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H. R. 9783

To impose sanctions with respect to the Government of Canada in response to transboundary wildfire smoke affecting the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2026

Mr. JAMES introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Ways and Means, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions with respect to the Government of Canada in response to transboundary wildfire smoke affecting the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Countering Atmospheric Nuisances Arising from Drift-
6 ing Airborne Foreign Incendiary Residual Emissions Act”
7 or the “CANADA FIRE Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title.
 Sec. 2. Findings.
 Sec. 3. Statement of policy.
 Sec. 4. Definitions.
 Sec. 5. Determination regarding transboundary smoke emergency.
 Sec. 6. Sanctions with respect to responsible foreign persons.
 Sec. 7. Sanctions with respect to the Government of Canada.
 Sec. 8. Visa restrictions.
 Sec. 9. Sense of Congress regarding certain diplomatic personnel of Canada.
 Sec. 10. Humanitarian, diplomatic, and other exceptions.
 Sec. 11. Implementation; penalties.
 Sec. 12. Waiver.
 Sec. 13. Presidential certification and termination of sanctions.
 Sec. 14. Rule of construction.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) The United States has a compelling na-
 6 tional interest in protecting the health, safety, eco-
 7 nomic security, and environmental well-being of the
 8 people of the United States from significant air pol-
 9 lution originating outside the United States.

10 (2) Wildfire smoke may contain fine particulate
 11 matter and other pollutants capable of traveling sub-
 12 stantial distances and degrading air quality beyond
 13 the jurisdiction in which a wildfire originates.

14 (3) During 2026, wildfire smoke originating in
 15 the sovereign territory of Canada repeatedly crossed
 16 the international border of the United States.

17 (4) Such smoke—

1 (A) caused or materially contributed to
2 unhealthy air-quality conditions in communities
3 in the United States;

4 (B) impaired visibility;

5 (C) disrupted outdoor work, transpor-
6 tation, recreation, education, tourism, and com-
7 mercial activity;

8 (D) increased public-health risks, particu-
9 larly for children, older adults, pregnant indi-
10 viduals, outdoor workers, and individuals with
11 respiratory or cardiovascular conditions; and

12 (E) imposed costs on individuals, busi-
13 nesses, State and local governments, Tribal gov-
14 ernments, and the Federal Government.

15 (5) The Government of Canada possesses the
16 authority and capacity to take reasonable measures
17 to mitigate wildfire risks, improve forest and land
18 management, suppress dangerous fires when prac-
19 ticable, provide timely information to neighboring ju-
20 risdictions, and cooperate with the United States re-
21 garding transboundary air pollution.

22 (6) The Government of Canada has failed to
23 take sufficient and timely measures to prevent, miti-
24 gate, or respond to repeated transboundary wildfire-
25 smoke events affecting the United States.

1 (7) The diplomatic representations of the
2 United States regarding such smoke have not re-
3 sulted in adequate remedial action by the Govern-
4 ment of Canada.

5 (8) The repeated and foreseeable transmission
6 of significant wildfire smoke from Canada into the
7 United States constitutes a serious foreign-policy
8 concern and warrants the imposition of targeted eco-
9 nomic and diplomatic consequences.

10 **SEC. 3. STATEMENT OF POLICY.**

11 It is the policy of the United States—

12 (1) to protect the people of the United States
13 against significant transboundary air pollution;

14 (2) to hold foreign government officials and en-
15 tities accountable when their knowing or reckless
16 failure to address preventable environmental condi-
17 tions causes substantial harm in the United States;

18 (3) to encourage the Government of Canada
19 to—

20 (A) adopt and enforce effective wildfire-
21 prevention and forest-management policies;

22 (B) devote adequate resources to wildfire
23 detection, containment, suppression, and miti-
24 gation;

1 (C) share timely and accurate air-quality
2 and wildfire information with the United
3 States;

4 (D) cooperate with Federal, State, local,
5 and Tribal authorities in the United States; and

6 (E) prevent recurring material incursions
7 of wildfire smoke into United States territory;

8 (4) to employ targeted sanctions in a manner
9 that minimizes unintended harm to ordinary resi-
10 dents of Canada; and

11 (5) to terminate sanctions imposed under this
12 Act when the Government of Canada has taken
13 verifiable and durable corrective action.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

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

20 (2) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Banking, Housing,
24 and Urban Affairs, the Committee on Foreign

1 Relations, the Committee on Finance, and the
2 Committee on the Judiciary of the Senate; and

3 (B) the Committee on Financial Services,
4 the Committee on Foreign Affairs, the Com-
5 mittee on Ways and Means, and the Committee
6 on the Judiciary of the House of Representa-
7 tives.

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

11 (4) GOVERNMENT OF CANADA.—The term
12 “Government of Canada” means—

13 (A) the Government of Canada and any
14 political subdivision, agency, instrumentality,
15 ministry, department, regulatory body, or other
16 governmental authority thereof;

17 (B) any person owned or controlled by, or
18 acting for or on behalf of, the Government of
19 Canada; and

20 (C) any successor to an entity described in
21 subparagraph (A) or (B).

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

1 (6) MATERIAL TRANSBOUNDARY SMOKE
2 EVENT.—The term “material transboundary smoke
3 event” means the transportation by prevailing winds
4 or other atmospheric conditions of wildfire smoke
5 originating substantially within the territory of Can-
6 ada into the United States in a concentration, dura-
7 tion, or geographic scope that—

8 (A) causes or materially contributes to an
9 exceedance of an applicable national ambient
10 air-quality standard established under section
11 109 of the Clean Air Act (42 U.S.C. 7409);

12 (B) results in an Air Quality Index cat-
13 egory of “Unhealthy for Sensitive Groups” or
14 worse, as determined by the Administrator of
15 the Environmental Protection Agency, in any
16 area of the United States;

17 (C) causes the issuance of a public-health
18 advisory by a Federal, State, local, or Tribal
19 authority; or

20 (D) otherwise causes significant adverse ef-
21 fects on public health, safety, transportation,
22 commerce, agriculture, recreation, or the envi-
23 ronment in the United States.

24 (7) PERSON.—The term “person” means an in-
25 dividual or entity.

1 (8) RESPONSIBLE FOREIGN PERSON.—The
 2 term “responsible foreign person” means a foreign
 3 person determined under section 6(a) to be respon-
 4 sible for, complicit in, or to have materially assisted
 5 conduct relating to material transboundary smoke
 6 events.

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

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

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

16 (10) WILDFIRE SMOKE.—The term “wildfire
 17 smoke” means airborne particulate matter, gases, or
 18 other pollutants emitted by a wildfire, prescribed
 19 fire, peat fire, forest fire, grassland fire, or other un-
 20 controlled or inadequately controlled vegetation fire.

21 **SEC. 5. DETERMINATION REGARDING TRANSBOUNDARY**
 22 **SMOKE EMERGENCY.**

23 (a) INITIAL DETERMINATION.—Not later than 30
 24 days after the date of enactment of this Act, the Presi-
 25 dent, acting through the Administrator of the Environ-

1 mental Protection Agency and in consultation with the
2 Secretary of State, the Secretary of Agriculture, the Sec-
3 retary of the Interior, the Secretary of Commerce, and the
4 heads of other relevant Federal agencies, shall determine
5 whether—

6 (1) one or more material transboundary smoke
7 events originating substantially in Canada occurred
8 during the 12-month period preceding such deter-
9 mination; and

10 (2) the Government of Canada failed to take
11 reasonable and effective measures to prevent, miti-
12 gate, contain, or otherwise respond to the conditions
13 causing such event or events.

14 (b) AFFIRMATIVE DETERMINATION.—If the Presi-
15 dent makes affirmative determinations under paragraphs
16 (1) and (2) of subsection (a), the President shall—

17 (1) publish notice of such determinations in the
18 Federal Register; and

19 (2) impose the sanctions required below.

20 (c) FAILURE TO MAKE DETERMINATION.—If the
21 President does not make the determination required under
22 subsection (a) by the date specified in that subsection, the
23 determinations described in paragraphs (1) and (2) of that
24 subsection shall be deemed to have been made in the af-
25 firmative on the day after such date.

1 (d) PERIODIC REVIEW.—Not less frequently than
2 once every 180 days after an affirmative determination
3 under subsection (a), the President shall review whether
4 the conditions supporting such determination continue to
5 exist.

6 **SEC. 6. SANCTIONS WITH RESPECT TO RESPONSIBLE FOR-**
7 **EIGN PERSONS.**

8 (a) IDENTIFICATION.—Not later than 60 days after
9 an affirmative determination under section 5(a), and peri-
10 odically thereafter, the President shall submit to the ap-
11 propriate congressional committees a list of each foreign
12 person the President determines—

13 (1) serves as the Prime Minister, as any cur-
14 rent or former member of the Cabinet of the Gov-
15 ernment of Canada, as any deputy minister or head
16 of a department or agency, or as any successor or
17 substantially equivalent official;

18 (2) is or was a senior official of the Government
19 of Canada responsible for—

20 (A) forestry;

21 (B) land management;

22 (C) wildfire prevention or suppression;

23 (D) emergency management;

24 (E) environmental protection;

25 (F) air quality monitoring;

1 (G) natural-resource management; or

2 (H) cooperation with the United States re-
3 garding any matter described in subparagraphs
4 (A) through (G).

5 (3) knowingly ordered, directed, authorized, fa-
6 cilitated, or implemented a policy or practice that
7 materially increased the likelihood, severity, or dura-
8 tion of a material transboundary smoke event;

9 (4) knowingly obstructed or prevented reason-
10 able action to mitigate or suppress a wildfire that
11 caused or materially contributed to a material trans-
12 boundary smoke event;

13 (5) knowingly concealed, falsified, or materially
14 misrepresented information regarding—

15 (A) the origin, location, severity, or ex-
16 pected duration of a wildfire;

17 (B) wildfire-smoke emissions;

18 (C) air-quality conditions; or

19 (D) the expected movement of wildfire
20 smoke toward the United States;

21 (6) knowingly failed to provide information or
22 assistance requested by the United States when such
23 failure materially impaired the ability of the United
24 States to prepare for or respond to a material trans-
25 boundary smoke event;

1 (7) materially assisted, sponsored, or provided
2 financial, material, or technological support for an
3 activity described in paragraphs (1) through (6);

4 (8) is owned or controlled by, or has acted or
5 purported to act for or on behalf of, directly or indi-
6 rectly, a person described in paragraphs (1) through
7 (6); or

8 (9) is an immediate family member of a person
9 described in paragraphs (1) through (8), if the
10 President determines that the family member know-
11 ingly received or controlled property or economic
12 benefits derived from conduct described in such
13 paragraphs.

14 (b) BLOCKING OF PROPERTY.—The President shall
15 exercise all authorities granted under the International
16 Emergency Economic Powers Act (50 U.S.C. 170 et seq.)
17 to the extent necessary to block and prohibit all trans-
18 actions in property and interests in property of a respon-
19 sible foreign person identified under subsection (a) if such
20 property and interests in property—

21 (1) are in the United States;

22 (2) come within the United States; or

23 (3) are or come within the possession or control
24 of a United States person.

1 (c) PROHIBITION ON TRANSACTIONS.—Except as
 2 provided in section 10, a United States person may not
 3 knowingly engage in a transaction with a responsible for-
 4 eign person whose property and interests in property are
 5 blocked under subsection (b).

6 (d) UPDATES.—The President shall update the list
 7 required under subsection (a) not less frequently than
 8 once every 180 days for so long as an affirmative deter-
 9 mination under section 5(a) remains in effect.

10 (e) FORM OF LIST.—The list required under sub-
 11 section (a) shall be submitted in unclassified form and
 12 made available to the public, except that the President
 13 may include classified information in a classified annex.

14 **SEC. 7. SANCTIONS WITH RESPECT TO THE GOVERNMENT**
 15 **OF CANADA.**

16 (a) MANDATORY SANCTIONS.—Upon an affirmative
 17 determination under section 5(a), the President shall im-
 18 pose the sanctions described in paragraphs (1), (2), and
 19 (3), and not fewer than 3 of the sanctions described in
 20 paragraphs (4) through (9):

21 (1) UNITED STATES GOVERNMENT PROCURE-
 22 MENT.—The head of an executive agency may not
 23 enter into or renew a contract for the procurement
 24 of goods or services with the Government of Canada

1 or an entity owned or controlled by the Government
2 of Canada.

3 (2) EXPORT-IMPORT BANK ASSISTANCE.—The
4 Export-Import Bank of the United States may not
5 give approval to the issuance of any guarantee, in-
6 surance, extension of credit, or participation in the
7 extension of credit in connection with the export of
8 any goods or services to the Government of Canada
9 or an entity owned or controlled by the Government
10 of Canada.

11 (3) INTERNATIONAL FINANCIAL INSTITU-
12 TIONS.—The Secretary of the Treasury shall in-
13 struct the United States executive director at each
14 international financial institution, as defined in sec-
15 tion 1701(c)(2) of the International Financial Insti-
16 tutions Act (22 U.S.C. 262r(c)(2)), to use the voice
17 and vote of the United States to oppose any loan,
18 grant, strategy, or policy that would benefit the Gov-
19 ernment of Canada, except assistance intended to
20 meet basic human needs or directly support wildfire
21 prevention, suppression, mitigation, environmental
22 remediation, or public health.

23 (4) PROHIBITION ON BANKING TRANS-
24 ACTIONS.—The President may prohibit any United
25 States financial institution from making loans or

1 providing credits to the Government of Canada, ex-
2 cept loans or credits for the provision of humani-
3 tarian goods, agricultural commodities, food, medi-
4 cine, medical devices, or wildfire-management assist-
5 ance.

6 (5) RESTRICTIONS ON SOVEREIGN DEBT.—The
7 President may prohibit United States persons from
8 purchasing, subscribing to, or otherwise dealing in
9 new debt issued by the Government of Canada or an
10 entity owned or controlled by that government.

11 (6) RESTRICTIONS ON GOVERNMENT EQUITY.—
12 The President may prohibit United States persons
13 from purchasing or dealing in new equity issued by
14 an entity owned or controlled by the Government of
15 Canada.

16 (7) IMPORT RESTRICTIONS.—The President
17 may prohibit the importation into the United States
18 of goods produced, manufactured, grown, or ex-
19 tracted by an entity owned or controlled by the Gov-
20 ernment of Canada.

21 (8) RESTRICTIONS ON NEW INVESTMENT.—The
22 President may prohibit new investment by a United
23 States person in an entity owned or controlled by
24 the Government of Canada.

1 (9) RESTRICTIONS ON STATE-OWNED ENTER-
2 PRISES.—The President may block and prohibit
3 transactions in property and interests in property of
4 any State-owned enterprise of Canada that materi-
5 ally finances or supports a ministry, agency, official,
6 policy, or activity described in section 6(a).

7 (b) APPLICATION.—A sanction imposed under sub-
8 section (a) shall apply notwithstanding any contract, li-
9 cense, or permit entered into or issued before the date on
10 which the sanction is imposed, except to the extent the
11 President provides a wind-down period not exceeding 60
12 days.

13 (c) REGULATORY AUTHORITY.—The President may
14 prescribe such regulations, licenses, orders, directives, and
15 guidance as are necessary to carry out this section.

16 (d) RULE REGARDING PRIVATE PERSONS.—Nothing
17 in this section shall be construed to require the imposition
18 of sanctions on a privately owned person in Canada solely
19 because that person is organized or located in Canada.

20 **SEC. 8. VISA RESTRICTIONS.**

21 (a) INELIGIBILITY.—A foreign person identified
22 under section 6(a) is—

- 23 (1) inadmissible to the United States;
24 (2) ineligible to receive a visa or other docu-
25 mentation to enter the United States; and

1 (3) otherwise ineligible to be admitted or pa-
2 roled into the United States or to receive any other
3 benefit under the Immigration and Nationality Act
4 (8 U.S.C. 1101 et seq.).

5 (b) CURRENT VISAS REVOKED.—The Secretary of
6 State shall revoke, in accordance with section 221(i) of
7 the Immigration and Nationality Act (8 U.S.C. 1201(i)),
8 any visa or other entry documentation issued to a foreign
9 person described in subsection (a).

10 (c) EFFECT OF REVOCATION.—A revocation under
11 subsection (b) shall—

12 (1) take effect immediately; and

13 (2) automatically cancel any other valid visa or
14 entry documentation that is in the possession of the
15 foreign person.

16 (d) EXCEPTION TO COMPLY WITH INTERNATIONAL
17 OBLIGATIONS.—The Secretary of State may waive the ap-
18 plication of this section with respect to a foreign person
19 if the Secretary determines that such a waiver is necessary
20 to permit the United States to comply with—

21 (1) the Agreement regarding the Headquarters
22 of the United Nations, signed at Lake Success June
23 26, 1947, and entered into force November 21,
24 1947; or

1 (2) another applicable international obligation
2 of the United States.

3 (e) **LAW-ENFORCEMENT EXCEPTION.**—The Sec-
4 retary of State or the Secretary of Homeland Security
5 may waive the application of this section with respect to
6 a foreign person if the relevant Secretary determines that
7 admission or parole of the person is important to—

8 (1) a criminal investigation or prosecution in
9 the United States;

10 (2) the fulfillment of a law-enforcement objec-
11 tive; or

12 (3) the protection of national security.

13 **SEC. 9. SENSE OF CONGRESS REGARDING CERTAIN DIPLO-**
14 **MATIC PERSONNEL OF CANADA.**

15 (a) **FINDINGS.**—Congress finds that—

16 (1) Article 9 of the Vienna Convention on Dip-
17 lomatic Relations, done at Vienna April 18, 1961,
18 permits a receiving state, at any time and without
19 having to explain its decision, to notify a sending
20 state that the head of mission or another member of
21 the diplomatic staff is *persona non grata*;

22 (2) upon such notification, the sending state is
23 expected, as appropriate, to recall the person con-
24 cerned or terminate the person's functions with the
25 mission; and

1 (3) continued material transboundary smoke
2 events, combined with the failure of the Government
3 of Canada to take adequate corrective action, war-
4 rant a substantial diplomatic response.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that, until the President submits the certification re-
7 quired under section 13, the Secretary of State should
8 consider declaring persona non grata, pursuant to applica-
9 ble international law and diplomatic practice, the following
10 accredited diplomatic personnel of the Government of Can-
11 ada, or the equivalent person as determined by the Sec-
12 retary of State;

13 (1) The Ambassador Extraordinary and Pleni-
14 potentiary;

15 (2) The Deputy Chief of Mission;

16 (3) The Minister Counselor for Political Affairs;

17 (4) The Minister Counselor for Economic Af-
18 fairs;

19 (5) The Minister Counselor for Environment,
20 Climate, and Natural Resources;

21 (6) The Minister Counselor for Agriculture and
22 Forestry;

23 (7) The Minister Counselor for Science, Tech-
24 nology, and Innovation;

1 (8) The Minister Counselor for Public Diplo-
2 macy and Strategic Communications;

3 (9) The Defense Attaché;

4 (10) The Commercial Counselor;

5 (11) The Consul Generals assigned to Chicago,
6 Detroit, Minneapolis, and New York;

7 (12) The First Secretary for Environmental Co-
8 operation;

9 (13) The First Secretary for Energy and Nat-
10 ural Resources;

11 (14) The First Secretary for Economic Affairs;

12 (15) The Press Counselor or Embassy Spokes-
13 person; or

14 (16) Any substantially equivalent diplomatic of-
15 ficer, counselor, attaché, secretary, consul, or accred-
16 ited representative of the Government of Canada, as
17 determined by the Secretary of State, whose official
18 responsibilities include environmental policy, for-
19 estry, wildfire management, emergency response,
20 natural resources, economic affairs, public diplo-
21 macy, scientific cooperation, or other matters related
22 to the prevention, mitigation, monitoring, or public
23 communication of transboundary wildfire smoke.

24 (c) PRESIDENTIAL CERTIFICATION.—No replacement
25 ambassador or other diplomatic personnel referenced in

1 subsection (b) may present credentials until the President
2 certifies that the AQI in affected United States commu-
3 nities has remained below 100 for 90 consecutive days due
4 to the cessation of smoke originating in Canada.

5 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion shall be construed—

7 (1) to require the President to receive, reject,
8 recognize, or maintain diplomatic relations with any
9 particular diplomatic representative;

10 (2) to alter the authority of the President or
11 the Secretary of State with respect to the conduct of
12 diplomatic relations; or

13 (3) to modify the privileges and immunities af-
14 farded under the Vienna Convention on Diplomatic
15 Relations, the Diplomatic Relations Act (22 U.S.C.
16 254a et seq.), or any other applicable law or inter-
17 national agreement.

18 **SEC. 10. HUMANITARIAN, DIPLOMATIC, AND OTHER EXCEP-**
19 **TIONS.**

20 (a) IN GENERAL.—The authorities and requirements
21 to impose sanctions under this Act shall not include the
22 authority or requirement to impose sanctions on—

23 (1) the importation of goods into the United
24 States;

1 (2) the exportation of goods from the United
2 States; or

3 (3) any transaction involving the provision of
4 goods or services, if the President determines that
5 the goods, services, or transaction are necessary
6 for—

7 (A) food, medicine, medical devices, or
8 other articles intended to relieve human suf-
9 fering;

10 (B) wildfire prevention, detection, contain-
11 ment, suppression, or mitigation;

12 (C) forest restoration or environmental re-
13 mediation;

14 (D) air-quality monitoring, public-health
15 protection, or emergency preparedness;

16 (E) disaster response;

17 (F) agricultural or food security;

18 (G) telecommunications services necessary
19 for humanitarian or emergency purposes; or

20 (H) the protection of human life.

21 (b) IEEPA EXCEPTIONS.—The exceptions provided
22 in section 203(b) of the International Emergency Eco-
23 nomic Powers Act (50 U.S.C. 1702(b)) shall apply to the
24 exercise of authorities under this Act to the same extent

1 as such exceptions apply to the exercise of authorities
2 under that Act.

3 (c) DIPLOMATIC ACTIVITIES.—Nothing in this Act
4 shall be construed to prohibit—

5 (1) any transaction necessary for the conduct of
6 the official business of the United States Govern-
7 ment;

8 (2) any transaction necessary for the conduct of
9 the official business of a diplomatic or consular mis-
10 sion of Canada in the United States that is con-
11 sistent with the international obligations of the
12 United States;

13 (3) the payment of reasonable and necessary
14 expenses associated with the departure of a diplo-
15 matic agent or family member from the United
16 States; or

17 (4) the performance by the United States of
18 any obligation under the Vienna Convention on Dip-
19 lomatic Relations, the Vienna Convention on Con-
20 sular Relations, the Diplomatic Relations Act, or the
21 United Nations Headquarters Agreement.

22 (d) INTELLIGENCE ACTIVITIES.—Nothing in this Act
23 shall be construed to apply to any activity subject to the
24 reporting requirements under title V of the National Secu-

1 rity Act of 1947 (50 U.S.C. 3091 et seq.) or to any au-
2 thorized intelligence activity of the United States.

3 **SEC. 11. IMPLEMENTATION; PENALTIES.**

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

8 (b) PENALTIES.—A person that violates, attempts to
9 violate, conspires to violate, or causes a violation of this
10 Act or any regulation, license, order, directive, or prohibi-
11 tion issued to carry out this Act shall be subject to the
12 penalties set forth in subsections (b) and (c) of section
13 206 of the International Emergency Economic Powers Act
14 (50 U.S.C. 1705) to the same extent as a person that com-
15 mits an unlawful act described in subsection (a) of that
16 section.

17 (c) ADMINISTRATIVE AUTHORITIES.—The President
18 may—

19 (1) issue such regulations, licenses, orders, and
20 guidance as may be necessary to carry out this Act;
21 and

22 (2) delegate to the head of an appropriate Fed-
23 eral agency any authority necessary to carry out this
24 Act.

1 (d) REGULATIONS.—Not later than 90 days after the
2 date of enactment of this Act, the President shall prescribe
3 regulations to carry out this Act.

4 **SEC. 12. WAIVER.**

5 The President may waive the application of a sanc-
6 tion under section 6, 7, or 8 with respect to a person or
7 transaction if the President—

8 (1) determines that the waiver—

9 (A) is vital to the national security inter-
10 ests of the United States;

11 (B) is necessary to address a humanitarian
12 emergency;

13 (C) will materially advance cooperation by
14 Canada in preventing or mitigating transbound-
15 ary wildfire smoke; and

16 (D) is necessary to protect public health or
17 safety in the United States; and

18 (2) submits to the appropriate congressional
19 committees the notice described in subsection (b).

20 **SEC. 13. PRESIDENTIAL CERTIFICATION AND TERMI-**
21 **NATION OF SANCTIONS.**

22 (a) CERTIFICATION.—The President may terminate
23 the sanctions imposed under this Act if the President sub-
24 mits to the appropriate congressional committees a certifi-
25 cation that—

1 (1) no material transboundary smoke event
2 originating substantially in Canada has occurred
3 during the preceding 90-day period;

4 (2) the Government of Canada has—

5 (A) adopted and begun implementing a
6 credible and adequately funded plan to prevent,
7 mitigate, detect, contain, and suppress wildfires
8 that may affect the United States;

9 (B) established effective procedures for
10 timely notification to the United States regard-
11 ing wildfires and smoke conditions that may af-
12 fect the United States;

13 (C) provided the United States with access
14 to sufficient data to verify the origin, severity,
15 emissions, and expected movement of relevant
16 wildfire smoke;

17 (D) cooperated in good faith with appro-
18 priate Federal, State, local, and Tribal authori-
19 ties; and

20 (E) taken reasonable measures to remedy
21 the acts or omissions that formed the basis of
22 the affirmative determination under section
23 5(a);

1 (3) the measures described in paragraph (2) are
2 reasonably likely to prevent or substantially reduce
3 future material transboundary smoke events; and

4 (4) termination of the sanctions is in the na-
5 tional interest of the United States.

6 (b) REIMPOSITION.—If, after sanctions are termi-
7 nated under subsection (a), the President determines
8 that—

9 (1) another material transboundary smoke
10 event originating substantially in Canada has oc-
11 curred; and

12 (2) the Government of Canada has failed to
13 take reasonable and effective measures to prevent,
14 mitigate, contain, or respond to that event, the
15 President shall reimpose the sanctions required here-
16 in.

17 **SEC. 14. RULE OF CONSTRUCTION.**

18 Nothing in this Act shall be construed—

19 (1) to limit the authority of the President
20 under—

21 (A) the International Emergency Economic
22 Powers Act (50 U.S.C. 1701 et seq.);

23 (B) the National Emergencies Act (50
24 U.S.C. 1601 et seq.);

1 (C) the Immigration and Nationality Act
2 (8 U.S.C. 1101 et seq.); or

3 (D) any other provision of law;

4 (2) to authorize military force against Canada
5 or any other foreign country;

6 (3) to create a private right of action against
7 the United States, the Government of Canada, or
8 any other person;

9 (4) to require the blocking of property used ex-
10 clusively for diplomatic or consular purposes if such
11 blocking would be inconsistent with the international
12 obligations of the United States; or

13 (5) to prohibit diplomatic negotiations, environ-
14 mental cooperation, wildfire assistance, humani-
15 tarian assistance, or other engagement intended to
16 secure compliance with the objectives of this Act.

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