

PRIOR PROVISIONS

A prior section 8909, Pub. L. 113–95, §10, Apr. 3, 2014, 128 Stat. 1096, which related to annual report on military and security developments involving the Russian Federation, and was superseded by Pub. L. 113–291, div. A, title XII, §1245, Dec. 19, 2014, 128 Stat. 3566, which is not classified to the Code, was repealed by Pub. L. 113–291, div. A, title XII, §1245(f), formerly §1245(e), Dec. 19, 2014, 128 Stat. 3568, renumbered §1245(f), Pub. L. 114–328, div. A, title XII, §1235(b)(1), Dec. 23, 2016, 130 Stat. 2491.

§ 8910. Mandatory imposition of sanctions with respect to transactions with persons responsible for human rights abuses

(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, based on credible information, on or after August 2, 2017—

(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation;

(2) materially assists, sponsors, or provides financial, material, or technological support for, or goods or services to, a foreign person described in paragraph (1); or

(3) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a foreign person described in paragraph (1).

(b) Sanctions described

(1) 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.

(2) 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.

(c) 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 has made efforts to re-

duce serious human rights abuses in territory forcibly occupied or otherwise controlled by that Government.

(d) 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)(1).

(2) Penalties

A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out subsection (b)(1) 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.

(e) Termination

Subject to section 9511 of this title, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees—

(1) a notice of and justification for the termination; and

(2) a notice—

(A) that—

(i) 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

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

(B) that the President determines that insufficient basis exists for the determination by the President under subsection (a) with respect to the person.

(Pub. L. 113–95, §11, as added Pub. L. 115–44, title II, §228(a), Aug. 2, 2017, 131 Stat. 913.)

Editorial Notes

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(1), 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.

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