

AMENDMENT TO RULES COMMITTEE PRINT

118-10

OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Add at the end of subtitle C of title XVIII the following:

1 **SEC. 18___ . PROHIBITION ON CONTRACTING WITH PER-**
2 **SONS THAT HAVE BUSINESS OPERATIONS**
3 **WITH THE GOVERNMENT OF THE RUSSIAN**
4 **FEDERATION OR THE RUSSIAN ENERGY SEC-**
5 **TOR.**

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

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

12 (2) a fossil fuel company that operates in the
13 Russian Federation, except if the fossil fuel company
14 transports oil or gas—

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

17 (B) that was extracted from a country
18 other than the Russian Federation with respect

1 to the energy sector of which the President has
2 not imposed sanctions as of the date on which
3 the contract is awarded.

4 (b) EXCEPTIONS.—

5 (1) HUMANITARIAN ASSISTANCE, DISASTER RE-
6 LIEF, AND NATIONAL SECURITY.—

7 (A) IN GENERAL.—The prohibition under
8 subsection (a) does not apply to a contract that
9 the head of an executive agency and the Sec-
10 retary of State jointly determine—

11 (i) is necessary for purposes of pro-
12 viding humanitarian assistance to the peo-
13 ple of the Russian Federation;

14 (ii) is necessary for purposes of pro-
15 viding disaster relief and other urgent life-
16 saving measures; or

17 (iii) is vital to the national security in-
18 terests of the United States.

19 (B) NOTIFICATION REQUIREMENT.—The
20 head of an executive agency shall notify the ap-
21 propriate congressional committees of any con-
22 tract entered into on the basis of an exception
23 under subparagraph (A).

24 (2) OFFICE OF FOREIGN ASSETS CONTROL LI-
25 CENSES.—The prohibition under subsection (a) does

1 not apply to a person that has a valid license to op-
2 erate in the Russian Federation issued by the Office
3 of Foreign Assets Control of the Department of the
4 Treasury or is otherwise authorized to operate not-
5 withstanding the imposition of sanctions with re-
6 spect to the Russian Federation.

7 (3) AMERICAN DIPLOMATIC MISSION IN RUS-
8 SLIA.—The prohibition under subsection (a) does not
9 apply to contracts related to the operation and main-
10 tenance of the consular offices and diplomatic posts
11 of the United States Government in the Russian
12 Federation.

13 (c) APPLICABILITY.—This section shall take effect on
14 the date of the enactment of this Act and apply with re-
15 spect to any contract entered into on or after such date.

16 (d) SUNSET.—This section shall terminate on the
17 date on which the President submits to the appropriate
18 congressional committees a certification in writing that
19 contains a determination of the President that the Russian
20 Federation—

21 (1) has reached an agreement relating to the
22 withdrawal of Russian forces from Ukraine and ces-
23 sation of military hostilities in Ukraine that is ac-
24 cepted by the free and independent Government of
25 Ukraine;

1 (2) poses no immediate military threat of ag-
2 gression to any member of the North Atlantic Trea-
3 ty Organization; and

4 (3) recognizes the right of the people of
5 Ukraine to independently and freely choose their
6 own government.

7 (e) DEFINITIONS.—In this section:

8 (1) AGENCY OR INSTRUMENTALITY OF THE
9 GOVERNMENT OF THE RUSSIAN FEDERATION.—The
10 term “agency or instrumentality of the Government
11 of the Russian Federation” means an agency or in-
12 strumentality of a foreign state as defined in section
13 1603(b) of title 28, United States Code, with each
14 reference in such section to “a foreign state”
15 deemed to be a reference to “the Russian Federa-
16 tion”.

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

20 (A) the Committee on Armed Services, the
21 Committee on Foreign Relations, and the Com-
22 mittee on Homeland Security and Govern-
23 mental Affairs of the Senate; and

24 (B) the Committee on Armed Services, the
25 Committee on Foreign Affairs, and the Com-

1 mittee on Oversight and Reform of the House
2 of Representatives.

3 (3) BUSINESS OPERATIONS.—The term “busi-
4 ness operations” means the act of engaging in com-
5 merce in any form, including acquiring, developing,
6 maintaining, owning, selling, possessing, leasing, or
7 operating equipment, facilities, personnel, products,
8 services, personal property, real property, or any
9 other apparatus of business or commerce.

10 (4) EXECUTIVE AGENCY.—The term “executive
11 agency” has the meaning given the term in section
12 133 of title 41, United States Code.

13 (5) FOSSIL FUEL COMPANY.—The term “fossil
14 fuel company” means a person that—

15 (A) carries out oil, gas, or coal exploration,
16 development, or production activities;

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

18 (C) transports, or constructs facilities for
19 the transportation of, oil, gas, or coal.

20 (6) GOVERNMENT OF THE RUSSIAN FEDERA-
21 TION.—The term “Government of the Russian Fed-
22 eration” includes the government of any political
23 subdivision of the Russian Federation and any agen-
24 cy or instrumentality of the Government of the Rus-
25 sian Federation.

1 (7) PERSON.—The term “person” means—

2 (A) a natural person, corporation, com-
3 pany, business association, partnership, society,
4 trust, or any other nongovernmental entity, or-
5 ganization, or group;

6 (B) a governmental entity or instrumen-
7 tality of a government, including a multilateral
8 development institution (as defined in section
9 1701(c)(3) of the International Financial Insti-
10 tutions Act (22 U.S.C. 262r(c)(3))); and

11 (C) a successor, subunit, parent entity, or
12 subsidiary of, or an entity under common own-
13 ership or control with, an entity described in
14 subparagraph (A) or (B).

