

AMENDMENT TO RULES COMM. PRINT 116-57

OFFERED BY MR. ENGEL OF NEW YORK

At the end of title XII, add the following:

1 **Subtitle H—Matters Relating to In-**
2 **terference in United States Elec-**
3 **tions**

4 **SEC. 1281. DETERMINATION OF INTERFERENCE IN UNITED**
5 **STATES ELECTIONS; LIST OF FOREIGN PER-**
6 **SONS.**

7 (a) DETERMINATION.—

8 (1) PRE-ELECTION PUBLIC STATEMENTS.—Not
9 less than 90 days before the date of each regularly
10 scheduled general election for Federal office, and
11 again 30 days before the date of such election, the
12 Director of National Intelligence, the Secretary of
13 Homeland Security and the Director of the Federal
14 Bureau of Investigation, in consultation with the
15 heads of other Federal departments and agencies as
16 appropriate, shall jointly issue a public statement on
17 the threat of interference in United States elections
18 held on such date, as well as interference with re-
19 spect to any other election for public office in the

1 United States held on such date, including with re-
2 spect to the following:

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

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

9 (C) Recommendations for mitigating those
10 threats.

11 (2) PRELIMINARY EVALUATION.—Not later
12 than 3 days after the date of each regularly sched-
13 uled general election for Federal office, the Director
14 of National Intelligence, the Secretary of Homeland
15 Security and the Director of the Federal Bureau of
16 Investigation, in consultation with the heads of other
17 Federal departments and agencies as appropriate,
18 shall jointly—

19 (A) evaluate, and identify to the maximum
20 extent ascertainable, whether a foreign govern-
21 ment, or a foreign person acting at the direc-
22 tion of, on behalf of, or conspiring with a for-
23 eign government, directly or indirectly engaged
24 in, sponsored, concealed, or was otherwise
25 complicit in interference in United States elec-

1 tions held on such date or interference with re-
2 spect to any other election for public office in
3 the United States held on such date;

4 (B) submit to the appropriate congres-
5 sional committees and leadership a preliminary
6 report on that evaluation, including an identi-
7 fication of any government or foreign person
8 preliminarily determined to have engaged in
9 such interference or to have directly or indi-
10 rectly contributed to such interference; and

11 (C) issue a public statement on the pre-
12 liminary evaluation regarding the nature of any
13 such interference.

14 (b) LIST OF FOREIGN PERSONS.—

15 (1) IN GENERAL.—Not later than 120 days
16 after the date of the enactment of this Act, the
17 President shall submit to the appropriate congres-
18 sional committees and leadership a list identifying
19 any foreign person that the Director of National In-
20 telligence, the Secretary of Homeland Security, and
21 the Director of the Federal Bureau of Investigation,
22 in consultation with the heads of other Federal de-
23 partments and agencies as appropriate, determine,
24 at any time since January 1, 2012—

1 (A) directly or indirectly engaged in, spon-
2 sored, concealed, or was otherwise complicit in
3 interference in United States elections;

4 (B) materially assisted, sponsored, or pro-
5 vided financial, material, or technological sup-
6 port for, or goods or services to or in support
7 of, any activity described in subparagraph (A);
8 or

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

13 (2) UPDATES.—Not later than 60 days after
14 each regularly scheduled general election for Federal
15 office held after the submission of the list under
16 paragraph (1), the Director of National Intelligence,
17 the Secretary of Homeland Security and the Direc-
18 tor of the Federal Bureau of Investigation, in con-
19 sultation with the heads of other Federal depart-
20 ments and agencies as appropriate, shall update
21 such list and submit the updated list to the appro-
22 priate congressional committees and leadership.

23 (3) FORM.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), the list required by para-

1 graph (1) and updates to the list required by
2 paragraph (2) shall be submitted in unclassified
3 form.

4 (B) EXCEPTION.—The name of a foreign
5 person to be included in the list required by
6 paragraph (1) or update to the list required by
7 paragraph (2) may be submitted in a classified
8 annex only if the President—

9 (i) determines that it is in the na-
10 tional security interests of the United
11 States to do so; and

12 (ii) 15 days prior to submitting any
13 such name in such a classified annex, pro-
14 vides to the appropriate congressional com-
15 mittees and leadership notice of, and a jus-
16 tification for, including or continuing to in-
17 clude such foreign person in such classified
18 annex despite any publicly available infor-
19 mation indicating that the activities of
20 such foreign person is described in para-
21 graph (1) or (2).

1 **SEC. 1282. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **FOREIGN PERSONS ENGAGED IN INTER-**
3 **ERENCE IN UNITED STATES ELECTIONS.**

4 (a) IN GENERAL.—The President shall impose the
5 sanctions described in subsection (b) with respect to each
6 foreign person included on the list required by section
7 1281(b).

8 (b) SANCTIONS DESCRIBED.—The sanctions de-
9 scribed in this subsection are the following:

10 (1) BLOCKING OF PROPERTY.—The President
11 shall exercise all of the powers granted by the Inter-
12 national Emergency Economic Powers Act (50
13 U.S.C. 1701 et seq.) (except that the requirements
14 of section 202 of such Act (50 U.S.C. 1701) shall
15 not apply) to the extent necessary to block and pro-
16 hibit all transactions in all property and interests in
17 property of the foreign person if such property and
18 interests in property are in the United States, come
19 within the United States, or are or come within the
20 possession or control of a United States person.

21 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
22 PAROLE.—

23 (A) VISAS, ADMISSION, OR PAROLE.—A
24 foreign person who is an individual is—

25 (i) inadmissible to the United States;

1 (ii) ineligible to receive a visa or other
2 documentation to enter the United States;
3 and

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

9 (B) CURRENT VISAS REVOKED.—

10 (i) IN GENERAL.—A foreign person
11 who is an individual is subject to revoca-
12 tion of any visa or other entry documenta-
13 tion regardless of when the visa or other
14 entry documentation is or was issued.

15 (ii) IMMEDIATE EFFECT.—A revoca-
16 tion under clause (i) shall—

17 (I) take effect immediately; and

18 (II) cancel any other valid visa or
19 entry documentation that is in the
20 alien's possession.

21 (c) WAIVER.—The President may waive the applica-
22 tion of sanctions pursuant to this section with respect to
23 a person if the President—

24 (1) determines that such a waiver is in the na-
25 tional security interests of the United States; and

1 (2) not fewer than 15 days prior to granting
2 such a waiver, provides notice of, and a justification
3 for, such waiver to—

4 (A) the Committee on Foreign Affairs, the
5 Committee on the Judiciary, and the Com-
6 mittee on Financial Services of the House of
7 Representatives; and

8 (B) the Committee on Foreign Relations,
9 the Committee on the Judiciary, and the Com-
10 mittee on Banking, Housing, and Urban Affairs
11 of the Senate.

12 (d) IMPLEMENTATION; PENALTIES.—

13 (1) IMPLEMENTATION.—The President may ex-
14 ercise all authorities provided under sections 203
15 and 205 of the International Emergency Economic
16 Powers Act (50 U.S.C. 1702 and 1704) to carry out
17 this section.

18 (2) PENALTIES.—The penalties provided for in
19 subsections (b) and (c) of section 206 of the Inter-
20 national Emergency Economic Powers Act (50
21 U.S.C. 1705) shall apply to a foreign person that
22 violates, attempts to violate, conspires to violate, or
23 causes a violation of paragraph (1) to the same ex-
24 tent that such penalties apply to a person that com-

1 mits an unlawful act described in subsection (a) of
2 such section 206.

3 (e) 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 a foreign person who
14 is an individual if admitting or paroling the person
15 into the United States is necessary—

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 law enforcement
24 activity in the United States.

1 **SEC. 1283. AMENDMENTS TO COUNTERING RUSSIAN INFLU-**
2 **ENCE IN EUROPE AND EURASIA ACT OF 2017.**

3 (a) IN GENERAL.—The Countering Russian Influe-
4 nce in Europe and Eurasia Act of 2017 (22 U.S.C. 9521
5 et seq.) is amended—

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

9 (2) by inserting after section 234 the following:

10 **“SEC. 235. SANCTIONS WITH RESPECT TO TRANSACTIONS**
11 **WITH CERTAIN RUSSIAN POLITICAL FIGURES**
12 **AND OLIGARCHS.**

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

15 “(1) political figures, oligarchs, and other per-
16 sons that facilitate illicit and corrupt activities, di-
17 rectly or indirectly, on behalf of the President of the
18 Russian Federation, Vladimir Putin, and persons
19 acting for or on behalf of such political figures,
20 oligarchs, and persons;

21 “(2) Russian parastatal entities that facilitate
22 illicit and corrupt activities, directly or indirectly, on
23 behalf of the President of the Russian Federation,
24 Vladimir Putin; and

1 “(3) family members of persons described in
2 paragraph (1) or (2) that derive significant benefits
3 from such illicit and corrupt activities.

4 **“SEC. 236. SANCTIONS WITH RESPECT TO TRANSACTIONS**
5 **WITH THE CYBER SECTOR OF THE RUSSIAN**
6 **FEDERATION.**

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

10 “(1) knowingly engages in significant trans-
11 actions with any person in the Russian Federation
12 that supports or facilitates malicious cyber activities;
13 or

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

18 **“SEC. 237. SANCTIONS WITH RESPECT TO TRANSACTIONS**
19 **RELATED TO INVESTMENTS IN RUSSIAN LIQ-**
20 **UEFIED NATURAL GAS EXPORT FACILITIES.**

21 “(a) IN GENERAL.—The President shall impose five
22 or more of the sanctions described in section 239A with
23 respect to a person if the President determines that the
24 person knowingly makes an investment described in sub-

1 section (b) in a liquefied natural gas export facility located
2 outside of the Russian Federation.

3 “(b) INVESTMENT DESCRIBED.—An investment de-
4 scribed in this subsection is an investment that—

5 “(1) directly and significantly contributes to the
6 ability of the Russian Federation to construct lique-
7 fied natural gas export facilities outside of the Rus-
8 sian Federation; and

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

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

13 **“SEC. 238. PROHIBITION ON TRANSACTIONS RELATING TO**
14 **NEW SOVEREIGN DEBT OF THE RUSSIAN FED-**
15 **ERATION.**

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

22 “(1) acting through the Director of National
23 Intelligence, the Director of the Federal Bureau of
24 Investigation, the Director of the National Security
25 Agency, and the Director of the Central Intelligence

1 Agency, determine whether the Government of the
2 Russian Federation, or any foreign person knowingly
3 acting as an agent of or on behalf of that Govern-
4 ment, engaged in interference with respect to any
5 such election; and

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

18 “(b) WAIVER.—The President may waive the applica-
19 tion of the prohibition described in subsection (a)(2) only
20 if—

21 “(1) the President—

22 “(A) determines that the waiver is in the
23 vital national security interests of the United
24 States; and

1 “(B) submits to the appropriate congres-
2 sional committees and leadership a report that
3 contains the determination of the President
4 under subparagraph (A) and a justification for
5 the determination; and

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

13 “(c) DEFINITIONS.—In this section:

14 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES AND LEADERSHIP.—The term ‘appropriate
16 congressional committees and leadership’ means—

17 “(A) the Committee on Foreign Affairs,
18 the Committee on Financial Services, the Per-
19 manent Select Committee on Intelligence, and
20 the Speaker, the majority leader, and the mi-
21 nority leader of the House of Representatives;
22 and

23 “(B) the Committee on Foreign Relations,
24 the Committee on Banking, Housing, and
25 Urban Affairs, the Select Committee on Intel-

1 ligence, and the majority leader and the minor-
2 ity leader of the Senate.

3 “(2) RUSSIAN SOVEREIGN DEBT.—The term
4 ‘Russian sovereign debt’ means—

5 “(A) bonds issued by the Central Bank,
6 the National Wealth Fund, or the Federal
7 Treasury of the Russian Federation, or agents
8 or affiliates of any of those entities, with a ma-
9 turity of more than 14 days;

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

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

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

21 “(ii) the President determines other-
22 wise represents the sovereign debt of the
23 Government of the Russian Federation.

24 “(3) INTERFERENCE DEFINED.—The term ‘in-
25 terference’, with respect to an election, has the

1 meaning given that term in section 1285 of the Na-
2 tional Defense Authorization Act for Fiscal Year
3 2021.

4 **“SEC. 239. SANCTIONS WITH RESPECT TO RUSSIAN FINAN-**
5 **CIAL INSTITUTIONS THAT SUPPORT INTER-**
6 **ERENCE IN UNITED STATES ELECTIONS.**

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

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

17 (b) CLERICAL AMENDMENT.—The table of contents
18 for the Countering Russian Influence in Europe and Eur-
19 asia Act of 2017 is amended by striking the items relating
20 to sections 235, 236, 237, and 238 and inserting the fol-
21 lowing:

“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.”.

1 (c) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Not later than 45 days after
3 the date of the enactment of this Act, and every 90
4 days thereafter, the Director of National Intel-
5 ligence, the Secretary of Homeland Security and the
6 Director of the Federal Bureau of Investigation, in
7 consultation with the heads of other Federal depart-
8 ments and agencies as appropriate, shall jointly sub-
9 mit to the appropriate congressional committees and
10 leadership the finding and certification described in
11 paragraph (2).

12 (2) FINDING AND CERTIFICATION.—The find-
13 ing and certification described in this paragraph is
14 a finding and certification as to whether or not the
15 Government of the Russian Federation is engaged in
16 or knowingly supporting interference in United
17 States elections.

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

20 (A) take effect on the date of the enact-
21 ment of this Act; and

22 (B) apply on and after the earlier of—

1 (i) the date on which the Director of
2 National Intelligence, the Secretary of
3 Homeland Security, and the Director of
4 the Federal Bureau of Investigation, in
5 consultation with the heads of other Fed-
6 eral departments and agencies as appro-
7 priate, jointly submit a finding and certifi-
8 cation described in paragraph (2) that the
9 Government of the Russian Federation is
10 engaged in or knowingly supporting inter-
11 ference in United States elections; or

12 (ii) the date that is 90 days after a
13 date on which the Director of National In-
14 telligence, the Secretary of Homeland Se-
15 curity, and the Director of the Federal Bu-
16 reau of Investigation, in consultation with
17 the heads of other relevant Federal depart-
18 ments and agencies as appropriate, fail to
19 jointly submit a finding and certification
20 described in paragraph (2) as required by
21 paragraph (1).

22 **SEC. 1284. EXCEPTION RELATING TO IMPORTATION OF**
23 **GOODS.**

24 (a) IN GENERAL.—The authorities and requirements
25 to impose sanctions under this subtitle and the amend-

1 ments made by this subtitle shall not include the authority
2 or requirement to impose sanctions on the importation of
3 goods.

4 (b) GOOD DEFINED.—In this section, the term
5 “good” means any article, natural or man-made sub-
6 stance, material, supply or manufactured product, includ-
7 ing inspection and test equipment, and excluding technical
8 data.

9 **SEC. 1285. DEFINITIONS.**

10 In this subtitle:

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

15 (2) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES AND LEADERSHIP.—The term “appropriate
17 congressional committees and leadership” means—

18 (A) the Committee on Foreign Affairs, the
19 Committee on Financial Services, the Perma-
20 nent Select Committee on Intelligence, and the
21 Speaker, the majority leader, and the minority
22 leader of the House of Representatives; and

23 (B) the Committee on Foreign Relations,
24 the Committee on Banking, Housing, and
25 Urban Affairs, the Select Committee on Intel-

1 ligence, and the majority leader and the minor-
2 ity leader of the Senate.

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

6 (4) INTERFERENCE.—

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

14 (i) Obtaining unauthorized access to
15 election and campaign infrastructure or re-
16 lated systems or data and releasing such
17 data or modifying such infrastructure, sys-
18 tems, or data.

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

23 (iii) Significant unlawful contributions
24 or expenditures for advertising with re-

1 spect to such an election, including on the
2 internet.

3 (iv) Using social, other internet-based,
4 or traditional media to spread information
5 to individuals in the United States with re-
6 spect to such an election without disclosing
7 that such information is being dissemi-
8 nated by a foreign government or a foreign
9 person acting on behalf of a foreign gov-
10 ernment.

11 (v) Any other action undertaken with
12 the purpose or effect of undermining public
13 confidence in election processes or institu-
14 tions, or influencing, undermining con-
15 fidence in, or altering the result or re-
16 ported result, of any such election.

17 (B) EXCEPTIONS.—

18 (i) EXCEPTION FOR PUBLICLY IDEN-
19 TIFIED STATEMENTS.—The term “inter-
20 ference”, with respect to an election, does
21 not include—

22 (I) any public statement by a for-
23 eign leader, official, or government
24 agency with respect to a candidate for
25 office, official of the United States

1 Government, or policy of the United
2 States, if it is clear that the statement
3 is made by that foreign leader, gov-
4 ernment official, or government agen-
5 cy and no effort has been made to
6 conceal the individual or entity mak-
7 ing the statement; or

8 (II) any other statement if a for-
9 eign government is readily and pub-
10 licly identifiable as the source of the
11 statement.

12 (ii) EXCEPTION FOR FOREIGN GOV-
13 ERNMENT BROADCASTS.—The term “inter-
14 ference”, with respect to an election, does
15 not include the broadcast of views of a for-
16 eign government through broadcast chan-
17 nels owned or controlled by that govern-
18 ment, if that ownership or control is read-
19 ily and publicly identifiable.

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

1 (6) UNITED STATES ELECTION.—The term
2 “United States election” means an election for Fed-
3 eral office as described in the Federal Election Cam-
4 paign Act of 1971 (52 U.S.C. 30101 et seq.)

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

7 (A) a United States citizen or an alien law-
8 fully admitted for permanent residence to the
9 United States; or

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

