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:

SEC. 18. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE GOVERNMENT OF THE RUSSIAN FEDERATION OR THE RUSSIAN ENERGY SECTOR.

(a) Prohibition.—Except as provided under subsection (b), the head of an executive agency may not enter into a contract for the procurement of goods or services with any person that has business operations with—

(1) an authority of the Government of the Russian Federation; or

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

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

(B) that was extracted from a country other than the Russian Federation with respect
to the energy sector of which the President has not imposed sanctions as of the date on which the contract is awarded.

(b) Exceptions.—

(1) **Humanitarian Assistance, Disaster Relief, and National Security.**—

(A) In General.—The prohibition under subsection (a) does not apply to a contract that the head of an executive agency and the Secretary of State jointly determine—

   (i) is necessary for purposes of providing humanitarian assistance to the people of the Russian Federation;

   (ii) is necessary for purposes of providing disaster relief and other urgent life-saving measures; or

   (iii) is vital to the national security interests of the United States.

(B) Notification Requirement.—The head of an executive agency shall notify the appropriate congressional committees of any contract entered into on the basis of an exception under subparagraph (A).

(2) **Office of Foreign Assets Control Licenses.**—The prohibition under subsection (a) does
not apply to a person that has a valid license to operate in the Russian Federation issued by the Office of Foreign Assets Control of the Department of the Treasury or is otherwise authorized to operate notwithstanding the imposition of sanctions with respect to the Russian Federation.

(3) AMERICAN DIPLOMATIC MISSION IN RUSSIA.—The prohibition under subsection (a) does not apply to contracts related to the operation and maintenance of the consular offices and diplomatic posts of the United States Government in the Russian Federation.

c) APPLICABILITY.—This section shall take effect on the date of the enactment of this Act and apply with respect to any contract entered into on or after such date.

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

(1) has reached an agreement relating to the withdrawal of Russian forces from Ukraine and cessation of military hostilities in Ukraine that is accepted by the free and independent Government of Ukraine;
(2) poses no immediate military threat of aggression to any member of the North Atlantic Treaty Organization; and

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

(e) DEFINITIONS.—In this section:

(1) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF THE RUSSIAN FEDERATION.—The term “agency or instrumentality of the Government of the Russian Federation” means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to “a foreign state” deemed to be a reference to “the Russian Federation”.

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

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Com-
mittee on Oversight and Reform of the House of Representatives.

(3) **Business Operations.**—The term “business operations” means the act of engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(4) **Executive Agency.**—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(5) **Fossil Fuel Company.**—The term “fossil fuel company” means a person that—

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

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

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

(7) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) a governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) a successor, subunit, parent entity, or subsidiary of, or an entity under common ownership or control with, an entity described in subparagraph (A) or (B).