sense of Congress that the terrorist-funding,
3 human rights-violating Iranian regime should receive no
4 additional funds but that basic humanitarian assistance
5 for the people of Iran is important.



Chairman MCCAUL. The gentlelady is recognized for 5 minutes on her amendment.

Mrs. CHERFILUS-MCCORMICK. I'm offering this amendment to H.R. 5961 to reaffirm what I hope should be a bipartisan principle. Our problems lie with the Iranian regime, not the Iranian people. I support the greater freedoms of women and religious minorities in Iran.

That is precisely why I backed numerous resolutions recognizing the protestors in Iran and defending First Amendment-type freedoms for Iranian people. I voted for the MAHSA Act because I believe that women's rights are human rights, and that we need to tighten the screws on the Iranian leadership.

Last week, I voted for the SHIP Act to use secondary sanctions to cutoff additional funding to Iran. We need to do what we can to cutoff any source of funding for the terrorist-supporting, human-rights-violating Iranian regime.

I wanted to emphasize that there are significant safeguards on the funds currently in Qatar.

First, the Biden Administration has made it abundantly clear that the funds are going nowhere anytime soon.

Second, if down the road we determine that the Iranian people require humanitarian aid, there are guardrails to ensure that the food and medicine, and similar goods, alone can be purchased.

No other transactions will be approved, and Iran does not have access to this money currently, nor will they in the future. They can only contract with third-party suppliers to get the goods, and those suppliers will work with financial institutions to process the payments. It is a humanitarian aid or nothing.

My amendment emphasizes that we should support humanitarian aid for the Iranian people. We take issue with the Iranian tyrannical leaders, not the citizens who have been forced to endure a harsh regime.

I urge all my colleagues to support my amendment. Thank you.

Chairman MCCAUL. The gentlelady yields.

Let me say I thank the lady, but I do oppose this amendment. As it stands, existing provisions within our sanctions laws permit humanitarian assistance to the people of Iran, and this bill does not negate those provisions.

What my bill does is prohibit the Iranian regime from tapping into the \$6 billion that was made available earlier this year because we know what they will do with the money. They've been very clear in their own words.

And so, while I appreciate the gentlelady's concern about humanitarian assistance, I will have to oppose this amendment.

Mr. Meeks is recognized.

Mr. MEEKS. Yes.

I strongly support this amendment. In my view, this amendment should be common sense. We do not support Iranian leadership that funds terrorists like Hamas, that kill young women in custody simply for not wearing a hijab, and that regularly take actions to undermine peace and stability in the Middle East.

But we do support basic humanitarian aid for the over 80 million people that live in Iran. This committee and this House has passed

numerous bills indicating our support for protestors, freedom fighters, and religious minorities in Iran.

Part of that support means ensuring these people have enough to eat and basic lifesaving medicine. And I sincerely believe all of my colleagues should support this simple amendment reaffirming basic humanitarian support for Iran, and that it should be included in this legislation.

And I yield back the balance of my time.

Chairman McCAUL. The gentleman yields.

Any further discussion?

There being no further discussion, the question now occurs on the amendment offered by Representative Cherfilus-McCormick.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Are there—

Mr. MEEKS. Roll call.

Chairman McCAUL. A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments?

Mr. CROW. Mr. Chairman, I have an amendment at the desk.

Chairman McCAUL. Mr. Crow is recognized.

And the clerk shall distribute the Crow amendment.

Mr. CROW. Thank you, Mr. Chairman.

Chairman McCAUL. Wait. If the gentleman would pause, the clerk shall report the amendment.

The CLERK. "Amendment to H.R. 5961 offered by Mr. Crow of Colorado.

In section 3, redesignate subsection (e) as subsection (f)."

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Mr. Crow follows:]

AMENDMENT TO H.R. 5961
OFFERED BY MR. CROW OF COLORADO

In section 3, redesignate subsection (e) as subsection (f).

In section 3, insert after subsection (d) the following:

1 (e) EXCEPTION RELATING TO THE PROVISION OF
2 HUMANITARIAN ASSISTANCE.—Sanctions under this sec-
3 tion may not be imposed with respect to transactions or
4 the facilitation of transactions for—
5 (1) the sale of agricultural commodities, food,
6 medicine, or medical devices;
7 (2) the provision of humanitarian assistance;
8 (3) financial transactions relating to humani-
9 tarian assistance or for humanitarian purposes; and
10 (4) transporting goods or services that are nec-
11 essary to carry out operations relating to humani-
12 tarian assistance or humanitarian purposes.



Chairman McCAUL. The gentleman is recognized for 5 minutes on his amendment.

Mr. CROW. Thank you, Chairman.

This amendment is very simple. What it does is it makes it very clear that these sanctions and the underlying bill would not apply in instances where the commodities and the money in this fund are being used for humanitarian purposes, for food and for medicine.

And here's why it's really important: there has been this discussion, this narrative publicly, about the fungibility of sanctions and the fungibility of humanitarian aid.

The United States has a very long history of providing humanitarian aid to oppressed peoples and oppressed populations, even in instances where they are malign and oppressive regimes to which we are very adverse.

And here is why we do that: we do that for two main, principled reasons. And by the way, every Administration does this. Because this money, this \$6 billion, which, by the way, is not U.S. money, was actually negotiated by the Trump Administration. And here's what the Trump Administration knew that the Biden Administration also knows: two things.

One is that oppressive regimes are oppressive. These regimes purposely oppress their people and withhold humanitarian aid, support, and basic needs from their people, as a tool of oppression.

So, the notion that they're going to make a decision to not engage and not fund their malign activities, which are essential to their oppression, and instead, use that money for humanitarian aid, actually does not stand the test of reason and what data show very clearly about the nature of these regimes and how they operate.

No. 2, we provide humanitarian aid for people in oppressive areas because helping them meet their basic needs, making sure that they have medicine, that they are healthy, that they have food, actually helps them resist. Oppressive regimes deprive their people of basic needs because it is a mechanism of control.

And when we help meet those needs, we are actually undermining the tools of control of those regimes. That's why it's in our national security and foreign policy interest to do this. And I would be very concerned about any bill or any sanctions program, or change to a sanctions program, that takes away a very powerful tool to help oppressed people resist oppression in a manner that's consistent with the interest of the United States.

So, with that, I yield back.

Chairman McCAUL. The gentleman yields.

Let me recognize myself.

I oppose this amendment. Under the deal negotiated by the Administration, Iran can use this money for humanitarian or agricultural transitions—transactions, I should say—but they have a long history of elaborate sanctions evasion, including abusing such exemptions.

And I would point the gentleman to a 2019 case involving a Turkish bank that was charged with helping Iran evade sanctions by falsifying humanitarian transactions, exactly what we are talking about. Maybe perhaps Iran could choose to buy food and humanitarian assistance, instead of providing its funding to terror.

But, in their own words, if we give this money to them, their President has already taunted the world, proclaiming that Iran would spend it “wherever we need it,” in his words. “Wherever we need it.”

Going back to the argument on fungibility, we know this is fungible. I think, coupled with the President’s remarks that he’s going to do whatever he is going to want to with the money, there’s no assurance that this would ever be used for humanitarian, but, rather, to buy drones to send to Russia to kill Ukrainians and put into Hamas’ coffers to kill the people of Israel.

So, I do not trust, nor can I verify in this case. And when I look at the case prosecuted by my brethren at the DOJ, it’s just a case in point. It talks about facilitating “the illicit transfer of billions of dollars to benefit Iran, and for too long, the bank and its leaders willfully deceived the United States to shield their actions from scrutiny. This deception ends today.”

Taking what was supposed to be this humanitarian exception and exploiting it for purposes of terror, that’s what we’re trying to stop. That’s the intent of this bill.

I mean, I respect the gentleman and his service to our country, but I do have to oppose this amendment.

Is there any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. I support this amendment. Exceptions for humanitarian assistance should be a standard part of sanctions legislation and a regular part of Treasury’s implementing rules for programs created under an Executive Order.

If we want other countries to follow our lead on sanctions, our sanctions laws must be perceived as just and fair with our allies and partners, as well as with countries with which we have more difficult relations.

We cannot forget that we brought Iran into the table for JCPOA largely because we got the whole world onboard. It wasn’t just the United States. It included Russia and China, along with other allies, but Russia and China were not our allies. Effective global sanctions require effective diplomacy. That’s what this is about, this committee, diplomacy.

And the Trump Administration’s maximum pressure campaign has not curbed Iran’s nuclear program or throttled their terrorist financing because we have not had allies and partners onboard with us. Secondary sanctions aren’t going to yield broad results.

This committee has passed several pieces of legislation praising the protestors against the Iranian regime, commending the bravery of young women who defy the regime and supporting religious minorities in Iran that face consistent persecution. Supporting humanitarian aid in Iran is consistent with this message.

And so I urge us to support this amendment. I yield back.

Chairman McCAUL. The gentleman yields.

Any further discussion on the amendment?

There being no further discussion, the question now occurs on the Amendment No. 7 offered by Representative Crow.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. CROW. Mr. Chairman, I ask for a recorded vote.

Chairman McCAUL. A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments?

Mr. Jackson is recognized.

Mr. JACKSON OF ILLINOIS. Mr. Chairman, I have an amendment at the desk.

Chairman McCAUL. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. "Amendment to H.R. 5961 offered by Mr. Jackson of Illinois.

Add at the end the following:

This Act shall terminate on the date that is 5 years"—

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Mr. Jackson of Illinois follows:]

AMENDMENT TO H.R. 5961
OFFERED BY MR. JACKSON OF ILLINOIS

Add at the end the following:

1 SEC. 5. SUNSET.

2 This Act shall terminate on the date that is 5 years
3 after the date of the enactment of this Act.



Chairman MCCAUL. The gentleman is recognized for 5 minutes.

Mr. JACKSON OF ILLINOIS. My amendment would add a sunset provision after 5 years. This amendment is in line with the Majority Leader's floor protocol for the 118th Congress; specifically, the Majority Leader's floor protocols on legislation calling for sunset requirements to advance the policy originally outlined in the pledge to America to adopt a requirement that programs end or sunset by a date certain. That should include new sanctions authorities as well.

It is important for Congress to maintain its Article I powers over foreign policy, and it does that by including a sunset. If we're going to be consistent with floor protocols that the majority has established for new programs, this Act should not go into force without a sunset provision.

Mr. Chairman, I yield back.

Chairman MCCAUL. The gentleman yields.

And I now recognize myself.

I thank you for offering this amendment. However, I must, respectfully, oppose it.

This bill contains behavior-based termination criteria for the sanctions described. And in my judgment, sanctions on Iran should not disappear just on some arbitrary date, but, rather, should remain in place until Iran stops threatening the United States and our allies, like Israel.

And so, therefore, I must oppose this amendment that adds an arbitrary sunset date.

Any further discussion?

Mr. Meeks?

Mr. MEEKS. I strongly support this amendment.

Several of my colleagues on both sides of the aisle have concluded that military use of force authorizations should come with a sunset. And I have stated my agreement with that sentiment on numerous occasions.

Sanctions bills are not different. Sanctions are not military force, of course, and, in fact, can be an alternative than that more severe approach.

But much of the same logic applies here. Just like military conflict can go on autopilot, sanctions can do the same. We have numerous outdated sanctions on the books whose "sell by date" has long expired. Sanctions without any waivers or sunsets are particularly dangerous, and in this case with this bill.

I've agreed to numerous sunset extensions as chair of this committee and now as ranking member. Congress is perfectly capable of reauthorizing sanctions when we need to.

Rep. Jackson's amendment would greatly improve this bill, and I urge all of my colleagues to support it.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

There being no further discussion, the question now occurs on Amendment No. 12 offered by Representative Jackson.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. JACKSON OF ILLINOIS. I'd request a recorded vote, Mr. Chairman.

Chairman MCCAUL. A roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments?

Ms. Kamlager-Dove is recognized.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair.

I have an amendment at the desk.

Chairman MCCAUL. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. "Amendment to H.R. 5961 offered by Ms. Kamlager-Dove of California.

In section 4(2), add at the end the following: 'Such term does not include any such funds that were transferred'—

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Ms. Kamlager-Dove follows:]

AMENDMENT TO H.R. 5961
OFFERED BY MS. KAMLAGER-DOVE OF
CALIFORNIA

In section 4(2), add at the end the following: “Such term does not include any such funds that were transferred as a part of an agreement to free United States hostages from illegal detainment in Iran.”.



Chairman McCAUL. The gentlelady is recognized for 5 minutes on her amendment.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair.

And I'd also like to just thank the staff for all of your hard work. I certainly appreciate your efforts and think you know more than "squat." And I think public disparaging of your work and contributions really comes off as uninformed. So, I just want you all to know for the record that I appreciate you.

My amendment preserves the original intent of this agreement, which was to free American hostages imprisoned in Iran. Every American matters and no American should be left behind. All those hostages are somebody's child. Reneging on this agreement hurts every future negotiation to release innocent Americans from illegal imprisonment abroad.

I urge all of my colleagues to stand up for diplomacy and for wrongfully detained Americans, and to support this amendment.

Thank you, Mr. Chair, and I yield back.

Chairman McCAUL. The gentlelady yields back.

I recognize myself.

I thank the gentlelady for offering her amendment, but, however, I must oppose it.

The entire purpose of this bill is to limit Iran's access to the \$6 billion windfall that was granted in September, because we have seen how Iran spends its money. Iran supports terror groups and proxies, like Hamas, Hezbollah, Houthis—all of which are actively attacking our friend and ally Israel. Iran backs proxies in Iraq and Syria and have attacked American service members at least 38 times since mid-October.

We need to block Iran's access to these funds for our own security. So, defining the scope of the bill to exclude the \$6 billion, effectively, guts the bill. And for that reason, I do oppose it.

Any further discussion?

Mr. MEEKS is recognized.

Mr. MEEKS. I strongly support Representative Kamlager-Dove's amendment.

Sadly, this committee has passed numerous resolutions calling for the release of American hostages. Sometimes public pressure and shame campaign work, but sometimes there are tradeoffs.

Israel freed over 1,000 hostages for one soldier in 2011. You know, it's easy to Monday morning quarterback these deals. It's harder for a leader of a nation to tell an American family member that they won't do everything they can to get the job done. We should be applauding bringing Americans home.

So, I strongly support this amendment, and I yield back.

Chairman McCAUL. The gentleman yields.

Is there any further discussion?

There being no further discussion, the question now occurs on Amendment No. 13 offered by Representative Kamlager-Dove.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. MAST. Mr. Chair, I request a recorded vote.

Chairman McCAUL. The roll call vote has been requested.

Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments?

If there are no further amendments, we will proceed.

OK. There are no further amendments at this time.

Further proceedings on this bill shall be postponed.

The committee will recess for votes, and we'll reconvene at approximately 2:45, when votes on the floor have been concluded.

[Whereupon, at 1:47 p.m., the committee recessed, to reconvene at 3:07 p.m., the same day.]

Chairman McCAUL. The committee will come to order. Pursuant to notice, I now call up H.Res. 793, calling on Hamas to immediately release hostages taken during October 2023 attack on Israel.

[The Bill H.Res. 793 follows:]

118TH CONGRESS
1ST SESSION

H. RES. 793

Calling on Hamas to immediately release hostages taken during October
2023 attack on Israel.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 2023

Ms. STEVENS (for herself, Mr. HILL, Ms. NORTON, Mr. VARGAS, Mr. MCCLINTOCK, Mr. COHEN, Mr. FLEISCHMANN, Ms. LEE of California, Mrs. CHERFILUS-McCORMICK, Mr. BOST, Ms. CROCKETT, Mr. DONALDS, Mr. NICKEL, Mrs. TORRES of California, Mr. MOSKOWITZ, Ms. TENNEY, Mr. POSEY, Mr. TONKO, Ms. WILD, Mr. COSTA, Mr. TORRES of New York, Mrs. DINGELL, Ms. KAPTUR, Ms. STANSBURY, Mr. BEYER, Mr. CARSON, Ms. GARCIA of Texas, Mr. JOHNSON of Ohio, Mr. LANDSMAN, Ms. MACE, Mr. NORMAN, Mr. MOLINARO, Mr. WALBERG, Ms. SCHAKOWSKY, Ms. SCHOLTEN, Mr. RUIZ, Mrs. TRAHAN, Mrs. WATSON COLEMAN, Mr. LAMBORN, Mr. STEIL, Mr. BURGESS, Ms. MCCOLLUM, Ms. BUDZINSKI, Mr. BEAN of Florida, Mr. THOMPSON of California, Mr. McCORMICK, Mrs. KIM of California, Mr. IVEY, Mr. STANTON, Mr. ARMSTRONG, Mr. FULCHER, Ms. JACKSON LEE, Mr. SCHNEIDER, Ms. WILLIAMS of Georgia, Mr. PETERS, Mr. WESTERMAN, Mr. GREEN of Texas, Mr. BOYLE of Pennsylvania, Ms. SLOTKIN, Mr. SCHIFF, Mr. JOHNSON of Georgia, Mr. NORCROSS, Ms. SCHRIER, Ms. WILSON of Florida, Mr. WEBSTER of Florida, Mr. FITZPATRICK, Mr. OGLES, Mrs. NAPOLITANO, Mr. MORAN, Mr. EDWARDS, Ms. STEFANIK, Mr. BISHOP of Georgia, Ms. MANNING, Mr. BOWMAN, Mr. DAVIS of Illinois, Mr. BIGGS, Mr. BAIRD, Ms. SALAZAR, Mr. NUNN of Iowa, Mr. NEWHOUSE, Ms. TITUS, Ms. PRESSLEY, Mr. KILMER, Ms. LOFGREN, Mr. QUIGLEY, Mr. AUCHINCLOSS, Mr. WILLIAMS of Texas, Mr. CONNOLLY, Ms. PORTER, Mr. BUCSHON, Mr. MAGAZINER, Ms. BARRAGÁN, Mr. DOGGETT, Mr. RYAN, Mr. DUARTE, Ms. MOORE of Wisconsin, Mr. GRIJALVA, Mr. GOLDMAN of New York, Mr. CARTER of Louisiana, Mr. GOTTHEIMER, Mr. VAN DREW, Mr. PANETTA, Mr. WOMACK, Mr. KILDEE, Mr. CUELLAR, Mr. CROW, Ms. LEE of Nevada, Ms. KELLY of Illinois, Mr. SWALWELL, Mr. TRONE, Mrs. BEATTY, Ms. LOIS FRANKEL of Florida, Ms. KAMLAGER-DOVE, Ms. BONAMICI, Mr. RASKIN, Mr. PASCRELL, Ms. BROWNLEY, Mr. LIEU, Mr. BLUMENAUER, Mr. CASAR, Mr. ROBERT GARCIA of California, Ms. VELÁZQUEZ, Mr. EVANS, Ms. JACOBS, Mr. MOULTON, Ms. PETTERSEN, Ms. CASTOR of Florida, Ms. OMAR, Mr. THANEDAR, Mr. DeSAULNIER, Ms. CRAIG, Mr. THOMPSON of Mis-

Mississippi, Ms. LEE of Pennsylvania, Ms. BROWN, Ms. ADAMS, Mr. KUSTOFF, Ms. TOKUDA, Mr. MFUME, Mr. GARCÍA of Illinois, Ms. CHU, Ms. OCASIO-CORTEZ, Mr. KEATING, Ms. HOYLE of Oregon, Ms. DE LA CRUZ, Mr. LYNCH, Mrs. MILLER of West Virginia, Ms. MALLIOTAKIS, Mr. PAPPAS, Mr. GARBARINO, Ms. SEWELL, Ms. ROSS, Ms. MENG, Ms. DEAN of Pennsylvania, Mr. RUPPERSBERGER, Ms. SHERRILL, Mr. SORENSEN, Ms. SÁNCHEZ, Ms. STRICKLAND, Mr. DELUZIO, Mr. JACKSON of Illinois, Mr. GOMEZ, Mr. CISCOMANI, Mr. SHERMAN, Mr. CLYDE, Mr. LEVIN, Mrs. FLETCHER, Mr. MORELLE, Mr. CÁRDENAS, Mr. SARBANES, Mrs. CHAVEZ-DEREMER, Mr. MCGOVERN, Ms. BALINT, Mr. CLEAVER, Mr. PALLONE, Mr. MANN, Mr. CASE, Mr. AMODEI, Ms. DEGETTE, Mr. KIM of New Jersey, Mr. PAYNE, Mr. MENENDEZ, Mr. GREEN of Tennessee, Ms. WASSERMAN SCHULTZ, Mr. ARRINGTON, Mr. COURTNEY, Mr. LUTTRELL, Mr. ALLRED, Ms. MATSUI, Ms. MCCLELLAN, Mr. CORREA, Ms. BUSH, Mr. CASTEN, Mr. LANGWORTHY, Mr. BILIRAKIS, Mr. HOYER, Mrs. RAMIREZ, and Mr. STAUBER) submitted the following resolution

OCTOBER 25, 2023

Referred to the Committee on Foreign Affairs

RESOLUTION

Calling on Hamas to immediately release hostages taken during October 2023 attack on Israel.

Whereas, on October 7, 2023, Hamas launched a brutal terrorist attack from Gaza into Israel and against the Israeli people;

Whereas, on October 16, 2023, the Israeli military confirmed that Hamas killed more than 1,400 people in the attack;

Whereas, on October 15, 2023, the United States Department of State confirmed that at least 30 Americans were killed in the attack;

Whereas, on October 16, 2023, the Israeli military confirmed that Hamas was holding 199 hostages in Gaza who were abducted during the attack;

Whereas Common Article 3 of the 1949 Geneva Conventions states that the taking of hostages is and shall remain prohibited at any time and in any place whatsoever;

Whereas, on October 10, 2023, President Joe Biden confirmed that Americans are known to be among the hostages;

Whereas it is reported that children and senior citizens are among the hostages; and

Whereas Hamas has threatened to execute hostages and videotape the killings: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns Hamas for its brutal attack on
3 Israel;

4 (2) condemns Hamas for the taking of hos-
5 tages;

6 (3) condemns Hamas for threats made against
7 hostages;

8 (4) demands that Hamas immediately release
9 all hostages and return them to safety;

10 (5) recognizes that the taking of hostages is a
11 violation of international humanitarian law; and

12 (6) expresses sympathy to the hostages, wound-
13 ed, deceased, and their families for this travesty to
14 justice and personal hardship.

Æ

Chairman McCAUL. The resolution was circulated in advance, and the Clerk shall designate the resolution.

The CLERK. H.Res. 793, calling on Hamas to immediately release hostages taken during October 2023 attack on Israel, whereas on October 7, 2023—

Chairman McCAUL. Without objection, the first reading is dispensed with, and the resolution is considered read and open to amendment at any point.

I now recognize myself in support of the measure. On October—or, yes, on Saturday, October 7, Israelis awoke to rockets raining down on them from Gaza and gunmen breaking down their doors, invading their homes. In total, Hamas terrorists killed 1,400 men, women, and children. In addition to the horrific killings perpetrated that day, Hamas also instructed their death squads to take innocent civilians hostage as part of this barbaric terrorist attack.

And I would like to State for the record we have some of the families of the hostages present here in the hearing room, and we pray for your loved ones that they are returned home safely and soon.

Now, 1 month later, about 241 people, including American citizens, are being held by Hamas. Mothers, fathers, brothers, sisters, as well as grandparents and elderly were taken. Most disturbingly, children were taken hostage.

Currently, a number are being held underground in Hamas' 500-mile network of tunnels. In the ultimate act of cowardice, these terrorists are now using the hostages as human shields as they continue to perpetrate their war against Israel. This is pure evil. These monsters will do anything to achieve their goal of the destruction of Israel.

These hostages must be released immediately and unconditionally. Hamas has the power right now to release these innocent civilians, but they choose to keep them in captivity. This has nothing to do with a cease-fire. This resolution declares a clear message: free the hostages now. I hope every member of the committee joins me in supporting this resolution.

And again, I want to recognize the families who are here. And we will be participating in a candlelight service at 5 on the East Capitol steps of the Capitol. We certainly hope that you will join us for that event. We pray for your loved ones. We pray for their safe return home. I know it breaks your heart. It breaks mine. I know it breaks everyone's heart on this committee. And we will bring them home, and we need to send a positive message.

And with that, I would like to take just a moment of silence.

Is there any further discussion on the resolution?

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman.

And let me first acknowledge the families that are here. I can say unequivocally that every member of this committee, heart, soul, and prayers, are with you and your families. We surely wish you did not have to be here today. We want to make sure that your loved ones are returned to you immediately.

And I think it is significant and important that we speak with a unanimous vote and a unanimous voice on having your loved

ones, who were taken away by vicious and heinous acts of Hamas, returned to you in short order.

I strongly support this measure. And I am thankful to my colleague Representative Stevens for introducing this resolution, along with Representative Hill, and their foresight and their coming to both Mr. McCaul and I, saying, "Let's expedite this resolution," and Mr. McCaul being grateful and grateful. And we were able to put this on immediately. I wish we would have even had it on sooner because right after they were taken, it was the sentiment of this Congress to make sure that your loved ones are returned.

The Hamas terror attack on October 7 resulted in the abduction of some 240 people and the death of 1,400 more. The hostages included soldiers, civilians, grandparents, and 33 children. Many are Israeli. Some are foreign or dual nations.

Four hostages have been released, and Israel has said it rescued one soldier in their operation. Hamas' abductions are a crime against humanity, specifically targeting a civilian population. The sheer scale of casualties and murder are the greatest attack against the Jewish people since the Holocaust. And the unimaginable human suffering that has transpired as a result of Hamas' use of human shields is something we will never forget.

This resolution calls attention to these abductions perpetuated by Hamas. Hamas captured these innocent people so they can be used as bargaining chips and human shields while Hamas attempts to wipe Israel off the map. Yet, while the situation is dire, there is hope.

There are experienced public servants across the U.S. Government who have already helped secure the release of some Americans from Hamas' clutches. And these dedicated officials and the Office of the Special Presidential Envoy for Hostage Affairs, the Hostage Recovery Fusion Cell, and elsewhere across our Government continue their tireless work to bring all—all—of the remaining hostages home.

This resolution is simple. It condemns the horrific actions of Hamas, correctly notes that hostage-taking is a violation of international humanitarian law, expresses solidarity with the victims, and demands that Hamas release all hostages immediately.

But while simple, it is incredibly important that we give it our full support. We must stand. We must stand with the hostages and the families here with us today and all of those in Israel and all over the world until they are brought home safely. We will not rest until they are home safely.

So let me conclude this by saying I want to thank Ms. Stevens and Mr. Hill again for their tireless efforts on behalf of the American families and the Israeli families and all of the hostages taken or wrongfully detained overseas. And I urge all of my colleagues to support this measure.

I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

Let me just thank Mr. French Hill for bringing this to our attention, and Ms. Haley Stevens. As the ranking member mentioned, a little bit out of time on the calendar, but we saw the urgency of

this. And with their families here, we wanted to expedite this immediately. And I want to thank you for bringing this to our attention. I think the timing is unfortunate that we have to do this, but the timing with the family members here and the candlelight service is certainly appropriate.

So, with that, Mr. Hill is recognized.

Mr. HILL. Well, Mr. Chairman, thank you, and thank you, Ranking Member Meeks, for your understanding.

Representative Stevens and I were touched by the very quick response from our members. Over 200 Members of our House of Representatives cosponsored this resolution that I know we stand in solidarity with one voice to demand that Hamas release these hostages.

Congresswoman Stevens and I worked together, along with former Member Ted Deutch, in forming the House Task Force on American Hostages and Americans Wrongfully Detained Abroad because we want our members to know how they can best help American citizens who are held by a non-State terror group or by a State actor and how they can be comforted and coordinated with the Department of State.

Congresswoman Stevens and I saw that on October 7 was an unprecedented number of hostages taken by Hamas in its attack on Israel. The numbers speak for themselves. They have been cited by Chairman McCaul and Ranking Member Meeks. But over the past decade, more than 90 percent of Americans wrongfully held overseas have been held by foreign governments. And we have not seen as many Americans held by non-State actors in recent years.

This attack puts our hostage enterprise here in the United States helping our families really to a test. I commend the coordination of the Hostage Recovery Fusion Cell, the Office of the Special Presidential Envoy for Hostage Affairs, and the Hostage Response Group for their initial work in tracking and identifying the Americans that have been taken by Hamas and working in partnership with Israel locating all the hostages using all means available that we have in our military, in our intelligence community, and our collective will of the Israeli and the American Governments.

As I stated before, releasing hostages and wrongful detainees should be the first steps of these groups to show they are—what they need to do. They must release these hostages. Hosea tells us that those who sow the wind reap the whirlwind, and Hamas will reap the whirlwind if these hostages are not recovered safely and promptly.

I support this simple and straightforward resolution. I am glad to have worked on it with my colleague Congresswoman Stevens and all of our colleagues to universally support this before the committee and then on the House floor. And let's send a message to Hamas that Republicans and Democrats stand in solidarity that we want these hostages back with their families.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

Mr. Castro is recognized.

Mr. CASTRO. Thank you, Chairman.

One month ago today, we all woke up to horrifying images of Hamas' brutal and terrible attack in Israel. And over 200 hostages still remain as prisoners of Hamas today, including more than 20 Americans and their family members.

Like many in this Congress, I call on Hamas to immediately release these hostages. And I thank Secretary Blinken for working with our international partners to secure the release of Judith Raanan and her daughter, Natalie Raanan, and hope that the remaining American hostages are safely reunited with their families soon.

I also want to thank my colleague from Michigan, Representative Haley Stevens, for introducing this resolution and leading this effort. I know how tirelessly she has fought to secure the release of American hostages, including her constituent Paul Whelan, who remains wrongfully detained by Russia.

So I am proud to cosponsor the resolution and urge my colleagues to support it.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion?

Ms. DEAN.

Ms. DEAN. Thank you, Mr. Chairman. I thank you and the ranking member for bringing this to us so quickly. And certainly, I thank Representative Stevens and Representative Hill for drafting this very clear resolution.

To the families who are here, we are in solidarity. We are heartbroken over what you must be going through, what you must have suffered over the course of the last month. And we will do everything and are doing everything in our power to demand the release of the hostages uninjured, to get them home. It is barbaric and unacceptable that they were taken.

It has now been a month since Hamas launched the terrorist attack. It was barbaric and brutal, attacking Israeli civilians, resulting in the gruesome loss of more than 1,400 lives, including the elderly, families, mothers, fathers, sisters, brothers, children, and even babies, young people at a peace festival. How grotesque. How inhumane and how unacceptable to this world. And we must stand there and say that over and over again.

We must do everything to effect the immediate release of the hostages, including, as I understand, at least 33 children. We cannot imagine any of their suffering, but children in this place of darkness and fear?

So I am here. I stand with my Republican colleagues, my Democratic colleagues. I urge everyone to support this resolution. I look forward to it coming swiftly to the floor so that we, with one voice, send a message to the world that the United States believes in and demands the safe release of your family members and all of the other hostages.

I yield back.

Chairman MCCAUL. The gentlelady yields.

Any further discussion?

Mr. Schneider is recognized.

Mr. SCHNEIDER. Thank you, Mr. Chairman. And I want to thank you for bending over backward to make sure we mark up this bill today.

I want to welcome the families of the hostages that are here. I will come to that in a second.

But let me first start with some history to explain how it is we come to be talking about this resolution. Hamas formed in 1987 during the first Palestinian intifada. It is an outgrowth of the Muslim Brotherhood, and its intentions were made clear in its charter.

With respect to Israel, the preamble of the Hamas charter reads, quote, "Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it." End quote.

With respect to the Jewish people, in Article 7, it States, quote, "The day of judgment will not come about until Muslims fight the Jews, killing the Jews. When the Jew will hide behind stones and trees, the stones and trees will say to Muslims, oh, Abdullah, there is a Jew behind me; come and kill him." End quote.

Hamas' rallying cry is, "From the river to the sea, Palestine will be free." It is a call—let me be clear. It is a call for the destruction of the State of Israel and the genocide of the Jewish people. Don't let anyone try to tell you otherwise. That was the meaning of the phrase when it was first used by the PLO in 1964 before Israel even occupied the West Bank in Gaza. It is what is meant by those who use it today.

So, back to history, in August 2005, Israel unilaterally withdrew from Gaza. Not one Israeli soldier, not one Israeli civilian, stayed in Gaza. Total control was turned over to the Palestinian authority. A few months later, in January 2006, elections were held. Hamas got 44 percent. Fatah got 41 percent. But no one got a majority.

In 2007, Hamas violently took over all of Gaza. Fatah members who were not murdered by Hamas—thrown off of buildings, executed—those who were not killed fled to the West Bank.

Now let's jump to May 2021, following 11 days of fighting, in which 232 Gazans and 12 Israelis were killed. On May 20 of that year, a cease-fire went into effect. So, when I get to October 6 of this year, 870 days of observed cease-fire by Israel. A cease-fire was in effect.

On October 7, early in the morning at 6:30, Hamas, a genocidal, nihilistic terrorist group dedicated from its inception to the destruction of Israel and the murder of the Jewish people, crossed over the border. Thousands of terrorists rampaged through villages, through a concert where young people were gathering for peace.

Fourteen hundred people, one thousand four hundred people, were slaughtered, elderly, infants, entire families. People were tortured, raped, burned alive. At the music festival gathering for peace, 260 people died, many of them encircled and executed. At Kibbutz Be'eri, more than 100 people were killed, 10 percent of the total population. And the same was true at Kibbutz Kfar Aza, where many of my colleagues and I were just this past August.

And, why we are here today, more than 240 hostages were taken to Gaza, including Omer Neutra, a 22-year-old from Plainview, New York. A born leader who decided to serve in the IDF, he was a tank commander taken captive on October 7. His parents, Ronen and Orna, are here.

Hersh Goldberg-Polin was at the music festival, a 23-year-old Israeli American. His parents are from Chicago. His cousins, Aileen and Norman, are here. I spoke to his grandmother, Leah, just this morning. His Aunt Abby has been a friend of mine for more than 30 years. Abby and her daughters are part of our family's circle of friends.

Now Hersh and Omer and all the hostages, every single one of the 240—infants, elderly, survivors of the Holocaust—each and one of them are part of our family. I'm a father. My wife and Julie have two sons not much older than Hersh and Orin. Our older son, Adam, served 5 years as an officer in the U.S. Navy.

I know firsthand about sleepless nights, the anxiety of your child on deployment, the times when you do not have awareness—excuse me—the times when you do not have awareness of where your child is or what they are doing, what dangers they face. I cannot imagine what it is like for the families of these hostages. I am sorry.

We need to make sure we keep these hostages and their families in our minds and in our hearts. And that is why we are here today with this resolution. Congress must condemn Hamas every time we speak about what is happening in this conflict. This resolution does that.

Congress must talk about the barbarism of Hamas on October 7 and condemn the attack, including the taking of hostages, an absolute war crime and violation of international humanitarian law. And this resolution does that.

Congress must make sure the stories of the hostages are known, make sure their ongoing captivity is always on top of our minds and their suffering of their families are shared. And this resolution does that. And Congress must continue to call for the immediate unconditional release of the hostages, and this resolution rightly, justly does that.

I want to thank my colleagues and friends Haley Stevens and French Hill for leading on this resolution and for fighting to bring it to the floor. I thank the chairman and the ranking member for allowing us to have this markup. And I call on all my colleagues to support this resolution.

Mr. Chairman, I thank you for the extra time.

Chairman McCAUL. The gentleman yields.

And thank you, Mr. Schneider, for that powerful, powerful Statement.

Is there any further discussion?

If I could just say to Mr. Schneider, I was with you at Kfar Aza, the kibbutz that was overrun by the Hamas terrorists. And when I got the phone call, just to think that everybody we met at that kibbutz had been slaughtered and that the daycare center that we toured with the little children and the babies had been wiped out, burned alive, and beheaded, and other atrocities I cannot even get into—it is sick. It needs to end. These hostages need to come home.

Our FBI director testified that the threat from Hamas could enter the United States. I would be remiss if I did not mention Haley Stevens' friend Samantha Woll in Detroit, Michigan, who just 2 weeks ago was stabbed to death. A well-known leader in Detroit's Jewish community stabbed to death in the early mornings

of Saturday, October 21, with a trail of blood leading from her home to where she was found. This has to stop. This terror has to stop for the sake of the world and the Jewish people.

So, with that, there being no further discussion of the resolution, the committee will move to the consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.Res. 793 to the House with a favorable recommendation.

All those in favor signify by saying aye.

All those opposed signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.Res. 683, expressing support for the diplomatic relations, requiring to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande.

[The Bill H.Res. 683 follows:]

118TH CONGRESS
1ST SESSION

H. RES. 683

Expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2023

Ms. DE LA CRUZ (for herself, Mr. CUELLAR, Mr. TONY GONZALES of Texas, Ms. CROCKETT, Mr. CARTER of Texas, Mr. DUARTE, Mr. MOYLAN, Mr. LAWLER, Mr. FRY, Mr. ALFORD, Mr. VAN ORDEN, Mrs. LUNA, Mr. MCCORMICK, Mr. NEHLS, Mr. PFLUGER, Mr. ELLZEY, Mrs. BICE, Mr. HUIZENGA, Mrs. KIGGANS of Virginia, Mr. RUTHERFORD, Mr. NUNN of Iowa, and Mr. BABIN) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande.

Whereas the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), commits the Government of

Mexico to send an average of not less than 350,000 acre-feet of water annually over a 5-year cycle to the United States;

Whereas Mexico repeatedly waits until the end of this 5-year cycle to fulfill such water commitment; and

Whereas each year, farmers in south Texas are experiencing water shortages: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the diplomatic relations required
3 to encourage the Government of Mexico to fulfill its
4 water deliveries on an annual basis to the United
5 States under the treaty between the United States
6 and Mexico regarding the utilization of the Colorado
7 and Tijuana Rivers and of the Rio Grande, signed
8 at Washington, February 1944 (59 Stat. 1219);

9 (2) encourages Mexico to fulfill such commit-
10 ments on an annual basis;

11 (3) acknowledges that farmers in south Texas
12 are experiencing water shortages;

13 (4) supports negotiations on a Minute that will
14 ensure more predictable and reliable water deliveries
15 to users in the United States; and

16 (5) encourages new commitments to ensure that
17 the United States receives annual deliveries of at
18 least 350,000 acre-feet of water under such treaty.

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Chairman MCCAUL. The resolution was circulated in advance. The clerk shall designate the resolution.

The CLERK. H.Res. 683, expressing the support for diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty—

Chairman MCCAUL. Without objection, the first reading is dispensed with. This resolution is considered read and open to amendment at any point.

Is there any discussion on the resolution?

Mr. NATHANIEL.

Mr. MORAN. Thank you, Mr. Chairman. Mr. Chairman, as a co-sponsor of House Resolution 683, I encourage all members of the committee to support this resolution to push the Government of Mexico to fulfill its obligations to America and its farmers.

The resolution under consideration is about standing up for American farmers and what they are rightfully entitled to pursuant to a long-standing mutual agreement between the U.S. and Mexico. Under the terms of the 1944 treaty for utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande, also known as the 1944 Water Treaty, between the U.S. and Mexico, the United States is guaranteed an average of 350,000 acre feet of water annually from Mexico over a 5-year period of time.

American farmers count on Mexico to meet these water obligations each year. These commitments that have existed for nearly 80 years under this treaty bring critical predictability to American farmers and ranchers, who carefully plan their yield for the years ahead.

Without water, farmers are unable to produce enough for commercial yield, thereby resulting in a reduced national food supply and labor shortages. And without predictability, farmers and ranchers cannot make long-term investments and decisions necessary for their survival.

In recent years, Mexico has withheld its obligations until the end of the 5-year cycle, which violates the spirit of the treaty. And this is untenable for South Texas farmers, ranchers, and its citizens. Frankly, it is untenable for all of Texas and all of the United States.

Texas farmers rely on this water to turn arid and desert regions into a vegetative area with crops that are unsustainable in most other regions of the country, crops like watermelon, sugarcane, citrus, and other fresh produce.

On October 25, we entered into year four of the 5-year obligation, and Mexico has only contributed 35 percent of the deal, owing the United States 680,000 acre feet of water. Every time that Mexico fails to uphold its end of the deal, Americans in the Southwest suffer significant drought.

American farmers and ranchers need compliance with the letter and the spirit of the law and should not bear the brunt of the Mexican Government's noncompliance, which is why immediate action is needed by the Biden Administration today to act on this matter. The Administration must focus its energy and resources on continued productive diplomatic engagements with Mexico immediately about this matter and remedy the deficiencies.

This resolution affirms support for the U.S. to use its resources to secure compliance by the Mexican Government to fulfill its obligations under the 1944 Water Treaty. It is time for Mexico to honor those terms and that treaty, and I urge your support.

I yield back, Mr. Chairman. Thank you.

Chairman McCAUL. The gentleman yields.

Is there any further discussion?

Mr. Castro is recognized—oh, Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman.

I support Representative De La Cruz's bipartisan resolution. All around the world, we are witnessing an increase in severe climate events. Lack of rain in South Texas has caused severe drought and is impacting farming communities and businesses that provide many with needed crops and jobs.

Without water, farmers have had to make difficult choices about whether to plant, which has resulted in major losses all around. In these challenging times, I recognize the importance of engaging constructively with our neighbors to resolve issues which may seem local but which have broader global implications, in this case, access to a shared water source which comes from the Rio Grande.

I have been encouraged by the diplomatic work done by our colleagues across agencies on this issue. And I am particularly impressed by the work done by the International Boundary and Water Commission to advance the goals of the 1944 treaty relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande.

This work ensures that communities made to distribute water are upheld in a timely manner and in the right quantities. No doubt these changes in regular access to water will have a positive impact on those who grow the food, and livestock will depend on it—we depend on.

I want to express my support for this resolution. And I hope you will join me to send a message that dialog and diplomacy will go a long way to confronting the local and global challenges we face.

And with that, I yield back.

Chairman McCAUL. The gentleman yields. Any further discussion?

Mr. Castro?

Mr. CASTRO. Thank you, Chairman.

I want to express my support of H. Res. 683 and its spirit of promoting the collaborative relationship between the United States and Mexico.

The 1944 water treaty between the United States and Mexico along with the boundary treaty of 1970 ended decades of territorial disputes between the United States and Mexico and formed the bedrock of our relations.

As a Texan, I and the people in my district know firsthand how important cooperation with Mexico is and how the bilateral relationship has a direct impact on our lives.

I fully support this resolution which stresses the importance of the 1944 water treaty to the livelihoods of so many in south Texas and calls on the United States to work with Mexico to ensure that Mexico lives up to its commitments under the treaty.

As the ranking member of the Subcommittee on the Western Hemisphere I've been very engaged with the State Department and the U.S. International Boundary and Water Commission on their ongoing negotiations with their Mexican counterparts and I'm hopeful that soon the two sides will reach an agreement on a, quote/unquote, minute that would ensure more predictable and reliable water for users in the United States.

Just as we call on Mexico to live up to its commitments under the 1944 water treaty the United States too must work with Mexico in a collaborative manner. I'm concerned that certain rhetoric from within the United States is actively hurting our efforts to work with Mexico on necessary issues like sharing the Rio Grande River's waters.

Calls to strike Mexico or take military action against Mexico by many leading Republicans and Texas Governor Greg Abbott's Operation Lone Star, which directly violated the United States' commitments under the 1944 water treaty and the 1970 boundary treaty by building barriers in the Rio Grande River, make it much harder for the United States to fight for the water rights of Texas farmers.

While our negotiation should emphasize the needs of Texans I believe we must be prepared to reassess how the United States and Mexico can cooperate in the context of a changing climate where sustained droughts can disrupt the water supply.

Just as Mexico must live up to our treaty agreements we must live up to our diplomatic values. I urge my colleagues to support this measure.

With that, Chairman, I yield back.

Chairman McCAUL. The gentleman yields. Any further discussion?

Being my home State of Texas I would like to say a few words as well.

As Mr. Moran pointed out the United States and Mexico signed a treaty in 1944 to ensure predictable and reliable water supplies of the Colorado, Tijuana, and Rio Grande Rivers.

This treaty is administered by the International Boundary and Water Commission and envisions and commits the United States and Mexico to deliver a certain amount of water to the other party over a 5-year cycle.

On multiple occasions since 1994 Mexico has not met its Rio Grande water delivery obligations to the United States within this 5-year period. Since 2014 Congress has directed the Department of State to report annually on Mexico's deliveries and on efforts to improve Mexico's treaty compliance.

Their failure to live up to its obligation prevents American farmers from accessing predictable and reliable water. Mexico currently owns—owes the U.S. nearly 600,000 acre feet of water.

Let me repeat that. Mexico currently owes the United States nearly 600,000 acre feet of water. It is year three of the 5-year cycle and the U.S. has only received about 39 percent.

U.S. diplomats and officials have been pushing Mexico to fulfill its commitments and agree to rules that regularize deliveries. Progress has been modest and too slow while water shortages across the Southwest are becoming acute.

This resolution expresses the House's support for the productive diplomatic engagement in support of IBWC's efforts to bring Mexico into compliance.

It is a noncontroversial, bipartisan, and urgent bill and I urge my colleagues to support it.

There being no further discussion, are there any amendments? Does any member wish to offer an amendment?

There being no amendments I move the committee report H. Res. 683 to the House with a favorable recommendation.

All those in favor signify by saying aye.

All those opposed signify by saying no.

In the opinion of the chair the ayes have it and the motion is agreed to. Without objection the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

Pursuant to notice I now call up H.R. 6119, the State Department Security Notification Act. The bill was circulated in advance and the clerk shall designate the bill.

The CLERK. H.R. 6119, to require the Secretary of State to notify Congress when the security clearances of certain senior members of the Department of State are suspended or——

Chairman MCCAUL. Without objection the first reading is dispensed with. The bill is considered read and open to amendment at any point.

[The Bill H.R. 6119 follows:]

118TH CONGRESS
1ST SESSION

H. R. 6119

To require the Secretary of State to notify Congress when the security clearances of certain senior members of the Department of State are suspended or revoked, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2023

Mr. MAST (for himself, Mr. McCaul, and Mr. Issa) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require the Secretary of State to notify Congress when the security clearances of certain senior members of the Department of State are suspended or revoked, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Department Se-
5 curity Notification Act”.

1 SEC. 2. NOTIFICATION OF SUSPENSION OR REVOCATION OF
2 CLEARANCES.

3 (a) IN GENERAL.—With respect to each covered offi-
4 cial whose security clearance is suspended or revoked, the
5 Secretary of State shall—

6 (1) submit to the appropriate congressional
7 committees a notification, not later than 15 days
8 after the suspension or revocation of such clearance,
9 that identifies the individual whose clearance was so
10 suspended or revoked; and

11 (2) brief the appropriate congressional commit-
12 tees not later than 30 days after such suspension or
13 revocation on—

14 (A) the documentation notifying the indi-
15 vidual of the suspension or revocation of the
16 clearance; and

17 (B) the present employment status and
18 conditions of such individual.

19 (b) COVERED OFFICIAL DEFINED.—For purposes of
20 the notification requirement under subsection (a), the
21 term “covered official” means any of the following:

22 (1) Any individual holding a position at or high-
23 er than the level of Assistant Secretary or its equiva-
24 lent in the Department of State.

1 (2) Any individual holding the position of chief
2 of mission or principal officer at any diplomatic or
3 consular post.

4 (3) Any individual holding the rank and status
5 of an ambassador or otherwise holding a position
6 that reports directly to the Secretary of State, such
7 as a special envoy.

8 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
9 FINED.—For purposes of this section, the term “appro-
10 priate congressional committees” means the Committee on
11 Foreign Affairs of the House of Representatives and the
12 Committee on Foreign Relations of the Senate.

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Chairman McCAUL. I recognize myself in support of the bill. This, in my judgment, is a good governance bill, one requiring transparency on behalf of the Administration.

It requires the State Department to notify and brief this committee when a senior official at the department has their clearance suspended or revoked.

Ideally we would not need this legislation but for more than 2 months Congress and the Nation believed that Robert Malley was the special envoy for Iran but in reality he was under investigation for allegedly mishandling classified material.

The committee expressed bipartisan interest in receiving testimony or a briefing from Mr. Malley on Iran policy during those 2 months but was never informed that he was under investigation and he was never made available.

I know members on both sides of this committee were and are frustrated by the lack of communication. We cannot operate effectively if the State Department is constantly trying to hide things.

The bill would not compromise ongoing law enforcement efforts because it does not require submission of any sensitive investigative information. The bill would not raise privacy or due process concerns.

The State Department eventually after letters, requests, and bad press did provide the committee with a briefing regarding Mr. Malley. That was more than 3 months after his clearance was suspended.

This bill would make that a requirement on a shorter time line. Again, I think this committee on both sides of the aisle is entitled to know when a senior member who has been called to testify in brief is not made available because their security clearance had been revoked.

I urge my colleagues on both sides of the aisle to, you know, support this good governance issue and it can also be held in the classified space to protect the interests.

And so with that, I yield back. Is there any further discussion? Mr. Meeks is recognized.

Mr. MEEKS. First, I have to oppose this measure because I believe it poses a risk of politicizing what should be an unbiased fact-driven process to ensure the security of classified information and who has access to it.

Unfortunately, this bill could allow—this measure to be not about oversight or not about national security and not about responsible dialog with the executive branch.

What it sets is a new and, I believe, dangerous precedent for senior officials at the State Department to which no other senior officials across any other national security-related Federal agency is subjected to. It's just the State Department, no other security-related Federal agency.

And so both Mr. McCaul and I have been former prosecutors and generally when you're doing a case it remains within the discretion of the prosecutor to do their investigations. That's why they seek juries in which you decide whether or not you indict someone or not. Grand juries are secretive for the information.

So we live in a world where unfortunately people take information and utilize it for political gathering and political ammunition.

I'm not saying that that would be done by Mr. McCaul but clearly I've been in some sessions where it is done by others.

Security clearances can initially be suspended or revoked for any number of reasons that might ultimately have nothing to do with an individual's trustworthiness or on-the-job conduct.

That is precisely what an unbiased confidential investigation helps clarify. Even if a clearance is ultimately suspended or revoked that decision can be appealed and potentially overturned.

Inserting Congress into an ongoing investigation and requiring intrusive personal information about specific individuals and potentially sensitive national security-related allegations before due process has played out is not responsible oversight, in my thoughts.

It is why the bedrock of our judicial system clearly says innocent until proven guilty. I believe it's an overstep. I believe that we cannot allow the politicization of any individual case or the security clearance investigation process broadly.

They are serious things that should be not impeded upon and/or played out in politics or for political reasons. I have an example of an individual who worked on the House side, not a security—a national security clearance, you know, but he simply worked as a member serving members and he got accused because in this case he was Pakistanian of giving away classified information and that he was part of some conspiracy, and day after day on the House floor there was Members of Congress going up and saying all kinds of things about him.

Ultimately, even after then President Trump accused him of various things publicly, he was found not to have been guilty of any of those things which damaged his professional life and his family life.

The investigation should be confidential and should not be impeded and we get the results of that conversation thereafter.

And so I hope that my colleagues oppose this measure and I urge my colleagues to do that.

Chairman MCCAUL. The gentleman yields. Any further discussion?

Let me just say briefly that we finally got briefed on Mr. Malley's situation and it was not a briefing on the nature of the investigation so that was protected and it was in the SCIF, which provides further protection.

It was just simply what happened. And why do we ask that question? Because we called him to testify before this committee and we were—we weren't given the truth. We were told that he had—his family was sick. He had family issues, and there were a lot of rumors going around and we did not understand why he could not brief the Congress or testify and I think that's within our prerogative, and all they simply had to do was to tell us the truth and it could have been in the classified space.

And that's all this bill requires is for them—when a senior State Department official cannot testify because their security clearance is revoked that they have to tell us why. They have to tell us the truth about why that senior State Department official cannot testify.

Having said that, Mr. Meeks, you know, I know this is being sorted out in the conference committee of the NDAA and we may

have an opportunity to reach a resolution in that which would then negate the purpose for this bill.

But until that time we plan to proceed forward. But I appreciate your comments.

And any further discussion?

Mr. MEEKS. Let me just say—and I thank you for that—that we are working and talking because I do think that, as I said, I think the spirit of what you—and I know that you and I have conversation—you know, you do not play that game. But, unfortunately, others, some on both sides of the aisle, may play that game and I just think that's significant—important.

But I appreciate you working with me and we're still trying to work this out.

Chairman MCCAUL. Yes. I think we're very close actually, in my judgment. So but having said that, are there any amendments now if there's no further discussion?

There being no amendments I move that the committee report H.R. 6119 to the House with a favorable recommendation.

All those in favor signify by saying aye.

All those opposed signify by saying no.

In the opinion of the chair the ayes have it. The motion is agreed to.

A recorded roll call vote has been requested. Pursuant to the chair's previous announcement this vote will be postponed.

The last bill—so this will be our last bill for the markup. Pursuant to notice I now call up H.R. 6087, the YALI Act of 2023.

The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. H.R. 6087, to establish a comprehensive U.S. Government initiative to build the capacity of young leaders and entrepreneurs in Africa and for other purposes.

Chairman MCCAUL. Without objection the first reading is dispensed with. The bill is considered read and open to amendment at any point.

[The Bill H.R. 6087 follows:]

118TH CONGRESS
1ST SESSION

H. R. 6087

To establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2023

Ms. KAMLAGER-DOVE (for herself and Mrs. KIM of California) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes.

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

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “Young African Leaders
5 Initiative Act of 2023” or the “YALI Act of 2023”.

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

7 It is the sense of Congress that—

1 (1) the Young African Leaders Initiative,
2 launched in 2010, is a signature effort to invest in
3 the next generation of African leaders;

4 (2) Africa is a continent of strategic importance
5 and it is vital for the United States to support
6 strong and enduring partnerships with the next gen-
7 eration of African leaders;

8 (3) the United States Government should
9 prioritize investments to build the capacity of emerg-
10 ing young African leaders in sub-Saharan Africa, in-
11 cluding through efforts to—

12 (A) enhance leadership skills;

13 (B) encourage entrepreneurship;

14 (C) strengthen public administration and
15 the role of civil society;

16 (D) enhance peace and security in their re-
17 spective countries of origin and across Africa;
18 and

19 (E) connect young African leaders con-
20 tinently and globally across the private, civic,
21 and public sectors;

22 (4) youth in Africa have a positive impact on
23 efforts to foster economic growth, improve public
24 sector transparency and governance, and counter ex-

1 tremism, and should be an area of focus for United
2 States outreach on the African continent; and

3 (5) the Secretary of State should—

4 (A) increase the number of fellows from
5 Africa participating in the Mandela Washington
6 Fellowship above the estimated 700 fellows who
7 participated during fiscal year 2021; and

8 (B) identify additional ways to connect
9 YALI alumni to United States public and pri-
10 vate resources and institutions.

11 **SEC. 3. YOUNG AFRICAN LEADERS INITIATIVE PROGRAM.**

12 (a) IN GENERAL.—There is established the Young
13 African Leaders Initiative (referred to in this section as
14 “YALI”), which shall be carried out by the Secretary of
15 State.

16 (b) PURPOSE.—YALI shall seek to build the capacity
17 of young African leaders in sub-Saharan Africa in the
18 areas of business, civic engagement, or public administra-
19 tion, including through efforts—

20 (1) to support young African leaders by offering
21 professional development, training, and networking
22 opportunities, particularly in the areas of leadership,
23 innovation, civic engagement, elections, human
24 rights, entrepreneurship, good governance, peace and
25 security, and public administration; and

1 (2) to provide increased economic and technical
2 assistance to young African leaders to promote eco-
3 nomic growth, strengthen ties between United States
4 and African businesses, build resilience to predatory
5 lending practices, and improve capacity in key eco-
6 nomic areas such as tendering, bidding, and contract
7 negotiations, budget management and oversight,
8 anti-corruption, and establishment of clear policy
9 and regulatory practices.

10 (c) FELLOWSHIPS.—

11 (1) IN GENERAL.—YALI shall support the par-
12 ticipation in the United States in the Mandela
13 Washington Fellowship for Young African Leaders
14 of fellows from Africa who—

15 (A) are between 25 and 35 years of age;

16 (B) have demonstrated strong capabilities
17 in entrepreneurship, innovation, public service,
18 and leadership; and

19 (C) have had a positive impact in their
20 communities, organizations, or institutions.

21 (2) OVERSIGHT.—The fellowships described in
22 paragraph (1) shall be overseen by the Secretary of
23 State through the Bureau of Educational and Cul-
24 tural Affairs.

1 (3) ELIGIBILITY.—The Secretary of State shall
2 establish and publish—

3 (A) eligibility criteria for participation as a
4 fellow under paragraph (1); and

5 (B) criteria for determining which eligible
6 applicants will be selected.

7 (d) RECIPROCAL EXCHANGES.—Subject to the ap-
8 proval of the Secretary of State, United States citizens
9 may—

10 (1) engage in reciprocal exchanges in connec-
11 tion with alumni of the fellowship described in sub-
12 section (c); and

13 (2) collaborate on projects with such fellowship
14 alumni.

15 (e) REGIONAL LEADERSHIP CENTERS AND NET-
16 WORKS.—The Administrator of the United States Agency
17 for International Development shall establish—

18 (1) not fewer than 4 regional leadership centers
19 in sub-Saharan Africa to offer in-person and online
20 training throughout the year on business and entre-
21 preneurship, civic leadership, and public manage-
22 ment to young African leaders who are between 18
23 and 35 years of age, have demonstrated strong capa-
24 bilities in entrepreneurship, innovation, public serv-
25 ice and leadership, and peace-building and conflict

1 resolution, and have had a positive impact in their
2 communities, organizations, or institutions; and

3 (2) an online network that provides information
4 and courses on, and connections with leaders in, the
5 private and public sectors of Africa.

6 (f) ACTIVITIES.—

7 (1) UNITED STATES-BASED ACTIVITIES.—The
8 Secretary of State, in coordination with the heads of
9 relevant Federal departments and agencies, shall
10 oversee all United States-based activities carried out
11 under YALI, including—

12 (A) the participation of Mandela Wash-
13 ington Fellows in a 6-week Leadership Institute
14 at a United States educational institution in
15 business, civic engagement, or public manage-
16 ment, including academic sessions, site visits,
17 professional networking opportunities, leader-
18 ship training, community service, and organized
19 cultural activities; and

20 (B) the participation by Mandela Wash-
21 ington fellows in an annual Mandela Wash-
22 ington Fellowship Summit, to provide such Fel-
23 lows the opportunity to meet with United States
24 leaders from the private, public, and nonprofit
25 sectors.

1 (2) AFRICA-BASED ACTIVITIES.—The Secretary
2 of State, in coordination with the Administrator for
3 the United States Agency for International Develop-
4 ment and the heads of other relevant Federal de-
5 partments and agencies, should continue to support
6 YALI activities in sub-Saharan Africa, including—

7 (A) continued leadership training and
8 other professional development opportunities for
9 Mandela Washington Fellowship for Young Af-
10 rican Leaders alumni upon their return to their
11 home countries, including online courses, tech-
12 nical assistance, and access to funding;

13 (B) training for young African leaders at
14 regional leadership centers established pursuant
15 to subsection (e), and through online and in-
16 person courses offered by such centers; and

17 (C) opportunities for networking and en-
18 gagement with—

19 (i) alumni of the Mandela Washington
20 Fellowship for Young African Leaders;

21 (ii) alumni of programs at regional
22 leadership centers established pursuant to
23 subsection (e);

1 (iii) United States and like-minded
2 diplomatic missions, business leaders, and
3 others as appropriate; and

4 (iv) where practicable and appro-
5 priate, other United States-funded regional
6 leadership programs, including the Young
7 Southeast Asian Leaders Initiative
8 (YSEALI), the Young Leaders of the
9 Americas Initiative (YLAI), the Young Pa-
10 cific Leaders (YPL), and the Young
11 Transatlantic Innovation Leaders Initiative
12 (YTILI), and through Department of
13 State programs such as the Community
14 Engagement Exchange Program and other
15 initiatives.

16 (3) IMPLEMENTATION.—To carry out this sub-
17 section, the Secretary of State, in coordination with
18 the Administrator of the United States Agency for
19 International Development and the heads of other
20 relevant Federal departments and agencies, shall
21 seek to partner with the private sector to pursue
22 public-private partnerships, leverage private sector
23 expertise, expand networking opportunities, and
24 identify funding opportunities and fellowship and
25 employment opportunities for YALI.

1 (g) IMPLEMENTATION PLAN.—Not later than 180
2 days after the date of the enactment of this Act, the Sec-
3 retary of State, in coordination with the Administrator of
4 the United States Agency for International Development
5 and the heads of other relevant Federal departments and
6 agencies, shall submit a plan to the appropriate congres-
7 sional committees for implementing YALI, including—

8 (1) a description of clearly defined program
9 goals, targets, and planned outcomes for each year
10 and for the duration of implementation of the pro-
11 gram;

12 (2) a strategy to monitor and evaluate the pro-
13 gram and progress made toward achieving such
14 goals, targets, and planned outcomes; and

15 (3) a strategy to ensure the program is pro-
16 moting United States foreign policy goals in Africa,
17 including ensuring that the program is clearly
18 branded, paired with robust public diplomacy efforts,
19 and incorporates diversity among participants as
20 practicable, including countries and communities in
21 Africa facing economic distress, civil conflict,
22 marginalization, and other challenges.

23 (h) REPORT.—Not later than 1 year after the date
24 of the enactment of this Act, and annually thereafter for
25 the following 4 years, the Secretary of State, in coordina-

1 tion with the Administrator of the United States Agency
2 for International Development, shall submit to the appro-
3 priate congressional committees and publish in a publicly
4 accessible, internet-based form, a report that includes—

5 (1) a description of the progress made toward
6 achieving the goals, targets, and planned outcomes
7 described in subsection (g)(1), including an overview
8 of the program implemented in the previous year
9 and an estimated number of beneficiaries;

10 (2) an assessment of how YALI is contributing
11 to and promoting United States-Africa relations,
12 particularly in areas of increased private sector in-
13 vestment, trade promotion, support to civil society,
14 improved public administration, promoting peace
15 and security, and fostering entrepreneurship and
16 youth empowerment;

17 (3) recommendations for improvements or
18 changes to YALI and the implementation plan, if
19 any, that would improve their effectiveness during
20 subsequent years of YALI's implementation; and

21 (4) for the first report submitted under this
22 subsection, an assessment of the feasibility of ex-
23 panding YALI to Morocco, Algeria, Tunisia, Libya,
24 and Egypt.

1 (i) DEFINED TERM.—In this section, the term “ap-
2 propriate congressional committees” means—

3 (1) the Committee on Foreign Relations of the
4 Senate;

5 (2) the Committee on Appropriations of the
6 Senate;

7 (3) the Committee on Foreign Affairs of the
8 House of Representatives; and

9 (4) the Committee on Appropriations of the
10 House of Representatives.

11 (j) SUNSET.—This section shall cease to have effect
12 on the date that is 5 years after the date of the enactment
13 of this Act.

Æ

Chairman MCCAUL. Is there any discussion on the bill?

Ms. Kamlager-Dove is recognized.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair and Mr. Ranking Member, for bringing the YALI Act to markup and thank you to Representative Kim for partnering with me again to introduce this important legislation.

Africa rarely has the spotlight in the United States foreign policy but that does not change the reality that Africa is very much going to be the future.

With the youngest fastest growing population on the planet Africa's contributions will be required to advance global priorities and address many of the defining challenges of our time.

It is not an exaggeration to say that linking Africa's future with our own is one of the most important long-term geopolitical investments we can make. We must also acknowledge that one way to compete with China is to invest in the continent of Africa.

China has made significant inroads across the continent with its Belt and Road Initiative and exploitative loan offers. We have been less giving but still hold a partnership allure that I hope even in present time can continue to maintain.

Countries across Africa see our embrace of innovation and entrepreneurialism of the—and the fight and pursuit of a better democracy and freedom as a good thing. The Young African Leaders Initiative can be that opportunity.

It recognizes that African youth are going to define the trajectory of the continent and it positions the U.S. as a supportive partner in Africa's exponential growth.

This program has created a continent wide network of young leaders across 49 sub-Saharan countries who have all gained formative leadership experiences in the United States.

Six hundred and forty thousand Africans have participated in YALI since 2010 and we will reap the benefits of these U.S.-Africa ties for years to come. Deepening our connections with the African continent can be achieved in many ways through trade and investment, health, defense, energy, science, and more.

But no government-to-government cooperation can replace the deep personal connections that come from cultural, educational, and people-to-people exchanges that allow us to understand each other and create the foundations for a shared future.

YALI is a singular contribution to the U.S.-Africa relationship and I urge my colleagues to support this legislation to codify this important program.

Thank you again, Mr. Chair and Ranking Member, and I yield back.

Chairman MCCAUL. The gentlelady yields. Any further discussion?

Mrs. Kim is recognized.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman, for recognizing me and holding today's markup.

I strongly support my friend Representative Kamlager-Dove's Young African Leaders Initiative, or YALI Act, which codifies the YALI program at the State Department.

The YALI program seeks to empower the next generation of leaders amongst Africa's youth, which is the world's fastest growing youth population.

It focuses on enhancing leadership, entrepreneurship, civics, and strengthening civil society. The program features the Mandela-Washington fellowship for young African leaders which places students in U.S. schools to study these issues.

Many countries in Africa today are plagued by violence, authoritarian governance, environmental issues, and public health challenges. As we seek to bolster our diplomatic efforts to mitigate these challenges we should not forget to engage the generation that is unchecked to solve them.

People-to-people diplomacy helps to build relationships for the future and to create opportunities to have productive conversations about how we can work more closely together.

Codifying this program will show African countries that we are serious about stepping up our engagement and that we are committed to ensuring Africa's youth foster a bright future for the continent.

So I thank my friend Representative Kamlager-Dove for her leadership on this bill and I yield the balance of my time.

Chairman MCCAUL. The gentlelady yields back.

Is there any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. I strongly support this bipartisan measure introduced by Representative Kamlager-Dove and Representative Young Kim to advance the Young African Leaders Initiative.

First established by President Obama in 2010, YALI seeks to empower the next generation of African leaders and invest in Africa's youth. This legislation builds upon YALI by supporting the over 640,000 alumni ties with the United States after they have returned to their home country including by establishing YALI regional leadership centers at universities in Ghana and Kenya, Senegal, and South Africa.

This bill also requires the Department of State to develop a strategy to ensure YALI promotes United States foreign policy goals on the continent of Africa.

On the heels of the African Growth and Opportunity Act Forum recently concluded in Johannesburg, South Africa last week this measure would help pave the way for the future of the continent— young African leaders.

This is what we need to promote all over the world, young leaders, particularly on the continent, so that they can continue to advance their leadership skills in partnership with Americans.

I strongly support this bipartisan measure and urge all of my colleagues to join me. I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields. Any further discussion?

There being no further discussion, are there any amendments?

There being no amendments I move that the committee report H.R. 6087 to the House with a favorable recommendation.

All those in favor signify by saying aye.

All those opposed signify by saying no.

In the opinion of the chair the ayes have it and the motion is agreed to.

Without objection the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

The committee will be—stands in recess and we'll reconvene at a future time for votes when the clerk will send out advance notice. [Whereupon, at 4:01 p.m., the committee recessed, to reconvene at 4:33 p.m., the same day.]

Chairman MCCAUL. The Committee will come to order. The Committee postponed further proceedings on reporting H.R. 4175, as amended, favorably to the House on which the ayes prevail by voice vote. The question now occurs on reporting the measures amended to the House with a favorable recommendation. Members will use the electronic voting system. The Clerk will open the vote.

All right. Have all the members voted? Did any member wish to record or change his votes? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the yeas are 40, the noes are 2.

Chairman MCCAUL. OK. Committee postponed further proceedings on reporting H.R. 4723, as amended, favorably to the House in which the ayes prevailed by voice vote. The question now occurs on reporting the measure, as amended, to the House with a favorable recommendation. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change his vote?

Mr. DAVIDSON. One more. Yes.

Chairman MCCAUL. You've got to push the button now, man. Well, they can get it. Can he vote, does he have to vote electronically, or can he vote that way? Can he vote verbally, or does he have to do it electronically? Do you have his vote, or does he have to do it electronically? Mr. Davidson, you've got to vote electronically. All right. Great. The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 44, the noes are zero.

Chairman MCCAUL. The ayes have it. Motion is agreed to. Without objection, motion to reconsider is laid on the table. The staff is authorized to make any technical conforming changes.

Committee postponed further proceedings on reporting House Resolution 149, as amended, favorably to the House in which the ayes prevailed by voice vote. The question now occurs on reporting the measure, as amended, to the House with a favorable recommendation. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 44, the noes are zero.

Chairman MCCAUL. The ayes have it. The motion is agreed to. Without objection, motion to reconsider is laid on the table.

The Committee postponed further proceedings on reporting H.R. 5856, as amended, favorably to the House in which the ayes prevailed by voice vote. The question now occurs on reporting the measure, as amended, to the House with a favorable recommenda-

tion. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 44, the noes are zero.

Chairman MCCAUL. The ayes have it. The motion is agreed to. Without objection, the motion to reconsider is laid on the table.

The Committee postponed further proceedings on reporting H.R. 4681, as amended favorably to the House in which the ayes prevailed by voice vote. The question now occurs on reporting the measure, as amended, to the House with a favorable recommendation. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 44, the noes are zero.

Chairman MCCAUL. The ayes have it. The motion is agreed to. Without objection, the motion to reconsider is laid on the table.

The Committee postponed further proceedings on the roll call vote on Amendment Number 9 offered by Mr. Meeks to H.R. 5961 in which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will vote using the electronic voting system. The Clerk will open the vote.

Mr. SHERMAN. Mr. Chairman, is this also the amendment offered by Mr. Crow, Amendment Number 7?

Chairman MCCAUL. No. Mr. Meeks. Number 9.

Mr. SHERMAN. Oh, this is Meeks 9.

Chairman MCCAUL. Number 9. Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 19, the noes are 25.

Chairman MCCAUL. The noes have it, and the amendment is not agreed to. The Committee postponed further proceedings on the roll call vote on Amendment Number 16 offered by Representative Cherfilus-McCormick to H.R. 5961 on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will use the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 20, the noes are 24.

Chairman MCCAUL. The noes have it. The amendment is not agreed to. The Committee postponed further proceedings on the roll call vote on Amendment Number 7 offered by Representative Crow to H.R. 5961 on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 19, the noes are 25.

Chairman MCCAUL. The noes have it. The amendment is not agreed to. The Committee postponed further proceedings on the roll call vote on Amendment Number 12 offered by Representative Jackson to H.R. 5961 on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will use the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 15, the noes are 29.

Chairman MCCAUL. The noes have it. The amendment is not agreed to. The Committee postponed further proceedings on the roll call vote on Amendment Number 13 offered by Representative Kamlager-Dove to H.R. 5961 on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 13, the noes are 31.

Chairman MCCAUL. The noes have it. The amendment is not agreed to. There being no further amendments, I move that the Committee report H.R. 5961, as amended, to the House with a favorable recommendation. All in favor, signify by saying aye.

All opposed, signify by saying no.

In the opinion of the Chair, the ayes have it. The motion is agreed to. Roll call vote has been requested. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 29, the noes are 15.

Chairman MCCAUL. The ayes have it. Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

The last vote. Man, I love this new system. All right. The Committee postponed further proceedings on reporting H.R. 6119 favorably to the House in which the ayes prevailed by voice vote. The question now occurs on reporting the measure to the House with a favorable recommendation. Members will vote using the electronic voting system. The Clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote? The Clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 24, the noes are 20.

Chairman MCCAUL. The ayes have it. The motion is agreed to. Without objection, the motion to reconsider is laid on the table. This concludes consideration by the Committee for today.

[Whereupon, at 4:45 p.m., the committee was adjourned.]

APPENDIX



**COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

Michael T. McCaul (R-TX), Chairman

November 5, 2023

Revised

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held at 11:15 a.m. in room 210 of the House Visitor Center. The markup is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Tuesday, November 7, 2023

TIME: ~~10:00 a.m.~~
11:15 a.m.

LOCATION: HVC-210

MARKUP OF: H.R. 4175, To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes;

H.R. 4723, To provide for the imposition of sanctions with respect to foreign persons undermining the Dayton Peace Agreement or threatening the security of Bosnia and Herzegovina, and for other purposes;

****** H.Res. 149, Condemning the illegal abduction of children from Ukraine to the Russian Federation;

H.R. 5856, To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes;

H.R. 4681, To provide for the imposition of sanctions with respect to illicit captagon trafficking;

H.R. 5961, To freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes;

**

H.Res. 793, Calling on Hamas to immediately release hostages taken during October 2023 attack on Israel;

H.Res. 683, Expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande;

H.R. 6119, To require the Secretary of State to notify Congress when the security clearances of certain senior members of the Department of State are suspended or revoked, and for other purposes; and

**

H.R. 6087, To establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes.

**NOTE: Measures added

*NOTE: Measures may be added

By Direction of the Chair

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE MARKUP

Day Tuesday Date November 7, 2023 Room HVC-210

Starting Time 1119 Ending Time 1645

Recesses 2 (1347 to 1507) (1601 to 1633) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman McCaul

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Attached

COMMITTEE MEMBERS PRESENT:

Attached

NON-COMMITTEE MEMBERS PRESENT:

NA

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Connolly, Rep. Wilson

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

Attached

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject

Yeas

Nays

Present

Not Voting

Attached

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 1645

Mag Wagner

Full Committee Hearing Coordinator

Committee on Foreign Affairs

118th Congress

ATTENDANCE

Meeting on: Full Committee Markup

Date: November 7, 2023

Representative	Present	Absent	Representative	Present	Absent
Mr. McCaul	X		Mr. Meeks	X	
Mr. Smith	X		Mr. Sherman	X	
Mr. Wilson	X		Mr. Connolly	X	
Mr. Perry	X		Mr. Keating		X
Mr. Issa	X		Mr. Bera	X	
Mrs. Wagner	X		Mr. Castro	X	
Mr. Mast	X		Ms. Titus	X	
Mr. Buck	X		Mr. Lieu	X	
Mr. Burchett	X		Ms. Wild	X	
Mr. Green	X		Mr. Phillips		X
Mr. Barr	X		Mr. Allred	X	
Mr. Jackson	X		Mr. Kim	X	
Mrs. Kim	X		Ms. Jacobs	X	
Mrs. Salazar	X		Ms. Manning	X	
Mr. Huizenga	X		Mrs. Cherfilus-McCormick	X	
Mrs. Radewagen		X	Mr. Stanton	X	
Mr. Hill	X		Ms. Dean	X	
Mr. Davidson	X		Mr. Moskowitz	X	
Mr. Baird	X		Mr. Jackson	X	
Mr. Waltz	X		Mrs. Kamlager-Dove	X	
Mr. Kean	X		Mr. Costa	X	
Mr. Lawler	X		Mr. Crow	X	
Mr. Mills	X		Mr. Schneider	X	
Mr. McCormick	X				
Mr. Moran	X				
Mr. James	X				
Mr. Self	X				

**STATEMENT FOR THE RECORD SUBMITTED FROM
REPRESENTATIVE CONNOLLY**

**Markup
House Foreign Affairs Committee
11:15 AM, Tuesday, November 7, 2023
Rep. Gerald E. Connolly**

H.R. 4175, To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

Mr. McCaul's legislation, the REPO Act, would authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation. We must continue to exact a cost on those that benefit most from Putin's brutal invasion of Ukrainian sovereign. Oligarchs and those close to Putin's inner circle who own yachts and property in the West, should pay for the price their complicity has inflicted on the Ukrainian people and the West. As a majority of seized Russian assets are not located in the United States but rather in Europe, particularly Belgium, I look forward to crafting legislation that allows our partnerships and alliance to act as force multipliers. Putin hoped to invade Ukraine and divide the NATO alliance. Instead, the alliance is unified more than ever before.

I would hope that the slim Republican majority will work to consider President Biden's full supplemental funding request. President Biden has sent a robust supplemental funding package of \$106 billion to Congress to respond to the looming threats to democracy and the free world. \$14.3 billion will be for Israel and will include money for air and missile defense and to bolster the security of embassies in the region. \$2 billion would be used to counter China's financing efforts in developing countries, another \$2 billion to bolster security in the Indo-Pacific, and \$61 billion in aid for Ukraine for military equipment and intelligence as well as support for Ukrainians arriving in the U.S. through Biden's parole program. It will be critical for the Republican conference to end its downward spiral and put this spending bill up for a vote. I look forward to supporting Israel's self-defense, countering China in the Indo-Pacific and providing Ukraine what it needs to defend its territory from Putin.

**H.Res. 149, Condemning the illegal abduction of children from Ukraine to the Russian Federation;
(Wild)**

I strongly support this effort brought forward by my friend, Representative Wild, to formally condemn the illegal abduction of children from Ukraine to the Russian Federation. The Russian government has abducted hundreds of thousands of Ukrainian children in contravention of the Fourth Geneva Convention. In doing this, Vladimir Putin has committed an internationally recognized war crime. It is for these reasons that the International Criminal Court has issued arrest warrants for Vladimir Putin and Maria Lvova-Belova, both of which have been implicated in the unlawful transfer of children from occupied areas of Ukraine to the Russian Federation (under articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute). This resolution rightly declares the illegal adoptions are contrary to the Genocide Convention and sees Russia's actions for what they are: An attempt to eradicate a generation of Ukrainian children, for which has only exposed children to hardship, exploitation, child labor, hunger, injury trauma, and human trafficking. I look forward to supporting this legislation, and again thank my friend, Rep. Wild, for championing this important issue.

H.Res. 793, Calling on Hamas to immediately release hostages taken during October 2023 attack on Israel.

I am proud to be an original cosponsor of this resolution introduced by Representative Stevens of Michigan. There remain about 240 hostages taken prisoner by Hamas during the massacre on October 7th in southern Israel. So far, Hamas has released four hostages, two of which are Americans. I continue to support a humanitarian pause for the United States, Israel and our allies to pursue every channel to return these hostages to their families. Sporadic negotiations have taken place in Qatar, but only a few hostages have been released. We must unequivocally condemn Hamas' attack on Israel, the taking of hostages, and express our solidarity with the families of the hostages. This is a time to put our collective resolve behind returning hostages safely.

STATEMENT FOR THE RECORD SUBMITTED FROM
REPRESENTATIVE WILSON

Statement for the Record

Rep. Joe Wilson (SC-02)

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H.Res. 793 Resolution Calling on Hamas to Release Hostages

I am grateful to cosponsor this resolution by an appreciated colleague Haley Stevens, calling on Hamas Iranian-puppet terrorists to release the hundreds of kidnapped civilian hostages being held, including Americans with guest workers from Thailand, an Irish child, and an Argentinian musician. In addition to the absolute depravity committed by Hamas terrorists on October 7th, as they maimed and massacred civilians throughout Israel, the terrorists kidnapped hundreds and have broadcast videos of hostages begging for their lives and the lives of their children. Breastfeeding infants and persons requiring regular medication to survive are among the hostages, and we have no time to lose. I appreciate my colleague for her work on this resolution. America is sadly in a war we did not choose of Dictators with Rule of Law invading Democracies with Rule of Law. War criminal Putin and the Hamas puppets of Iran commit massacres of innocent civilians and they kidnap citizens as hostages. The axis of evil of war criminal Putin, Iranian murderers, and the Chinese Communist Party can be challenged with Peace through Strength. In the future the American tradition of policy should be reinstituted. In 1797 American Ambassador to France, Charles Cotesworth Pinckney of South Carolina proclaimed, "millions in defense, not a penny for tribute." I look forward to this committee hosting a timely event with the families of Americans being held hostage by Hamas, the Iranian puppet.

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VOTES



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: Cherfilus-McCormick #16 to H.R. 5961

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith		X	Ranking Member Meeks	X	
Representative Wilson		X	Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa		X	Representative Keating		
Representative Wagner		X	Representative Bera	X	
Representative Mast		X	Representative Castro	X	
Representative Buck		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu		
Representative Green		X	Representative Wild	X	
Representative Barr		X	Representative Phillips		
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar		X	Representative Jacobs	X	
Representative Huizenga		X	Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Schneider	X	
Representative Moran					
Representative James		X			
Representative Self		X			
Mr. Chairman		X			

Yeas [20] Nays [24]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: Crow #7 to H.R. 5961

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith		X	Ranking Member Meeks	X	
Representative Wilson		X	Representative Sherman		X
Representative Perry			Representative Connolly	X	
Representative Issa		X	Representative Keating		
Representative Wagner		X	Representative Bera	X	
Representative Mast		X	Representative Castro	X	
Representative Buck		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu		
Representative Green		X	Representative Wild	X	
Representative Barr		X	Representative Phillips		
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar		X	Representative Jacobs	X	
Representative Huizenga		X	Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Schneider	X	
Representative Moran					
Representative James		X			
Representative Self		X			
Mr. Chairman		X			

Yeas [19] Nays [25]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 4175

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks	X	
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera	X	
Representative Mast	X		Representative Castro	X	
Representative Buck	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs		X
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson			Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove		X
Representative Lawler	X		Representative Costa	X	
Representative Mills			Representative Crow	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [40] Nays [2]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 4681

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks	X	
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera	X	
Representative Mast	X		Representative Castro	X	
Representative Buck	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [44] Nays [0]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 4723 ANS

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks	X	
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera	X	
Representative Mast	X		Representative Castro	X	
Representative Buck	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [44] Nays [0]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 5856

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks	X	
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera	X	
Representative Mast	X		Representative Castro	X	
Representative Buck	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [44] Nays [0]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 5961

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks		X
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly		X
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera		X
Representative Mast	X		Representative Castro		X
Representative Buck	X		Representative Titus		X
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild		X
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred		X
Representative Young Kim	X		Representative Andy Kim		X
Representative Salazar	X		Representative Jacobs		X
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick		X
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean		X
Representative Baird	X		Representative Moskowitz		X
Representative Waltz	X		Representative Jonathan Jackson		X
Representative Kean	X		Representative Kamlager-Dove		X
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow		X
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [29] Nays [15]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.R. 6119

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks		X
Representative Wilson	X		Representative Sherman		X
Representative Perry			Representative Connolly		X
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera		X
Representative Mast	X		Representative Castro		X
Representative Buck	X		Representative Titus		X
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild		X
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred		X
Representative Young Kim	X		Representative Andy Kim		X
Representative Salazar	X		Representative Jacobs		X
Representative Huizenga	X		Representative Manning		X
Representative Radewagen			Representative Cherfilus-McCormick		X
Representative Hill	X		Representative Stanton		X
Representative Davidson	X		Representative Dean		X
Representative Baird	X		Representative Moskowitz		X
Representative Waltz	X		Representative Jonathan Jackson		X
Representative Kean	X		Representative Kamlager-Dove		X
Representative Lawler	X		Representative Costa		X
Representative Mills	X		Representative Crow		X
Representative McCormick	X		Representative Schneider		X
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [24] Nays [20]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023
 Vote: H.Res. 149 ANS

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks	X	
Representative Wilson	X		Representative Sherman	X	
Representative Perry			Representative Connolly	X	
Representative Issa	X		Representative Keating		
Representative Wagner	X		Representative Bera	X	
Representative Mast	X		Representative Castro	X	
Representative Buck	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips		
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran					
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [44] Nays [0]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023

Vote: Jackson of IL #12 to H.R. 5961

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith		X	Ranking Member Meeks	X	
Representative Wilson		X	Representative Sherman		X
Representative Perry			Representative Connolly	X	
Representative Issa		X	Representative Keating		
Representative Wagner		X	Representative Bera	X	
Representative Mast		X	Representative Castro	X	
Representative Buck		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu		
Representative Green		X	Representative Wild		X
Representative Barr		X	Representative Phillips		
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar		X	Representative Jacobs	X	
Representative Huizenga		X	Representative Manning		X
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz		X
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Schneider		X
Representative Moran					
Representative James		X			
Representative Self		X			
Mr. Chairman		X			

Yeas [15] Nays [29]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: November 07, 2023

Vote: Kamlager-Dove #13 to H.R. 5961

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith		X	Ranking Member Meeks	X	
Representative Wilson		X	Representative Sherman		X
Representative Perry			Representative Connolly	X	
Representative Issa		X	Representative Keating		
Representative Wagner		X	Representative Bera	X	
Representative Mast		X	Representative Castro	X	
Representative Buck		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu		
Representative Green		X	Representative Wild		X
Representative Barr		X	Representative Phillips		
Representative Ronny Jackson		X	Representative Allred		X
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar		X	Representative Jacobs	X	
Representative Huizenga		X	Representative Manning		X
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton		X
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa		X
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Schneider		X
Representative Moran					
Representative James		X			
Representative Self		X			
Mr. Chairman		X			

Yeas [13] Nays [31]

MARKUP SUMMARY

11/07/2023 Foreign Affairs Markup Summary

The Chair called up the following measures separately:

1. H.R. 4175, To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes. (McCaul) (ordered favorably reported to the House, as amended, 40Y – 2N)
 - [McCaul ANS #85](#) to H.R. 4175 (adopted, voice vote)
2. [H.R. 4723 ANS](#), To provide for the imposition of sanctions with respect to foreign persons undermining the Dayton Peace Agreement or threatening the security of Bosnia and Herzegovina, and for other purposes. (Wagner) (ordered favorably reported to the House, 44Y – 0N)
3. [H.Res. 149 ANS](#), Condemning the illegal abduction of children from Ukraine to the Russian Federation. (Wild) (ordered favorably reported to the House, 44Y – 0N)
4. H.R. 5856, To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes. (Smith) (ordered favorably reported to the House, as amended, 44Y – 0N)
 - [Smith ANS #82](#) to H.R. 5856 (adopted, voice vote)
5. H.R. 4681, To provide for the imposition of sanctions with respect to illicit captagon trafficking. (Hill) (ordered favorably reported to the House, as amended, 44Y – 0N)
 - [Hill ANS #37](#) to H.R. 4681 (adopted, voice vote)
6. [H.R. 5961](#), To freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes. (McCaul) (ordered favorably reported to the House, as amended, 29Y – 15N)
 - [Meeks Amendment #9](#) to H.R. 5961 (not adopted, 19Y – 25N)
 - [Titus Amendment #14](#) to H.R. 5961 (adopted, voice vote)
 - [Cherfilus-McCormick Amendment #16](#) to H.R. 5961 (not adopted, 20Y – 24N)
 - [Crow Amendment #7](#) to H.R. 5961 (not adopted, 19Y – 25N)
 - [Jackson of IL Amendment #12](#) to H.R. 5961 (not adopted, 15Y – 29N)
 - [Kamlager-Dove Amendment #13](#) to H.R. 5961 (not adopted, 13Y – 31N)
7. [H.Res. 793](#), Calling on Hamas to immediately release hostages taken during October 2023 attack on Israel. (Stevens) (ordered favorably reported to the House, voice vote)
8. [H.Res. 683](#), Expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill its water deliveries on an annual basis to the United States under the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande. (De La Cruz) (ordered favorably reported to the House, voice vote)

9. [H.R. 6119](#), To require the Secretary of State to notify Congress when the security clearances of certain senior members of the Department of State are suspended or revoked, and for other purposes. (Mast) (ordered favorably reported to the House, 24Y – 20N)
10. [H.R. 6087](#), To establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes. (Kamlager-Dove) (ordered favorably reported to the House, voice vote)

