

117TH CONGRESS
2D SESSION

S. 3838

To authorize the confiscation of property of certain Russian persons subject to sanctions imposed by the United States and the use of that property for the benefit of the people of Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2022

Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To authorize the confiscation of property of certain Russian persons subject to sanctions imposed by the United States and the use of that property for the benefit of the people of Ukraine, 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 This Act may be cited as the “Asset Seizure for
5 Ukraine Reconstruction Act”.

1 **SEC. 2. USE OF PROPERTY OF SANCTIONED RUSSIAN PER-**
2 **SONS FOR THE BENEFIT OF THE PEOPLE OF**
3 **UKRAINE.**

4 (a) AUTHORIZATION OF CONFISCATION OF PROP-
5 erty.—

6 (1) IN GENERAL.—Upon declaring a national
7 emergency under section 201 of the National Emer-
8 gencies Act (50 U.S.C. 1621) with respect to the en-
9 gagement of the Russian Federation in a conflict of
10 territorial conquest in Ukraine, the President may—

11 (A) by means of such instructions, licenses,
12 or other regulations as the President deter-
13 mines appropriate, confiscate any funds or
14 other property of any foreign person described
15 in subsection (b)—

16 (i) subject to the jurisdiction of the
17 United States; and

18 (ii) valued in excess of \$2,000,000;

19 (B) liquidate or sell any of such property;
20 and

21 (C) transfer funds confiscated under sub-
22 paragraph (A) and the proceeds of property liq-
23 uidated or sold under subparagraph (B) to such
24 agencies or other persons as the President de-
25 termines appropriate to be used for the pur-
26 poses described in subsection (c).

1 (2) VESTING.—All right, title, and interest in
2 funds and other property confiscated under para-
3 graph (1) shall vest in the Government of the United
4 States.

5 (b) FOREIGN PERSON DESCRIBED.—A foreign per-
6 son described in this subsection is a foreign person—

7 (1) the wealth of which, according to credible
8 information, is derived in part through corruption
9 linked to or political support for the regime of the
10 President of the Russian Federation, Vladimir
11 Putin; and

12 (2) with respect to which the United States has
13 imposed sanctions relating to corruption, human
14 rights violations, the malign influence of the Russian
15 Federation, or conflicts in Ukraine.

16 (c) USE OF FUNDS.—Funds confiscated under sub-
17 paragraph (A) of subsection (a)(1) and the proceeds of
18 property liquidated or sold under subparagraph (B) of
19 that subsection may be used only for the benefit of the
20 people of Ukraine, for the following purposes:

21 (1) Post-conflict reconstruction in Ukraine.

22 (2) Humanitarian assistance.

23 (3) Weapons for the military forces of the elect-
24 ed Government of Ukraine.

1 (4) Provisions to support refugees and refugee
2 resettlement in neighboring countries and in the
3 United States.

4 (5) The provision of technology items and serv-
5 ices to ensure the free flow of information to the
6 Ukrainian people in Ukraine, including items—

7 (A) to counter internet censorship by the
8 Government of the Russian Federation;

9 (B) to circumvent efforts to shut down
10 internet or communication services by that Gov-
11 ernment; or

12 (C) to bolster cybersecurity capabilities of
13 the elected Government of Ukraine or non-
14 governmental organizations in Ukraine.

15 (6) Humanitarian and development assistance
16 for the people of the Russian Federation, including
17 democracy and human rights programming and
18 monitoring.

19 (d) TERMS AND CONDITIONS.—The President may
20 impose such additional terms and conditions as the Presi-
21 dent determines appropriate with respect to the confisca-
22 tion, liquidation, sale, or transfer of funds and other prop-
23 erty under subsection (a) and with respect to the use of
24 funds under subsection (c).

25 (e) AUTHORIZATION OF REWARDS.—

1 (1) IN GENERAL.—In the sole discretion of the
2 Secretary of the Treasury and in consultation, as
3 appropriate, with the heads of other relevant Federal
4 agencies, the Secretary may pay a reward to—

5 (A) any individual that furnishes informa-
6 tion leading to the confiscation of funds or
7 other property of a foreign person described in
8 subsection (b) that are subject to the jurisdic-
9 tion of the United States; or

10 (B) any nonprofit humanitarian organiza-
11 tion designated by an individual described in
12 subparagraph (A) to receive the reward.

13 (2) NONPROFIT HUMANITARIAN ORGANIZATION
14 DEFINED.—In this subsection, the term “nonprofit
15 humanitarian organization” means an organization
16 that—

17 (A) is described in section 501(c) of the
18 Internal Revenue Code of 1986 and exempt
19 from tax under section 501(a) of such Code;
20 and

21 (B) engages in humanitarian work.

22 (f) SUNSET.—The authority provided by subsection
23 (a) shall terminate on the date that is 2 years after the
24 date of the enactment of this Act.

○