AMENDMENT TO RULES COMM. PRINT 116-57
OFFERED BY MR. ENGEL OF NEW YORK

At the end of title XII, add the following:

Subtitle H—Matters Relating to Interference in United States Elections

SEC. 1281. DETERMINATION OF INTERFERENCE IN UNITED STATES ELECTIONS; LIST OF FOREIGN PERSONS.

(a) Determination.—

(1) Pre-election public statements.—Not less than 90 days before the date of each regularly scheduled general election for Federal office, and again 30 days before the date of such election, the Director of National Intelligence, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, shall jointly issue a public statement on the threat of interference in United States elections held on such date, as well as interference with respect to any other election for public office in the
United States held on such date, including with respect to the following:

(A) An evaluation of the threat to election and campaign infrastructure.

(B) An evaluation of the threat of large-scale disinformation or malign foreign influence operations targeting the people of the United States.

(C) Recommendations for mitigating those threats.

(2) PRELIMINARY EVALUATION.—Not later than 3 days after the date of each regularly scheduled general election for Federal office, the Director of National Intelligence, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, shall jointly—

(A) evaluate, and identify to the maximum extent ascertainable, whether a foreign government, or a foreign person acting at the direction of, on behalf of, or conspiring with a foreign government, directly or indirectly engaged in, sponsored, concealed, or was otherwise complicit in interference in United States elec-
tions held on such date or interference with respect to any other election for public office in
the United States held on such date;

(B) submit to the appropriate congressional committees and leadership a preliminary report on that evaluation, including an identification of any government or foreign person preliminarily determined to have engaged in such interference or to have directly or indirectly contributed to such interference; and

(C) issue a public statement on the preliminary evaluation regarding the nature of any such interference.

(b) LIST OF FOREIGN PERSONS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a list identifying any foreign person that the Director of National Intelligence, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, determine, at any time since January 1, 2012—
(A) directly or indirectly engaged in, sponsored, concealed, or was otherwise complicit in interference in United States elections;

(B) materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in subparagraph (A); or

(C) is owned or controlled by, or acted or purported to act for or on behalf of, directly or indirectly, any person identified pursuant to subparagraph (A) or (B).

(2) UPDATE.—Not later than 60 days after each regularly scheduled general election for Federal office held after the submission of the list under paragraph (1), the Director of National Intelligence, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, shall update such list and submit the updated list to the appropriate congressional committees and leadership.

(3) FORM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the list required by para-
(B) Exception.—The name of a foreign person to be included in the list required by paragraph (1) or update to the list required by paragraph (2) may be submitted in a classified annex only if the President—

(i) determines that it is in the national security interests of the United States to do so; and

(ii) 15 days prior to submitting any such name in such a classified annex, provides to the appropriate congressional committees and leadership notice of, and a justification for, including or continuing to include such foreign person in such classified annex despite any publicly available information indicating that the activities of such foreign person is described in paragraph (1) or (2).
SEC. 1282. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS ENGAGED IN INTERFERENCE IN UNITED STATES ELECTIONS.

(a) In General.—The President shall impose the sanctions described in subsection (b) with respect to each foreign person included on the list required by section 1281(b).

(b) Sanctions Described.—The sanctions described in this subsection are the following:

(1) Blocking of Property.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) Ineligibility for Visas, Admission, or Parole.—

(A) Visas, Admission, or Parole.—A foreign person who is an individual is—

(i) inadmissible to the United States;
(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—A foreign person who is an individual is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien’s possession.

(c) WAIVER.—The President may waive the application of sanctions pursuant to this section with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and
(2) not fewer than 15 days prior to granting such a waiver, provides notice of, and a justification for, such waiver to—

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

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

(d) IMPLEMENTATION; PENALTIES.—

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

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a foreign person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) to the same extent that such penalties apply to a person that com-
mits an unlawful act described in subsection (a) of such section 206.

(e) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to a foreign person who is an individual if admitting or paroling the person into the United States is necessary—

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

(B) to carry out or assist law enforcement activity in the United States.
SEC. 1283. AMENDMENTS TO COUNTERING RUSSIAN INFLUENCE IN EUROPE AND EURASIA ACT OF 2017.

(a) In General.—The Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9521 et seq.) is amended—

(1) by redesignating sections 235, 236, 237, and 238 as sections 239A, 239B, 239C, and 239D, respectively; and

(2) by inserting after section 234 the following:

“SEC. 235. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH CERTAIN RUSSIAN POLITICAL FIGURES AND OLIGARCHS.

“The President shall impose the sanctions described in section 224(b) with respect to—

“(1) political figures, oligarchs, and other persons that facilitate illicit and corrupt activities, directly or indirectly, on behalf of the President of the Russian Federation, Vladimir Putin, and persons acting for or on behalf of such political figures, oligarchs, and persons;

“(2) Russian parastatal entities that facilitate illicit and corrupt activities, directly or indirectly, on behalf of the President of the Russian Federation, Vladimir Putin; and
“(3) family members of persons described in paragraph (1) or (2) that derive significant benefits from such illicit and corrupt activities.

“SEC. 236. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH THE CYBER SECTOR OF THE RUSSIAN FEDERATION.

“The President shall impose the sanctions described in section 224(b) with respect to a person, including any financial institution, that the President determines—

“(1) knowingly engages in significant transactions with any person in the Russian Federation that supports or facilitates malicious cyber activities; or

“(2) is knowingly owned or controlled by, or knowingly acts or purports to act for or on behalf of, directly or indirectly, a person that engages in significant transactions described in paragraph (1).

“SEC. 237. SANCTIONS WITH RESPECT TO TRANSACTIONS RELATED TO INVESTMENTS IN RUSSIAN LIQUEFIED NATURAL GAS EXPORT FACILITIES.

“(a) In General.—The President shall impose five or more of the sanctions described in section 239A with respect to a person if the President determines that the person knowingly makes an investment described in sub-
section (b) in a liquefied natural gas export facility located outside of the Russian Federation.

“(b) INVESTMENT DESCRIBED.—An investment described in this subsection is an investment that—

“(1) directly and significantly contributes to the ability of the Russian Federation to construct liquefied natural gas export facilities outside of the Russian Federation; and

“(2)(A) has a fair market value of $1,000,000 or more; or

“(B) during a 12-month period, has an aggregate fair market value of $5,000,000 or more.

“SEC. 238. PROHIBITION ON TRANSACTIONS RELATING TO NEW SOVEREIGN DEBT OF THE RUSSIAN FEDERATION.

“(a) IN GENERAL.—Not later than 180 days after the date of the first regularly scheduled general election for Federal office that occurs on or after the date of the enactment of this section, and not later than 60 days after each subsequent regularly scheduled general election for Federal office, the President shall—

“(1) acting through the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, and the Director of the Central Intelligence
Agency, determine whether the Government of the Russian Federation, or any foreign person knowingly acting as an agent of or on behalf of that Government, engaged in interference with respect to any such election; and

“(2) if such determination is affirmative, prescribe regulations to prohibit United States persons from making any loan or providing any credit, including through the purchase of bonds, or in any other way dealing in Russian sovereign debt issued after the date on which the regulations take effect, regardless of the currency in which it is denominated and with a maturity of more than 14 days, to the Government of the Russian Federation, Russian state-owned enterprises, or entities of the Russian Federation determined by the President to be ‘parastatal entities’.

“(b) WAIVER.—The President may waive the application of the prohibition described in subsection (a)(2) only if—

“(1) the President—

“(A) determines that the waiver is in the vital national security interests of the United States; and
“(B) submits to the appropriate congressional committees and leadership a report that contains the determination of the President under subparagraph (A) and a justification for the determination; and

“(2) during the 60-day period beginning on the date on which the report described in paragraph (1)(B) is submitted to the appropriate congressional committees and leadership, a joint resolution of disapproval with respect to the determination of the President under paragraph (1)(B) and contained in such report is not enacted into law.

“(c) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ‘appropriate congressional committees and leadership’ means—

“(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Speaker, the majority leader, and the minority leader of the House of Representatives; and

“(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intel-
ligence, and the majority leader and the minority leader of the Senate.

“(2) Russian sovereign debt.—The term ‘Russian sovereign debt’ means—

“(A) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation, or agents or affiliates of any of those entities, with a maturity of more than 14 days;

“(B) foreign exchange swap agreements with the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation with a duration of more than 14 days; and

“(C) any other financial instrument, the duration or maturity of which is more than 14 days, that—

“(i) was issued by a Russian financial institution on behalf of the Government of the Russian Federation; or

“(ii) the President determines otherwise represents the sovereign debt of the Government of the Russian Federation.

“(3) Interference defined.—The term ‘interference’, with respect to an election, has the

“SEC. 239. SANCTIONS WITH RESPECT TO RUSSIAN FINANCIAL INSTITUTIONS THAT SUPPORT INTERFERENCE IN UNITED STATES ELECTIONS.

“(a) IN GENERAL.—The President shall impose the sanctions described in section 224(b)(1) with respect to any Russian financial institution that the President determines has knowingly provided financial or other support for interference in United States elections engaged in by the Government of the Russian Federation.

“(b) INTERFERENCE DEFINED.—The term ‘interference’, with respect to a United States election, has the meaning given that term in section 1285 of the National Defense Authorization Act for Fiscal Year 2021.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Countering Russian Influence in Europe and Eurasia Act of 2017 is amended by striking the items relating to sections 235, 236, 237, and 238 and inserting the following:

"Sec. 235. Sanctions with respect to transactions with certain Russian political figures and oligarchs.

"Sec. 236. Sanctions with respect to transactions with the cyber sector of the Russian Federation.

"Sec. 237. Sanctions with respect to transactions related to investments in Russian liquefied natural gas export facilities.

"Sec. 238. Prohibition on transactions relating to new sovereign debt of the Russian Federation."
“Sec. 239. Sanctions with respect to Russian financial institutions that support interference in United States elections.

“Sec. 239A. Sanctions described.

“Sec. 239B. Exceptions, waiver, and termination.

“Sec. 239C. Exception relating to activities of the National Aeronautics and Space Administration.

“Sec. 239D. Rule of construction.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, shall jointly submit to the appropriate congressional committees and leadership the finding and certification described in paragraph (2).

(2) FINDING AND CERTIFICATION.—The finding and certification described in this paragraph is a finding and certification as to whether or not the Government of the Russian Federation is engaged in or knowingly supporting interference in United States elections.

(3) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply on and after the earlier of—
(i) the date on which the Director of National Intelligence, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, in consultation with the heads of other Federal departments and agencies as appropriate, jointly submit a finding and certification described in paragraph (2) that the Government of the Russian Federation is engaged in or knowingly supporting interference in United States elections; or

(ii) the date that is 90 days after a date on which the Director of National Intelligence, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, in consultation with the heads of other relevant Federal departments and agencies as appropriate, fail to jointly submit a finding and certification described in paragraph (2) as required by paragraph (1).

SEC. 1284. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this subtitle and the amend-
ments made by this subtitle shall not include the authority or requirement to impose sanctions on the importation of goods.

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

SEC. 1285. DEFINITIONS.

In this subtitle:

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

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term “appropriate congressional committees and leadership” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Speaker, the majority leader, and the minority leader of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intel-
ligence, and the majority leader and the minority leader of the Senate.

(3) FOREIGN PERSON.—The term “foreign person” means an individual or entity that is not a United States person.

(4) INTERFERENCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “interference”, with respect to an election, means any of the following actions of the government of a foreign country, or any person acting as an agent of or on behalf of such a government, undertaken with the intent to influence the election:

(i) Obtaining unauthorized access to election and campaign infrastructure or related systems or data and releasing such data or modifying such infrastructure, systems, or data.

(ii) Unlawfully blocking or degrading otherwise legitimate and authorized access to election and campaign infrastructure or related systems or data.

(iii) Significant unlawful contributions or expenditures for advertising with re-
(iv) Using social, other internet-based, or traditional media to spread information to individuals in the United States with respect to such an election without disclosing that such information is being disseminated by a foreign government or a foreign person acting on behalf of a foreign government.

(v) Any other action undertaken with the purpose or effect of undermining public confidence in election processes or institutions, or influencing, undermining confidence in, or altering the result or reported result, of any such election.

(B) EXCEPTIONS.—

(i) Exception for publicly identified statements.—The term “interference”, with respect to an election, does not include—

(I) any public statement by a foreign leader, official, or government agency with respect to a candidate for office, official of the United States
Government, or policy of the United States, if it is clear that the statement is made by that foreign leader, government official, or government agency and no effort has been made to conceal the individual or entity making the statement; or

(II) any other statement if a foreign government is readily and publicly identifiable as the source of the statement.

(ii) Exception for foreign government broadcasts.—The term “interference”, with respect to an election, does not include the broadcast of views of a foreign government through broadcast channels owned or controlled by that government, if that ownership or control is readily and publicly identifiable.

(5) Knowingly.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.
(6) **United States election.**—The term “United States election” means an election for Federal office as described in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.)

(7) **United States person.**—The term “United States person” means—

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

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