

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MR. WALTZ OF FLORIDA

At the end of division E, insert the following:

1 **SEC. ____ . PROHIBITION ON CONTRACTING WITH PERSONS**
2 **THAT HAVE BUSINESS OPERATIONS WITH**
3 **THE GOVERNMENT OF THE RUSSIAN FED-**
4 **ERATION OR THE RUSSIAN ENERGY SECTOR.**

5 (a) PROHIBITION.—Except as provided under sub-
6 section (b), the head of an executive agency may not enter
7 into a contract for the procurement of goods or services
8 with any person that has business operations with—

9 (1) an authority of the Government of the Rus-
10 sian Federation; or

11 (2) with a fossil fuel company that operates in
12 the Russian Federation, except if the fossil fuel com-
13 pany transports oil or gas—

14 (A) through the Russian Federation for
15 sale outside of the Russian Federation; and

16 (B) that was extracted from a country
17 other than the Russian Federation with respect
18 to the energy sector of which the President has

1 not imposed sanctions as of the date on which
2 the contract is awarded; or

3 (b) EXCEPTIONS.—

4 (1) IN GENERAL.—The prohibition under sub-
5 section (a) does not apply to a contract that the
6 head of an executive agency and the Secretary of
7 State jointly determine—

8 (A) is necessary—

9 (i) for the benefit, either directly or
10 through the efforts of regional allies, of the
11 country of Ukraine;

12 (ii) for purposes of providing humani-
13 tarian assistance, including to serve hu-
14 manitarian purposes to meet basic human
15 needs, including through a hospital, school,
16 or nonprofit organization;

17 (iii) for purposes of providing disaster
18 relief and other urgent life-saving meas-
19 ures;

20 (iv) for providing products or services
21 for compliance with legal, reporting, or
22 other requirements of the laws or stand-
23 ards of countries other than the Russian
24 Federation, including to comply with sanc-
25 tions related to the Russian Federation; or

1 (v) for engaging in journalistic activi-
2 ties , news reporting, or the gathering and
3 dissemination of information, information
4 materials, related services, or transactions
5 ordinarily incident to journalistic activities;
6 or

7 (B) is vital to the national security inter-
8 ests of the United States.

9 (2) NOTIFICATION REQUIREMENT.—The head
10 of an executive agency shall notify the appropriate
11 congressional committees of any contract entered
12 into on the basis of an exception provided for under
13 paragraph (1).

14 (3) OFFICE OF FOREIGN ASSETS CONTROL LI-
15 CENSES.—The prohibition in subsection (a) shall not
16 apply to a person or entity that has a valid license
17 to operate in Russia issued by the Office of Foreign
18 Assets Control of the Department of the Treasury or
19 is otherwise authorized to operate notwithstanding
20 the imposition of sanctions.

21 (4) AMERICAN DIPLOMATIC MISSION IN RUS-
22 SIA.—The prohibition in subsection (a) shall not
23 apply to contracts related to the operation and main-
24 tenance of the United States Government’s consular
25 offices and diplomatic posts in Russia.

1 (c) APPLICABILITY.—This section shall take effect on
2 the date of the enactment of this Act and apply with re-
3 spect to any contract entered into on or after such effec-
4 tive date.

5 (d) SUNSET.—This section shall terminate on the
6 date on which the President submits to the appropriate
7 congressional committees a certification in writing that
8 contains a determination of the President that the Russian
9 Federation—

10 (1) has reached an agreement relating to the
11 withdrawal of Russian forces and cessation of mili-
12 tary hostilities that is accepted by the free and inde-
13 pendent government of Ukraine;

14 (2) poses no immediate military threat of ag-
15 gression to any North Atlantic Treaty Organization
16 member; and

17 (3) recognizes the right of the people of
18 Ukraine to independently and freely choose their
19 own government.

20 (e) DEFINITIONS.—In this section:

21 (1) The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Oversight and Re-
24 form, the Committee on Armed Services, and

1 the Committee on Foreign Affairs of the House
2 of Representatives; and

3 (B) the Committee on Homeland Security
4 and Governmental Affairs, the Committee on
5 Armed Services, and the Committee on Foreign
6 Relations of the Senate.

7 (2) The term “business operations” means en-
8 gaging in commerce in any form, including acquir-
9 ing, developing, leasing, or operating equipment, fa-
10 cilities, personnel, products, services, personal prop-
11 erty, real property, or any other apparatus of busi-
12 ness or commerce.

13 (3) The term “executive agency” has the mean-
14 ing given the term in section 133 of title 41, United
15 States Code.

16 (4) The term “fossil fuel company” means a
17 person that—

18 (A) carries out oil, gas, or coal exploration,
19 development, or production activities;

20 (B) processes or refines oil, gas, or coal; or

21 (C) transports, or constructs facilities for
22 the transportation of, Russian oil, gas, or coal.

23 (5) The term “Government of the Russian Fed-
24 eration” includes the government of any political
25 subdivision of Russia, and any agency or instrumen-

1 tality of the Government of the Russian Federation.
2 For purposes of this paragraph, the term “agency or
3 instrumentality of the Government of the Russian
4 Federation” means an agency or instrumentality of
5 a foreign state as defined in section 1603(b) of title
6 28, United States Code, with each reference in such
7 section to “a foreign state” deemed to be a reference
8 to “Russia”.

9 (6) The term “person” means—

10 (A) a natural person, corporation, com-
11 pany, business association, partnership, society,
12 trust, or any other nongovernmental entity, or-
13 ganization, or group;

14 (B) any governmental entity or instrumen-
15 tality of a government, including a multilateral
16 development institution (as defined in section
17 1701(c)(3) of the International Financial Insti-
18 tutions Act (22 U.S.C. 262r(c)(3))); and

19 (C) any successor, subunit, parent entity,
20 or subsidiary of, or any entity under common
21 ownership or control with, any entity described
22 in subparagraph (A) or (B).

