

chapter III of this chapter and amending sections 2421 and 9543 of this title] may be cited as the ‘European Energy Security and Diversification Act of 2019’.”

Pub. L. 115–44, title II, § 201, Aug. 2, 2017, 131 Stat. 898, provided that: “This title [enacting this chapter and sections 8909 and 8910 of this title, amending sections 8901, 8907, 8908, 8923, and 8924 of this title, section 5326 of Title 31, Money and Finance, and section 3021 of Title 50, War and National Defense, and enacting provisions set out as notes under this section and section 3021 of Title 50] may be cited as the ‘Countering Russian Influence in Europe and Eurasia Act of 2017’.”

Pub. L. 115–44, title II, § 215, Aug. 2, 2017, 131 Stat. 900, provided that: “This part [part 1 (§§ 215, 216) of subtitle A of title II of Pub. L. 115–44, enacting part A of this subchapter] may be cited as the ‘Russia Sanctions Review Act of 2017’.”

RULE OF CONSTRUCTION

Pub. L. 115–44, title II, § 291, Aug. 2, 2017, 131 Stat. 939, provided that: “Nothing in this title [see section 201 of Pub. L. 115–44, set out as a Short Title note above] or the amendments made by this title (other than sections 216 and 236(b) [enacting sections 9511 and 9530(b) of this title, respectively]) shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).”

§ 9502. Sense of Congress

It is the sense of Congress that the President—

(1) should continue to uphold and seek unity with European and other key partners on sanctions implemented against the Russian Federation, which have been effective and instrumental in countering Russian aggression in Ukraine;

(2) should engage to the fullest extent possible with partner governments with regard to closing loopholes, including the allowance of extended prepayment for the delivery of goods and commodities and other loopholes, in multilateral and unilateral restrictive measures against the Russian Federation, with the aim of maximizing alignment of those measures; and

(3) should increase efforts to vigorously enforce compliance with sanctions in place as of August 2, 2017, with respect to the Russian Federation in response to the crisis in eastern Ukraine, cyber intrusions and attacks, and human rights violators in the Russian Federation.

(Pub. L. 115–44, title II, § 212, Aug. 2, 2017, 131 Stat. 899.)

PART A—CONGRESSIONAL REVIEW OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION

§ 9511. Congressional review of certain actions relating to sanctions imposed with respect to the Russian Federation

(a) Submission to Congress of proposed action

(1) In general

Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to the appropriate congressional committees and leadership a report that describes the proposed action and the reasons for that action.

(2) Actions described

(A) In general

An action described in this paragraph is—

(i) an action to terminate the application of any sanctions described in subparagraph (B);

(ii) with respect to sanctions described in subparagraph (B) imposed by the President with respect to a person, an action to waive the application of those sanctions with respect to that person; or

(iii) a licensing action that significantly alters United States’¹ foreign policy with regard to the Russian Federation.

(B) Sanctions described

The sanctions described in this subparagraph are—

(i) sanctions provided for under—

(I) this chapter or any provision of law amended by this title, including the Executive orders codified under section 9522 of this title;

(II) the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.); or

(III) the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); and

(ii) the prohibition on access to the properties of the Government of the Russian Federation located in Maryland and New York that the President ordered vacated on December 29, 2016.

(3) Description of type of action

Each report submitted under paragraph (1) with respect to an action described in paragraph (2) shall include a description of whether the action—

(A) is not intended to significantly alter United States foreign policy with regard to the Russian Federation; or

(B) is intended to significantly alter United States foreign policy with regard to the Russian Federation.

(4) Inclusion of additional matter

(A) In general

Each report submitted under paragraph (1) that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation shall include a description of—

(i) the significant alteration to United States foreign policy with regard to the Russian Federation;

(ii) the anticipated effect of the action on the national security interests of the United States; and

(iii) the policy objectives for which the sanctions affected by the action were initially imposed.

(B) Requests from banking and financial services committees

The Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Financial Services of the House of Representatives may request the submission to the Committee of the matter described in clauses (ii) and (iii) of subparagraph (A) with

¹ So in original. Probably should be “United States”.

respect to a report submitted under paragraph (1) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation.

(5) Confidentiality of proprietary information

Proprietary information that can be associated with a particular person with respect to an action described in paragraph (2) may be included in a report submitted under paragraph (1) only if the appropriate congressional committees and leadership provide assurances of confidentiality, unless such person otherwise consents in writing to such disclosure.

(6) Rule of construction

Paragraph (2)(A)(iii) shall not be construed to require the submission of a report under paragraph (1) with respect to the routine issuance of a license that does not significantly alter United States foreign policy with regard to the Russian Federation.

(b) Period for review by Congress

(1) In general

During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (a)(1)—

(A) in the case of a report that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report; and

(B) in the case of a report that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(2) Exception

The period for congressional review under paragraph (1) of a report required to be submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

(3) Limitation on actions during initial congressional review period

Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2), including any additional period for such review as applicable under the exception provided in paragraph (2), the President may not take that action unless a joint resolution of approval with respect to that action is enacted in accordance with subsection (c).

(4) Limitation on actions during presidential consideration of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), the President may not take that action for a period of 12 calendar days after the date of passage of the joint resolution of disapproval.

(5) Limitation on actions during congressional reconsideration of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President's veto.

(6) Effect of enactment of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) is enacted in accordance with subsection (c), the President may not take that action.

(c) Joint resolutions of disapproval or approval defined

In this subsection:

(1) Joint resolution of approval

The term “joint resolution of approval” means only a joint resolution of either House of Congress—

(A) the title of which is as follows: “A joint resolution approving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.”; and

(B) the sole matter after the resolving clause of which is the following: “Congress approves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017² on _____ relating to _____,” with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) Joint resolution of disapproval

The term “joint resolution of disapproval” means only a joint resolution of either House of Congress—

(A) the title of which is as follows: “A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.”; and

² See References in Text note below.

(B) the sole matter after the resolving clause of which is the following: “Congress disapproves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017² on _____ relating to _____”, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(3) Introduction

During the period of 30 calendar days provided for under subsection (b)(1), including any additional period as applicable under the exception provided in subsection (b)(2), a joint resolution of approval or joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(4) Floor consideration in House of Representatives

If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(5) Consideration in the Senate

(A) Committee referral

A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs if the joint resolution relates to a report under subsection (a)(3)(A) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation; and

(ii) referred to the Committee on Foreign Relations if the joint resolution relates to a report under subsection (a)(3)(B) that relates to an action that is intended to significantly alter United States foreign policy with respect to the Russian Federation.

(B) Reporting and discharge

If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) Proceeding to consideration

Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing,

and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) Rulings of the chair on procedure

Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval or joint resolution of disapproval shall be decided without debate.

(E) Consideration of veto messages

Debate in the Senate of any veto message with respect to a joint resolution of approval or joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) Rules relating to Senate and House of Representatives

(A) Treatment of Senate joint resolution in House

In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against

the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) Treatment of House joint resolution in Senate

(i) If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) Application to revenue measures

The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

(7) Rules of House of Representatives and Senate

This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) Appropriate congressional committees and leadership defined

In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Re-

lations, and the majority and minority leaders of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

(Pub. L. 115-44, title II, §216, Aug. 2, 2017, 131 Stat. 900.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(2)(B)(i)(I), was in the original “this title”. See below.

This title, referred to in subsec. (a)(2)(B)(i)(I), is title II of Pub. L. 115-44, Aug. 2, 2017, 131 Stat. 898, which is classified principally to this chapter. For complete classification of title II to the Code, see section 201 of Pub. L. 115-44, set out as a Short Title note under section 9501 of this title and Tables.

The Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014, referred to in subsec. (a)(2)(B)(i)(II), is Pub. L. 113-95, Apr. 3, 2014, 128 Stat. 1088, which is classified generally to chapter 96 (§8901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8901 of this title and Tables.

The Ukraine Freedom Support Act of 2014, referred to in subsec. (a)(2)(B)(i)(III), is Pub. L. 113-272, Dec. 18, 2014, 128 Stat. 2952, which is classified generally to chapter 96A (§8921 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8921 of this title and Tables.

Section 216(a)(1) of the Russia Sanctions Review Act of 2017, referred to in subsec. (c)(1)(B), (2)(B), is subsec. (a)(1) of this section.

PART B—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION

§ 9521. Definitions

In this part:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) Good

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.)).

(3) International financial institution

The term “international financial institution” has the meaning given that term in section 262r(c) of this title.

(4) Knowingly

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

¹ See References in Text note below.