

(Pub. L. 113–95, § 8, Apr. 3, 2014, 128 Stat. 1093; Pub. L. 115–44, title II, § 230(a), Aug. 2, 2017, 131 Stat. 915.)

Editorial Notes

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(1)(A), (3)(B), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

Section 4618 of title 50, referred to in subsec. (b)(3)(B), was repealed by Pub. L. 115–232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

AMENDMENTS

2017—Subsecs. (d), (e). Pub. L. 115–44, which directed amendment of section 8 of the “Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014” by adding subsec. (d) and redesignating former subsec. (d) as (e), was executed to this section, which is section 8 of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014, to reflect the probable intent of Congress.

§ 8908. Sanctions on persons in the Russian Federation complicit in or responsible for significant corruption

(a) In general

The President shall impose the sanctions described in subsection (b) with respect to—

(1) any official of the Government of the Russian Federation, or a close associate or family member of such an official, that the President determines is, on or after August 2, 2017, responsible for, or complicit in, or responsible for ordering, controlling, or otherwise directing, acts of significant corruption in the Russian Federation or elsewhere, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; and

(2) any individual who has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an act described in paragraph (1).

(b) Sanctions described

(1) In general

The sanctions described in this subsection are the following:

(A) Asset blocking

The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) Exclusion from the United States and revocation of visa or other documentation

In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 1201(i) of title 8, of any visa or other documentation of the alien.

(2) Penalties

A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) Exception relating to the importation of goods

(A) In general

The authority to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(B) Good defined

In this paragraph, the term “good” has the meaning given that term in section 4618¹ of title 50 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(4) Exception to comply with United Nations headquarters agreement

Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) Waiver

except² as provided in subsection (d), the President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and a justification for the waiver.

(d) Termination

Subject to section 9511 of this title, the President may terminate the application of sanctions

¹ See References in Text note below.

² So in original. Probably should be capitalized.

under subsection (b) with respect to a person if the President submits to the appropriate congressional committees a notice that—

(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.

(e)³ Application of new sanctions

The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this chapter; and

(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.

(e)³ Regulatory authority

The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(Pub. L. 113–95, §9, Apr. 3, 2014, 128 Stat. 1094; Pub. L. 115–44, title II, §§227, 230(b), Aug. 2, 2017, 131 Stat. 910, 916.)

Editorial Notes

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(1)(A), (3)(B), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

Section 4618 of title 50, referred to in subsec. (b)(3)(B), was repealed by Pub. L. 115–232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

CODIFICATION

Sections 227 and 230(b) of Pub. L. 115–44, which directed the amendment of section 9 of the “Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014”, were executed to this section, which is section 9 of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014, to reflect the probable intent of Congress. See 2017 Amendment notes below.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–44, §227(1)(A), substituted “shall” for “is authorized and encouraged to” in introductory provisions. See Codification note above.

³ So in original. Two subses. (e) have been enacted.

Subsec. (a)(1). Pub. L. 115–44, §227(1)(B), substituted “President determines is, on or after August 2, 2017,” for “President determines is” and inserted “or elsewhere” after “in the Russian Federation”. See Codification note above.

Subsec. (c). Pub. L. 115–44, §227(3), substituted “except as provided in subsection (d), the President” for “The President” in introductory provisions. See Codification note above.

Subsecs. (d), (e). Pub. L. 115–44, §230(b), added subsec. (d) and redesignated former subsec. (d), relating to application of new sanctions, as (e). See Codification note above.

Pub. L. 115–44, §227(2), (4), added subsec. (d) and redesignated former subsec. (d), relating to regulatory authority, as (e). See Codification note above.

§ 8909. Mandatory imposition of sanctions with respect to certain transactions with persons that evade sanctions imposed with respect to the Russian Federation

(a) In general

The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person knowingly, on or after August 2, 2017—

(1) materially violates, attempts to violate, conspires to violate, or causes a violation of any license, order, regulation, or prohibition contained in or issued pursuant to any covered Executive order, this chapter, or the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); or

(2) facilitates a significant transaction or transactions, including deceptive or structured transactions, for or on behalf of—

(A) any person subject to sanctions imposed by the United States with respect to the Russian Federation; or

(B) any child, spouse, parent, or sibling of an individual described in subparagraph (A).

(b) Sanctions described

The sanctions described in this subsection are the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) Implementation; penalties

(1) Implementation

The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b).

(2) Penalties

A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b) or any regulation, license, or order issued to carry out subsection (b) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50