

118TH CONGRESS
2D SESSION

H. R. 7077

To expand the categories of forfeited property available to remediate harms to Ukraine from Russian aggression, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2024

Mr. BOYLE of Pennsylvania (for himself and Mr. KEATING) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expand the categories of forfeited property available to remediate harms to Ukraine from Russian aggression, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXPANSION OF FORFEITED PROPERTY AVAIL-**
4 **ABLE TO REMEDIATE HARMS TO UKRAINE**
5 **FROM RUSSIAN AGGRESSION.**

6 (a) IN GENERAL.—Section 1708 of the Additional
7 Ukraine Supplemental Appropriations Act, 2023 (division
8 M of Public Law 117–328) is amended—

1 (1) in subsection (a), by inserting “from any
2 forfeiture fund” after “The Attorney General may
3 transfer”; and

4 (2) in subsection (c)—

5 (A) in paragraph (2), by striking “which
6 property belonged” and all that follows and in-
7 serting the following: “which property—

8 “(A) belonged to, was possessed by, or was
9 controlled by a person the property or interests
10 in property of which were blocked pursuant to
11 any covered legal authority;

12 “(B) was involved in an act in violation of,
13 or a conspiracy or scheme to violate or cause a
14 violation of—

15 “(i) any covered legal authority; or

16 “(ii) any restriction on the export, re-
17 export, or in-country transfer of items im-
18 posed by the United States under the Ex-
19 port Administration Regulations, or any
20 restriction on the export, reexport, or re-
21 transfer of defense articles under the
22 International Traffic in Arms Regulations
23 under subchapter M of chapter I of title
24 22, Code of Federal Regulations, with re-
25 spect to—

1 “(I) the Russian Federation,
2 Belarus, the Crimea region of
3 Ukraine, or the so-called Donetsk and
4 Luhansk People’s Republic regions of
5 Ukraine;

6 “(II) any person in any such
7 country or region on a restricted par-
8 ties list; or

9 “(III) any person located in any
10 other country that has been added to
11 a restricted parties list in connection
12 with the malign conduct of the Rus-
13 sian Federation in Ukraine, including
14 the annexation of the Crimea region
15 of Ukraine in March 2014 and the in-
16 vasion beginning in February 2022 of
17 Ukraine, as substantially enabled by
18 Belarus; or

19 “(C) was involved in any related con-
20 spiracy, scheme, or other Federal offense aris-
21 ing from the actions of, or doing business with
22 or acting on behalf of, the Russian Federation,
23 Belarus, or the Crimea region of Ukraine, or
24 the so-called Donetsk and Luhansk People’s
25 Republic regions of Ukraine.”; and

1 (B) by adding at the end the following:

2 “(3) The term ‘covered legal authority’ means
3 any license, order, regulation, or prohibition imposed
4 by the United States under the authority provided
5 by the International Emergency Economic Powers
6 Act (50 U.S.C. 1701 et seq.) or any other provision
7 of law, with respect to—

8 “(A) the Russian Federation;

9 “(B) the national emergency—

10 “(i) declared in Executive Order
11 13660 (50 U.S.C. 1701 note; relating to
12 blocking property of certain persons con-
13 tributing to the situation in Ukraine);

14 “(ii) expanded by—

15 “(I) Executive Order 13661 (50
16 U.S.C. 1701 note; relating to blocking
17 property of additional persons contrib-
18 uting to the situation in Ukraine);
19 and

20 “(II) Executive Order 13662 (50
21 U.S.C. 1701 note; relating to blocking
22 property of additional persons contrib-
23 uting to the situation in Ukraine);
24 and

1 “(iii) relied on for additional steps
2 taken in Executive Order 13685 (50
3 U.S.C. 1701 note; relating to blocking
4 property of certain persons and prohibiting
5 certain transactions with respect to the
6 Crimea region of Ukraine);

7 “(C) the national emergency, as it relates
8 to the Russian Federation—

9 “(i) declared in Executive Order
10 13694 (50 U.S.C. 1701 note; relating to
11 blocking the property of certain persons
12 engaging in significant malicious cyber-en-
13 abled activities); and

14 “(ii) relied on for additional steps
15 taken in Executive Order 13757 (50
16 U.S.C. 1701 note; relating to taking addi-
17 tional steps to address the national emer-
18 gency with respect to significant malicious
19 cyber-enabled activities);

20 “(D) the national emergency—

21 “(i) declared in Executive Order
22 14024 (50 U.S.C. 1701 note; relating to
23 blocking property with respect to specified
24 harmful foreign activities of the Govern-
25 ment of the Russian Federation);

1 “(ii) expanded by Executive Order
2 14066 (50 U.S.C. 1701 note; relating to
3 prohibiting certain imports and new invest-
4 ments with respect to continued Russian
5 Federation efforts to undermine the sov-
6 ereignty and territorial integrity of
7 Ukraine); and

8 “(iii) relied on for additional steps
9 taken in—

10 “(I) Executive Order 14039 (22
11 U.S.C. 9526 note; relating to blocking
12 property with respect to certain Rus-
13 sian energy export pipelines);

14 “(II) Executive Order 14068 (50
15 U.S.C. 1701 note; relating to prohib-
16 iting certain imports, exports, and
17 new investment with respect to contin-
18 ued Russian Federation aggression);
19 and

20 “(III) Executive Order 14071
21 (50 U.S.C. 1701 note; relating to pro-
22 hibiting new investment in and certain
23 services to the Russian Federation in
24 response to continued Russian Fed-
25 eration aggression); and

1 “(iv) which may be expanded or relied
2 on in future Executive orders; or

3 “(E) actions or policies that undermine the
4 democratic processes and institutions in
5 Ukraine or threaten the peace, security, sta-
6 bility, sovereignty, or territorial integrity of
7 Ukraine.

8 “(4) The term ‘Export Administration Regula-
9 tions’ has the meaning given that term in section
10 1742 of the Export Control Reform Act of 2018 (50
11 U.S.C. 4801).

12 “(5) The term ‘restricted parties list’ means
13 any of the following lists maintained by the Bureau
14 of Industry and Security:

15 “(A) The Entity List set forth in Supple-
16 ment No. 4 to part 744 of the Export Adminis-
17 tration Regulations.

18 “(B) The Denied Persons List maintained
19 pursuant to section 764.3(a)(2) of the Export
20 Administration Regulations.

21 “(C) The Unverified List set forth in Sup-
22 plement No. 6 to part 744 of the Export Ad-
23 ministration Regulations.”.

24 (b) SEMIANNUAL REPORTS.—Such section is further
25 amended—

1 (1) by redesignating subsections (c) and (d) as
2 subsections (d) and (e), respectively; and

3 (2) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) Not later than 180 days after the date of the
6 enactment of this Act, and every 180 days thereafter, the
7 Secretary of State, in consultation with the Attorney Gen-
8 eral and the Secretary of the Treasury, shall submit to
9 the appropriate congressional committees a report on
10 progress made in remediating the harms of Russian ag-
11 gression toward Ukraine as a result of transfers made
12 under subsection (a).”.

13 (c) PLAN REQUIRED.—

14 (1) IN GENERAL.—Not later than 30 days after
15 the date of the enactment of this Act, the Attorney
16 General, in consultation with the Secretary of the
17 Treasury and the Secretary of State, shall submit to
18 the appropriate congressional committees a plan for
19 using the authority provided by section 1708 of the
20 Additional Ukraine Supplemental Appropriations
21 Act, 2023, as amended by this section.

22 (2) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES DEFINED.—In this section, the term “appro-
24 priate congressional committees” has the meaning
25 given that term by section 1708 of the Additional

1 Ukraine Supplemental Appropriations Act, 2023, as
2 amended by this section.

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