

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.

(5) Person

The term “person” means an individual or entity.

(6) United States person

The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

(Pub. L. 115–44, title II, §221, Aug. 2, 2017, 131 Stat. 906.)

Editorial Notes

REFERENCES IN TEXT

This part, referred to in text, is part 2 (§§221–238) of subtitle A of title II of Pub. L. 115–44, which enacted this part and sections 8909 and 8910 of this title and amended sections 8901, 8907, 8908, 8923, and 8924 of this title. For complete classification of part 2 to the Code, see Tables.

Section 4618 of title 50, referred to in par. (2), was repealed by Pub. L. 115–232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

The International Emergency Economic Powers Act, referred to in par. (2), 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.

Statutory Notes and Related Subsidiaries

REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS

Pub. L. 118–50, div. F, Apr. 24, 2024, 138 Stat. 942, provided that:

“TITLE I

“SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

“(a) SHORT TITLE.—This division may be cited as the ‘Rebuilding Economic Prosperity and Opportunity for Ukrainians Act’ or the ‘REPO for Ukrainians Act’.

“(b) TABLE OF CONTENTS.—[Omitted.]

“SEC. 2. DEFINITIONS.

“In this division:

“(1) RUSSIAN AGGRESSOR STATE.—The term ‘Russian aggressor state’ means—

“(A) the Russian Federation; and

“(B) Belarus, if the President determines Belarus has engaged in an act of war against Ukraine related to Russia’s ongoing February 24, 2022, invasion of Ukraine.

“(2) RUSSIAN AGGRESSOR STATE SOVEREIGN ASSET.—The term ‘Russian aggressor state sovereign asset’ means any Russian sovereign assets or any funds or property of another Russian aggressor state determined by the President to be of the same sovereign character as the assets described in paragraph (7) [probably should be “paragraph (6)”].

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

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

“(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

“(4) FINANCIAL INSTITUTION.—The term ‘financial institution’ means a financial institution specified in

subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Z) of section 5312(a)(2) of title 31, United States Code.

“(5) G7.—The term ‘G7’ means the countries that are member of the informal Group of 7, including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

“(6) RUSSIAN SOVEREIGN ASSET.—The term ‘Russian sovereign asset’ means any of the following:

“(A) Funds and other property of—

“(i) the Central Bank of the Russian Federation;

“(ii) the Russian National Wealth Fund; or

“(iii) the Ministry of Finance of the Russian Federation.

“(B) Any other funds or other property that are owned by the Government of the Russian Federation, including by any subdivision, agency, or instrumentality of that government.

“(7) UNITED STATES.—The term ‘United States’ means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

“(8) UNITED STATES FINANCIAL INSTITUTION.—The term ‘United States financial institution’ means a financial institution organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an institution.

“(9) SEIZE OR SEIZURE.—The term ‘seize’ or ‘seizure’ means confiscation of all right, title, and interest whatsoever in a Russian sovereign asset or a Russian aggressor state sovereign asset and vesting of the same in the United States.

“TITLE II—REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

“SEC. 101. FINDINGS; SENSE OF CONGRESS.

“(a) FINDINGS.—Congress makes the following findings:

“(1) On February 24, 2022, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a premeditated, second illegal invasion of Ukraine.

“(2) The international community has condemned the illegal invasions of Ukraine by the Russian Federation, as well as the commission of the crime of aggression, war crimes, crimes against humanity, and genocide by officials of the Russian Federation, including through the deliberate targeting of civilians and civilian infrastructure, the forcible transfer of children, and the commission of sexual violence.

“(3) The leaders of the G7 have called the Russian Federation’s ‘unprovoked and completely unjustified attack on the democratic state of Ukraine’ a ‘serious violation of international law and a grave breach of the United Nations Charter and all commitments Russia entered in the Helsinki Final Act and the Charter of Paris and its commitments in the Budapest Memorandum’.

“(4) On March 2, 2022, the United Nations General Assembly adopted Resolution ES–11/1, entitled ‘Aggression against Ukraine’, by a vote of 141 to 5. That resolution ‘deplore[d] [probably should be “[d]eplore[d]”] in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the [United Nations] Charter’ and demanded that the Russian Federation ‘immediately cease its use of force against Ukraine’ and ‘immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders’.

“(5) On March 16, 2022, the International Court of Justice issued a provisional measures order requiring the Russian Federation to ‘immediately suspend the

military operations that it commenced on 24 February 2022 in the territory of Ukraine' and, in this regard, observed that 'orders on provisional measures . . . have binding effect'.

“(6) On November 14, 2022, the United Nations General Assembly adopted a resolution [Resolution ES-11/5]—

“(A) recognizing that the Russian Federation has committed a serious breach of the most fundamental norms of international law and its gross and systematic refusal to obey its obligations has affected the entire international community;

“(B) recognizing the need for the establishment, in cooperation with Ukraine, of an international mechanism for compensation for financially assessable damages caused by the Russian Federation's internationally wrongful acts; and

“(C) recommending ‘the creation . . . of an international register of damage to serve as a record . . . of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine . . . [sic]’.

“(7) The Russian Federation bears international legal responsibility for its aggression against Ukraine and, under international law, must cease its internationally wrongful acts. Because of this breach of the prohibition on aggression under international law, the United States is legally entitled to take counter measures that are proportionate and aimed at inducing the Russian Federation to comply with its international obligations.

“(8) Approximately \$300,000,000,000 of Russian sovereign assets have been immobilized worldwide. Only a small fraction of those assets, 1 to 2 percent, or between \$4,000,000,000 and \$5,000,000,000, are reportedly subject to the jurisdiction of the United States.

“(9) The vast majority of immobilized Russian sovereign assets, approximately \$190,000,000,000, are reportedly subject to the jurisdiction of Belgium. The Government of Belgium has publicly indicated that any action by that Government regarding those assets would be predicated on support by the G7.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that, having committed an act of aggression, as recognized by the United Nations General Assembly on March 2, 2022, the Russian Federation is to be considered as an aggressor state. The extreme illegal actions taken by the Russian Federation, including an act of aggression, present a unique situation, justifying the establishment of a legal authority for the United States Government and other countries to confiscate Russian sovereign assets in their respective jurisdictions.

“SEC. 102. SENSE OF CONGRESS REGARDING IMPORTANCE OF THE RUSSIAN FEDERATION PROVIDING COMPENSATION TO UKRAINE.

“It is the sense of Congress that—

“(1) the Russian Federation bears responsibility for the financial burden of the reconstruction of Ukraine and for countless other costs associated with the illegal invasion of Ukraine by the Russian Federation that began on February 24, 2022;

“(2) the most effective ways to provide compensation for the damages caused by the Russian Federation's internationally wrongful acts should be assessed by an international mechanism charged with determining compensation and providing assistance to Ukraine;

“(3) at least since November 2022 the Russian Federation has been on notice of its opportunity to comply with its international obligations, including to make full compensation for injury, or, by agreement with Ukraine, to authorize an international mechanism to resolve issues regarding compensation to Ukraine;

“(4) the Russian Federation can, by negotiated agreement, participate in any international process

to assess the damages caused by the Russian Federation's internationally wrongful acts and make funds available to compensate for these damages, and if it fails to do so, the United States and other countries should explore all avenues for ensuring compensation to Ukraine;

“(5) the President should lead robust engagement on all bilateral and multilateral aspects of the response by the United States to acts by the Russian Federation that undermine the sovereignty and territorial integrity of Ukraine, including on any policy coordination and alignment regarding the repurposing or ordered transfer of Russian sovereign assets in the context of determining compensation and providing assistance to Ukraine;

“(6) as part of the robust engagement on bilateral and multilateral responses to acts by the Russian Federation that undermine the sovereignty and territorial integrity of Ukraine, the President should endeavor to facilitate creation of, and United States participation in, an international mechanism regarding the repurposing or seizure of sovereign assets of the Russian Federation for the benefit of Ukraine.[]

“(7) the repurposing of Russian sovereign assets is in the national interests of the United States and consistent with United States and international law;

“(8) the United States should work with international allies and partners on the repurposing of Russian sovereign assets as part of a coordinated, multilateral effort, including with G7 countries and other countries in which Russian sovereign assets are located; and

“(9) any effort by the United States to confiscate and repurpose Russian sovereign assets should be undertaken alongside international allies and partners as part of a coordinated, multilateral effort, including with G7 countries, the European Union, Australia, and other countries in which Russian sovereign assets are located.

“SEC. 103. PROHIBITION ON RELEASE OF BLOCKED RUSSIAN SOVEREIGN ASSETS.

“(a) IN GENERAL.—No Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury before the date specified in section 104(j) [probably should be “section 104(l)"] may be released or mobilized, except as otherwise authorized by this division, until the date on which the President certifies to the appropriate congressional committees that—

“(1) hostilities between the Russian Federation and Ukraine have ceased; and

“(2)(A) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

“(B) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

“(b) NOTIFICATION.—Not later than 30 days before the release or mobilization of a Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury, the President shall submit to the appropriate congressional committees—

“(1) a notification of the decision to take the action that releases or mobilizes the asset; and

“(2) a justification in writing for such decision.

“(c) JOINT RESOLUTION OF DISAPPROVAL.—

“(1) IN GENERAL.—No Russian sovereign asset that is blocked or effectively immobilized by the Department of the Treasury may be released or mobilized if, within 30 days of receipt of the notification and justification required under subsection (b), a joint resolution is enacted into law prohibiting the proposed release or mobilization.

“(2) EXPEDITED PROCEDURES.—Any joint resolution described in paragraph (1) introduced in either House of Congress shall be considered in accordance with the provisions of section 601(b) of the International

Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765), except that any such resolution shall be subject to germane amendments. If such a joint resolution should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in the Senate and in the House of Representatives shall be determined in accordance with the Rules of the House.

“(d) COOPERATION ON PROHIBITION OF RELEASE OF CERTAIN RUSSIAN SOVEREIGN ASSETS.—Notwithstanding subsection (a), the President may take such actions as may be necessary to seek to obtain an agreement or arrangement to which the Government of Ukraine is party that discharges the Russian Federation from further obligations to compensate Ukraine.

“SEC. 104. AUTHORITY TO ENSURE COMPENSATION TO UKRAINE USING SEIZED RUSSIAN SOVEREIGN ASSETS AND RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS.

“(a) REPORTING ON RUSSIAN ASSETS.—

“(1) NOTICE REQUIRED.—Not later than 90 days after the date of the enactment of this division [Apr. 24, 2024], the President shall, by means of such instructions or regulations as the President may prescribe, require any financial institution at which Russian sovereign assets are located, and that knows or should know of such assets, to provide notice of such assets, including relevant information required under section 501.603(b)(ii) [probably should be “section 501.603(b)(1)(ii)”] of title 31, Code of Federal Regulations (or successor regulations), to the Secretary of the Treasury not later than 10 days after detection of such assets.

“(2) REPORT REQUIRED.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, and annually thereafter for 3 years, the President shall submit to the appropriate congressional committees a report detailing the status of Russian sovereign assets with respect to which notice has been provided to the Secretary of the Treasury under paragraph (1).

“(B) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

“(b) SEIZURE OR TRANSFER OF ASSETS.—

“(1) SEIZURE OF RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS.—On and after the date that is 30 days after the President submits to the appropriate congressional committees the certification described in subsection (c), the President may seize, confiscate, transfer, or vest any Russian aggressor state sovereign assets, in whole or in part, and including any interest or interests in such assets, subject to the jurisdiction of the United States for the purpose of transferring those funds to the Ukraine Support Fund established under subsection (d).

“(2) VESTING.—For funds confiscated under paragraph (1), all right, title, and interest shall vest in the United States Government, provided that no use of those funds other than the use of those funds consistent with subsection (f) shall be permitted.

“(3) LIQUIDATION AND DEPOSIT.—The President shall—

“(A) deposit any funds seized, transferred, or confiscated under paragraph (1) into the Ukraine Support Fund established under subsection (d);

“(B) liquidate or sell any other property seized, transferred, or confiscated under paragraph (1) and deposit the funds resulting from such liquidation or sale into the Ukraine Support Fund; and

“(C) make all such funds available for the purposes described in subsection (f).

“(4) METHOD OF SEIZURE, TRANSFER, OR CONFISCATION.—The President may seize, transfer, confiscate or vest Russian aggressor state sovereign assets under paragraph (1) through instructions or licenses or in such other manner as the President determines appropriate.

“(c) CERTIFICATION.—The certification described in this subsection, with respect to Russian aggressor state sovereign assets, is a certification that—

“(1) seizing, confiscating, transferring, or vesting Russian aggressor state sovereign assets for the benefit of Ukraine is in the national interests of the United States;

“(2) the President has meaningfully coordinated with G7 leaders to take multilateral action with regard to any seizure, confiscation, vesting, or transfer of Russian sovereign assets for the benefit of Ukraine; and

“(3) either—

“(A) the President has received an official and legitimate request from a properly constituted international mechanism that includes the participation of the Government of Ukraine and the United States and that has been established for the purpose of, or otherwise tasked with, compensating Ukraine for damages arising or resulting from the internationally wrongful acts of the Russian Federation regarding the repurposing of sovereign assets of the Russian Federation; or

“(B) either—

“(i) the Russian Federation has not ceased its unlawful aggression against Ukraine; or

“(ii) the Russian Federation has ceased its unlawful aggression against Ukraine, but—

“(I) has not provided full compensation to Ukraine for harms resulting from the internationally wrongful acts of the Russian Federation; and

“(II) is not participating in a bona fide process to provide full compensation to Ukraine for harms resulting from Russian aggression.

“(d) ESTABLISHMENT OF THE UKRAINE SUPPORT FUND.—

“(1) UKRAINE SUPPORT FUND.—The President shall establish an account, to be known as the ‘Ukraine Support Fund’, to consist of any funds with respect to which a seizure is ordered pursuant to subsection (b).

“(2) USE OF FUNDS.—The funds in the accounts established under paragraph (1) shall be available to be used only as specified in subsection (f).

“(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to provide the President with the authority to seize, transfer, confiscate, or vest title to foreign sovereign assets that are not Russian aggressor state sovereign assets in the United States or transfer any foreign sovereign assets to any recipient for any use other than the uses described in this division.

“(f) FURTHER TRANSFER AND USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), Funds in the Ukraine Support Fund shall be available to the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, for the purpose of providing assistance to Ukraine for the damage resulting from the unlawful invasion by the Russian Federation that began on February 24, 2022.

“(2) SPECIFIC PERMISSIBLE USES.—Subject to paragraph (3), the following are permissible uses of the funds in the Ukraine Support Fund pursuant to paragraph (1):

“(A) Making contributions to an international body, fund, or mechanism established consistent with section 105(a) that is charged with determining and administering compensation or providing assistance to Ukraine.

“(B) Supporting reconstruction, rebuilding, and recovery efforts in Ukraine.

“(C) Providing economic and humanitarian assistance to the people of Ukraine.

“(3) NOTIFICATION.—

“(A) IN GENERAL.—The Secretary of State shall notify the appropriate congressional committees not fewer than 15 days before providing any funds from the Ukraine Support Fund to any other account for the purposes described in paragraph (1).

“(B) ELEMENTS.—A notification under subparagraph (A) with respect to the transfer of funds to

another account pursuant to paragraph (1) shall specify—

“(i) the amount of funds to be provided;

“(ii) the specific purpose for which such funds are provided; and

“(iii) the recipient of those funds.

“(g) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred or otherwise expended from the Ukraine Support Fund pursuant to subsection (f) unless the President certifies to the appropriate congressional committees that—

“(1) a plan exists to ensure transparency and accountability for all funds transferred to and from any account receiving the funds; and

“(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

“(h) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred pursuant to subsection (f) if, within 15 days of receipt of the notification required under subsection (f)(3), a joint resolution is enacted into law prohibiting such transfer.

“(i) REPORT.—Not later than 90 days after the date of the enactment of this division, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

“(1) An accounting of funds in the Ukraine Support Fund.

“(2) Any information regarding the disposition of funds in any account to which funds have been transferred pursuant to subsection (f) that has been transmitted to the President by the institution housing said account during the period covered by the report.

“(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to compensate for damages caused by the Russian Federation’s internationally wrongful acts during the period covered by the report.

“(4) An outline of steps taken to carry out the establishment of the international mechanism described by section 105(a) during the period covered by the report.

“(j) EXCEPTION FOR UNITED STATES OBLIGATIONS UNDER TREATIES.—The authorities provided by this section may not be exercised in a manner inconsistent with the obligations of the United States under—

“(1) the Convention on Diplomatic Relations, done at Vienna April 18, 1961, and entered into force April 24, 1964 (23 UST 3227);

“(2) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force on March 19, 1967 (21 UST 77);

“(3) the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676); or

“(4) any other international agreement to which the United States is a state party on the day before the date of the enactment of this division.

“(k) JUDICIAL REVIEW.—

“(1) EXCLUSIVENESS OF REMEDY.—Notwithstanding any other provision of law, any action taken under this section shall not be subject to judicial review, except as provided in this subsection.

“(2) LIMITATIONS FOR FILING CLAIMS.—A claim may only be brought with respect to an action under this section—

“(A) that alleges that the action will deny rights under the Constitution of the United States; and

“(B) if the claim is brought not later than 60 days after the date of such action.

“(3) JURISDICTION.—

“(A) IN GENERAL.—A claim under paragraph (2) of this subsection shall be barred unless a complaint is filed prior to the expiration of such time limits in the United States District Court for the District of Columbia.

“(B) APPEAL.—An appeal of an order of the United States District Court for the District of Columbia issued pursuant to a claim brought under this subsection shall be taken by a notice of appeal filed with the United States Court of Appeals for the District of Columbia Circuit not later than 10 days after the date on which the order is entered.

“(C) EXPEDITED CONSIDERATION.—It shall be the duty of the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of any claim brought under this subsection.

“(D) SUNSET.—The authorities conferred under this section shall terminate on the earlier of—

“(1) the date that is 5 years after the date of the enactment of this division; or

“(2) the date that is 120 days after the date on which the President determines and certifies to the appropriate congressional committees that—

“(A) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

“(B)(i) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation;

“(ii) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine; or

“(iii) the Russian Federation’s obligation to compensate Ukraine for the damage caused by the Russian Federation’s aggression has been resolved pursuant to an agreement between the Russian Federation and the Government of Ukraine.

“SEC. 105. INTERNATIONAL MECHANISM TO USE RUSSIAN SOVEREIGN ASSETS AND RUSSIAN AGGRESSOR STATE SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.

“(a) IN GENERAL.—The President shall take such actions as the President determines appropriate to coordinate with the G7, the European Union, Australia, and other partners and allies of the United States regarding the disposition of immobilized Russian aggressor state sovereign assets, including seeking to establish an international mechanism with foreign partners, including Ukraine, the G7, the European Union, Australia, and other partners and allies of the United States, for the purpose of assisting Ukraine, which may include the establishment of an international fund to be known as the ‘Ukraine Compensation Fund’, that may receive and use assets in the Ukraine Support Fund established under section 104(c) [probably should be ‘section 104(d)’] and contributions from foreign partners that have also frozen or seized Russian aggressor state sovereign assets to assist Ukraine, including by—

“(1) supporting a register of damage to serve as a record of evidence and for assessment of the financially assessable damages to Ukraine resulting from the invasions of Ukraine by the Russian Federation and operations or actions in support thereof;

“(2) establishing a mechanism to compensate Ukraine for damages caused by Russia’s internationally wrongful acts connected with the invasions of Ukraine;

“(3) ensuring distribution of those assets or the proceeds of those assets based on determinations under that mechanism; and

“(4) taking such other actions as may be necessary to carry out this section.

“(b) AUTHORIZATION FOR DEPOSIT IN THE UKRAINE COMPENSATION FUND.—Upon the President reaching an agreement or arrangement to establish a common

international mechanism pursuant to subsection (a) or at any time thereafter, the Secretary of State may, pursuant to the authority conferred by and subject to the limitations described in section 104(f) [probably should be “section 104(g)”] and subject to the limitations described in subsection (e), transfer funds from the Ukraine Support Fund established under section 104(d) to a fund or mechanism established consistent with subsection (a).

“(c) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days after entering into any new bilateral or multilateral agreement or arrangement under subsection (a).

“(d) GOOD GOVERNANCE.—The Secretary of State, in consultation with the Secretary of the Treasury, shall—

“(1) seek to ensure that any fund or mechanism established consistent with subsection (a) operates in accordance with established international accounting principles;

“(2) seek to ensure that any fund or mechanism established consistent with subsection (a) is—

“(A) staffed, operated, and administered in accordance with established accounting rules and governance procedures, including providing for payment of reasonable expenses from the fund for the governance and operation of the fund and the tribunal;

“(B) operated transparently as to all funds transfers, filings, and decisions; and

“(C) audited on a regular basis by an independent auditor, in accordance with internationally accepted accounting and auditing standards;

“(3) seek to ensure that any audits of any fund or mechanism established consistent with subsection (a) shall be made available to the public; and

“(4) ensure that any audits of any fund or mechanism established consistent with subsection (a) shall be reviewed and reported on by the Government Accountability Office to the appropriate congressional committees and the public.

“(e) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) unless the President certifies to the appropriate congressional committees that—

“(1) the institution housing the fund or mechanism has a plan to ensure transparency and accountability for all funds transferred to and from the fund or mechanism established consistent with subsection (a); and

“(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

“(f) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) if, within 30 days of receipt of the notification required under subsection (c)(2) [probably should be “subsection (e)”], a joint resolution is enacted prohibiting the transfer.

“(g) REPORT.—Not later than 90 days after the date of the enactment of this division [Apr. 24, 2024], and not less frequently than every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

“(1) An accounting of funds in any fund or mechanism established consistent with subsection (a).

“(2) Any information regarding the disposition of any such fund or mechanism that has been transmitted to the President by the institution housing the fund or mechanism during the period covered by the report.

“(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to allow for compensation for Ukraine during the period covered by the report.

“(4) An outline of steps taken to carry out this section during the period covered by the report.

“SEC. 106. REPORT ON USE OF TRANSFERRED RUSSIAN SOVEREIGN ASSETS FOR RECONSTRUCTION.

“Not later than 90 days after the date of the enactment of this division [Apr. 24, 2024], and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that contains—

“(1) the amount and source of Russian sovereign assets seized, transferred, or confiscated pursuant to section 104(b);

“(2) the amount and source of funds deposited into the Ukraine Support Fund under section 104(b)(3); and

“(3) a detailed description and accounting of how such funds were used to meet the purposes described in section 104(f).

“SEC. 107. ASSESSMENT BY SECRETARY OF STATE AND ADMINISTRATOR OF USAID ON RECONSTRUCTION AND REBUILDING NEEDS OF UKRAINE.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this division [Apr. 24, 2024], the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an assessment of the most pressing needs of Ukraine for reconstruction, rebuilding, and humanitarian aid.

“(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

“(1) An estimate of the rebuilding and reconstruction needs of Ukraine, as of the date of the assessment, resulting from the unlawful invasion of Ukraine by the Russian Federation, including—

“(A) a description of the sources and methods for the estimate; and

“(B) an identification of the locations or regions in Ukraine with the most pressing needs.

“(2) An estimate of the humanitarian needs, as of the date of the assessment, of the people of Ukraine, including Ukrainians residing inside the internationally recognized borders of Ukraine or outside those borders, resulting from the unlawful invasion of Ukraine by the Russian Federation.

“(3) An assessment of the extent to which the needs described in paragraphs (1) and (2) have been met or funded, by any source, as of the date of the assessment.

“(4) A plan to engage in robust multilateral and bilateral diplomacy to ensure that allies and partners of the United States, particularly in the European Union as Ukraine seeks accession to the European Union, increase their commitment to Ukraine’s reconstruction.

“(5) An identification of which such needs should be prioritized, including any assessment or request by the Government of Ukraine with respect to the prioritization of such needs.

“SEC. 108. EXTENSIONS.

“[Amended section 5(a) of Pub. L. 115–441, 132 Stat. 5587.]”

IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA

Pub. L. 117–263, div. E, title LV, §5590, Dec. 23, 2022, 136 Stat. 3380, provided that:

“(a) IDENTIFICATION.—Not later than 90 days after the date of the enactment of this Act [Dec. 23, 2022], and periodically as necessary thereafter, the President—

“(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

“(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation; or

“(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

“(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

“(3) may impose the sanctions described in subsection (b)(2) with respect to any such person that is an alien.

“(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

“(1) BLOCKING OF PROPERTY.—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 foreign person identified in the report required by subsection (a)(1) 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) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

“(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

“(i) inadmissible to the United States;

“(ii) ineligible to receive a visa or other documentation to enter the United States; and

“(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

“(B) CURRENT VISAS REVOKED.—

“(i) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in subsection (a)(1).

“(ii) IMMEDIATE EFFECT.—The revocation under clause (i) of a visa or other entry documentation issued to an alien shall—

“(I) take effect immediately; and

“(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

“(c) IMPLEMENTATION; PENALTIES.—

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

“(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section 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.

“(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a person if the President—

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

“(2) submits to Congress a notification of the waiver and the reasons for the waiver.

“(e) TERMINATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

“(A) the date that is 3 years after the date of the enactment of this Act; or

“(B) the date that is 30 days after the date on which the President certifies to Congress that—

“(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

“(ii) such termination in the national interests of the United States.

“(2) TRANSITION RULES.—

“(A) CONTINUATION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person under this section may continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

“(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

“(i) the violation occurred before the termination date; or

“(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

“(f) EXCEPTIONS.—

“(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

“(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under 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 the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

“(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

“(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

“(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

“(B) GOOD DEFINED.—In this paragraph, the term ‘good’ means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

“(g) DEFINITIONS.—In this section:

“(1) The terms ‘admission’, ‘admitted’, ‘alien’, and ‘lawfully admitted for permanent residence’ have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

“(2) The term ‘foreign person’ means an individual or entity that is not a United States person.

“(3) 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.

“(4) The term ‘United States person’ means—

“(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

“(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

“(C) any person in the United States.”

Executive Documents

EX. ORD. NO. 13849. AUTHORIZING THE IMPLEMENTATION OF CERTAIN SANCTIONS SET FORTH IN THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT

Ex. Ord. No. 13849, Sept. 20, 2018, 83 F.R. 48195, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Countering America’s Adversaries Through Sanctions Act (Public Law 115-44) (CAATSA), the Ukraine Freedom Support Act of 2014 (Public Law 113-272), as amended [22 U.S.C. 8921 *et seq.*] (UFSA), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergencies declared in Executive Order 13660 of March 6, 2014, as expanded in scope and relied upon for additional steps taken in subsequent Executive Orders, and Executive Order 13694 of April 1, 2015, as relied upon for additional steps taken in Executive Order 13757 of December 28, 2016 [listed in a table under 50 U.S.C. 1701], hereby order:

SECTION 1. (a) When the President, or the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to sections 224(a)(2), 231(a), 232(a), or 233(a) of CAATSA [22 U.S.C. 9524(a)(2), 9525(a), 9526(a), or 9527(a)] and has selected from section 235 of CAATSA [22 U.S.C. 9529] any of the sanctions set forth below to impose on that person, the Secretary of the Treasury, in consultation with the Secretary of State, shall take the following actions where necessary to implement the sanctions selected and maintained by the President, the Secretary of State, or the Secretary of the Treasury:

(i) prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period, unless the person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

(ii) prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

(iii) prohibit any transfers of credit or payments between financial institutions, or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

(iv) block all property and interests in property of the sanctioned person that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

(v) prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person; or

(vi) impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, the sanctions described in subsections (a)(i)–(a)(v) of this section, as selected by the President, the Secretary of State, or the Secretary of the Treasury.

(b) The prohibitions in subsection (a)(iv) of this section include:

(i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any

sanctioned person whose property and interests in property are blocked pursuant to this order; and

(ii) the receipt of any contribution or provision of funds, goods, or services from any such sanctioned person.

(c) The prohibitions in this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order [Sept. 20, 2018].

SEC. 2. (a) When the President, or the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to sections 224(a)(2), 231(a), 232(a), or 233(a) of CAATSA and has selected from section 235 of CAATSA any of the sanctions set forth below to impose on that person, the heads of relevant departments and agencies, in consultation with the Secretary of State and the Secretary of the Treasury, as appropriate, shall ensure that the following actions are taken where necessary to implement the sanctions selected and maintained by the President, the Secretary of State, or the Secretary of the Treasury:

(i) The Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

(ii) Departments and agencies shall not issue any specific license or grant any other specific permission or authority under any statute that requires the prior review or approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person;

(iii) The United States executive director of each international financial institution shall use the voice and vote of the United States to oppose any loan from the international financial institution that would benefit the sanctioned person;

(iv) With respect to a sanctioned person that is a financial institution: the Board of Governors of the Federal Reserve System and the Federal Reserve Bank of New York shall not designate, or permit the continuation of any prior designation of, the sanctioned person as a primary dealer in United States Government debt instruments; and departments and agencies shall prevent the sanctioned person from serving as an agent of the United States Government or serving as a repository for United States Government funds;

(v) Departments and agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

(vi) The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien that the President, the Secretary of State, or the Secretary of the Treasury determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the sanctioned person by treating the person as covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions) [8 U.S.C. 1182 note]; or

(vii) The heads of the relevant departments and agencies, as appropriate, shall impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, the sanctions described in subsections (a)(i)–(a)(vi) of this section, as selected by the President, the Secretary of State, or the Secretary of the Treasury.

(b) The prohibitions in this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

SEC. 3. (a) When the President, or the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to section 224(a)(3) of CAATSA [22 U.S.C. 9524(a)(3)] or sections 4(a) or 4(b) of UFSA [22 U.S.C. 8923(a), (b)] and has selected from section 4(c) of UFSA [22 U.S.C. 8923(c)] any of the sanctions set forth below to impose on that person, the Secretary of the Treasury, in consultation with the Secretary of State, shall take the following actions where necessary to implement the sanctions selected and maintained by the President, the Secretary of State, or the Secretary of the Treasury:

(i) block all property and interests in property of the sanctioned person that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

(ii) prohibit any transfers of credit or payments between financial institutions, or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

(iii) prohibit any United States person from transacting in, providing financing for, or otherwise dealing in certain debt or equity of the sanctioned person, in accordance with section 4(c)(7) of UFSA; or

(iv) impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, the sanctions described in subsections (a)(i)–(a)(iii) of this section, as selected by the President, the Secretary of State, or the Secretary of the Treasury.

(b) The prohibitions in subsection (a)(i) of this section include:

(i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any sanctioned person whose property and interests in property are blocked pursuant to this order; and

(ii) the receipt of any contribution or provision of funds, goods, or services from any such sanctioned person.

(c) The prohibitions in this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

SEC. 4. (a) When the President, or the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to section 224(a)(3) of CAATSA or sections 4(a) or 4(b) of UFSA and has selected from section 4(c) of UFSA any of the sanctions set forth below to impose on that person, the heads of relevant departments and agencies, in consultation with the Secretary of State and the Secretary of the Treasury, as appropriate, shall ensure that the following actions are taken where necessary to implement the sanctions selected and maintained by the President, the Secretary of State, or the Secretary of the Treasury:

(i) The Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

(ii) Departments and agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

(iii) Departments and agencies shall prohibit the exportation, or provision by sale, lease or loan, grant, or other means, directly or indirectly, of any defense article or defense service to the sanctioned person and

shall not issue any license or other approval to the sanctioned person under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(iv) Departments and agencies shall not issue any license, and shall suspend any license, for the transfer to the sanctioned person of any item the export of which is controlled under the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232) [50 U.S.C. 4801 et seq.], or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations;

(v) The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, the sanctioned person by treating the person as covered by section 1 of Proclamation 8693; or

(vi) The heads of the relevant departments and agencies, as appropriate, shall impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, the sanctions described in subsections (a)(i)–(a)(v) of this section, as selected by the President, the Secretary of State, or the Secretary of the Treasury.

(b) The prohibitions in this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

SEC. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

SEC. 6. I hereby determine that, to the extent section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) may apply, the making of donations of the types of articles specified in such section by, to, or for the benefit of any sanctioned person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergencies declared in Executive Orders 13660 and 13694 [listed in a table under 50 U.S.C. 1701], and I hereby prohibit such donations as provided by sections 1(a)(iv) and 3(a)(i) of this order.

SEC. 7. For the purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person within the United States;

(d) the term “financial institution” includes: (i) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)(1))), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978 (12 U.S.C. 3101(7))); (ii) a credit union; (iii) a securities firm, including a broker or dealer; (iv) an insurance company, including an agency or underwriter; and (v) any other company that provides financial services;

(e) the term “international financial institution” has the meaning given that term in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 2622(c));

(f) the term “United States financial institution” means a financial institution (including its foreign branches) organized under the laws of the United States or of any jurisdiction within the United States or located in the United States; and

(g) the term “sanctioned person” means a person that the President, or the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined is a person on whom

sanctions shall be imposed pursuant to sections 224(a)(2), 224(a)(3), 231(a), 232(a), or 233(a) of CAATSA or sections 4(a) or 4(b) of UFSA and on whom the President, the Secretary of State, or the Secretary of the Treasury has imposed any of the sanctions in section 235 of CAATSA or section 4(c) of UFSA.

SEC. 8. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken with respect to such property or interests in property pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergencies declared in Executive Orders 13660 and 13694, there need be no prior notice of an action taken pursuant to this order with respect to such property or interests in property.

SEC. 9. The unrestricted immigrant and non-immigrant entry into the United States of aliens on whom sanctions described in sections 1(a)(iv) or 3(a)(i) of this order have been imposed would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended. Such persons shall be treated as persons covered by section 1 of Proclamation 8693.

SEC. 10. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, and sections 224(a)(2), 224(a)(3), 231(a), 231(e), 232(a), 233(a), and 235 of CAATSA and sections 4(a)–(c) and 4(h) of UFSA with respect to powers to impose sanctions, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All departments and agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

SEC. 11. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

§ 9522. Codification of sanctions relating to the Russian Federation

(a) Codification

United States sanctions provided for in Executive Order No. 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), Executive Order No. 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order No. 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order No. 13685 (79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine), Executive Order No.

13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), and Executive Order No. 13757 (82 Fed. Reg. 1; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities), as in effect on the day before August 2, 2017, including with respect to all persons sanctioned under such Executive orders, shall remain in effect except as provided in subsection (b).

(b) Termination of certain sanctions

Subject to section 9511 of this title, the President may terminate the application of sanctions described in subsection (a) that are imposed on a person in connection with activity conducted by the 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 described in subsection (a) in the future.

(c) Application of new cyber sanctions

The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order No. 13694 or 13757 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 significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(d) Application of new Ukraine-related sanctions

The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order No. 13660, 13661, 13662, or 13685 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.

(Pub. L. 115–44, title II, § 222, Aug. 2, 2017, 131 Stat. 906.)