

AMENDMENT TO H.R. 8595, AS REPORTED
OFFERED BY MR. DAVIDSON OF OHIO

At the end of the bill (before the short title) insert the following:

1 SEC. _____. Section 104(f) of the Foreign Assistance
2 Act of 1961 (22 U.S.C. 2151b(f)) is amended by adding
3 at the end the following:

4 “(4)(A) An individual who is a Federal employee and
5 knowingly violates any of the requirements of this sub-
6 section—

7 “(i) shall be terminated from Federal employ-
8 ment and may not be receive any Federal employ-
9 ment in the future; and

10 “(ii) shall be fiscally liable for an amount equal
11 to the amount of funds illegally allocated to the ac-
12 tivity that was in violation of such requirements in
13 order to provide restitution to the Federal govern-
14 ment.

15 “(B) A grantee, sub-grantee, contractor or other re-
16 cipient of Federal funds who violates any of the require-
17 ments of this subsection may not receive any Federal
18 funds in the future.

19 “(C) The Secretary of State—

1 “(i) shall make final determinations of viola-
2 tions of the requirements of this subsection and the
3 penalties imposed under subparagraphs (A) and (B),
4 and such final determinations shall not be subject to
5 review or reversal except by a Federal court of com-
6 petent jurisdiction; and

7 “(ii) shall submit to Congress a report not later
8 than 60 days after making a determination of a vio-
9 lation of the requirements of this subsection, which
10 shall include—

11 “(I) a description of the nature of the vio-
12 lation;

13 “(II) who carried out or was involved in
14 the violation; and

15 “(III) what will be done to ensure the vio-
16 lation is not repeated.

17 “(D) Any final determination of the Secretary of
18 State under subparagraph (C)(i) shall be subject to the
19 procedures under chapter 8 of title 5, United States Code
20 (commonly known as the ‘Congressional Review Act’).”.

