

117TH CONGRESS
1ST SESSION

H. R. 5039

To impose certain measures with respect to Hizballah-affected areas in Latin America and the Caribbean and to impose sanctions with respect to senior foreign political figures in Latin America who support Hizballah, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 13, 2021

Mr. WILSON of South Carolina (for himself, Mr. VICENTE GONZALEZ of Texas, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, 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 impose certain measures with respect to Hizballah-affected areas in Latin America and the Caribbean and to impose sanctions with respect to senior foreign political figures in Latin America who support Hizballah, 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. SHORT TITLE.**

4 This Act may be cited as the “Hizballah in Latin
5 America Accountability Act of 2021”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
4 **TEES.**—In this section, the term “appropriate con-
5 gressional committees” means—

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

9 (B) the Committee on Foreign Affairs and
10 the Committee on Financial Services of the
11 House of Representatives.

12 (2) **COVERED COUNTRY.**—The term “covered
13 country” means any of the following:

14 (A) Argentina.

15 (B) Belize.

16 (C) Bolivia.

17 (D) Brazil.

18 (E) Chile.

19 (F) Colombia.

20 (G) Cuba.

21 (H) The Dominican Republic.

22 (I) Ecuador.

23 (J) Mexico.

24 (K) Nicaragua.

25 (L) Panama.

26 (M) Paraguay.

1 (N) Peru.

2 (O) Uruguay.

3 (P) Venezuela.

4 (3) FOREIGN PERSON.—The term “foreign per-
5 son” has the meaning given the term in section
6 101(d) of the Hizballah International Financing
7 Prevention Act of 2015 (Public Law 114–102; 50
8 U.S.C. 1701 note).

9 (4) GOOD.—The term “good” means any arti-
10 cle, natural or man-made substance, material, supply
11 or manufactured product, including inspection and
12 test equipment, and excluding technical data.

13 **SEC. 3. REPORTING ON ILLICIT ACTIVITIES OF HIZBALLAH**
14 **IN LATIN AMERICA AND THE CARIBBEAN.**

15 (a) REPORT REQUIRED.—Not later than 180 days
16 after the date of the enactment of this Act, the Secretary
17 of the Treasury, in consultation with the Secretary of
18 State, shall submit to the appropriate congressional com-
19 mittees a report on illicit activities of Hizballah in Latin
20 America and the Caribbean that—

21 (1) estimates—

22 (A) the number of operatives acting on be-
23 half of the Iran’s Revolutionary Guard Corps
24 and intelligence services in covered countries;

1 (B) the number of operatives acting on be-
2 half of Hizballah in covered countries and
3 whether that number exceeds the number of
4 such operatives last estimated by Mr. Roger F.
5 Noriega in testimony before the Permanent Se-
6 lect Committee on Intelligence of the House of
7 Representatives in July 2011;

8 (C) how much of Hizballah's annual budg-
9 et derives from illicit operations in covered
10 countries;

11 (D) the type of weapons that have been
12 smuggled to drug trafficking organizations from
13 Iran, Hizballah, or the Quds Force to Latin
14 America and the Caribbean; and

15 (E) the amount of resources the govern-
16 ments of Venezuela, Bolivia, Nicaragua, and
17 Cuba are supplying to Iran to assist in the de-
18 velopment of Iran's weapons of mass destruc-
19 tion programs;

20 (2) describes—

21 (A) recruiting efforts and modes of recruit-
22 ment by Hizballah, including the target audi-
23 ence of such efforts and the language used; and

24 (B) how Hizballah and the Quds Force
25 have advanced their tactics within the covered

1 countries in the 10 years preceding the date of
2 the enactment of this Act;

3 (3) identifies—

4 (A) financial institutions in covered coun-
5 tries known to be operating on behalf or with
6 ties to Hizballah or the Quds Force; and

7 (B) officials of the governments of covered
8 countries with financial or other ties to the
9 Quds Force or members of Hizballah; and

10 (4) assesses—

11 (A) whether Margarita Island, the tri-bor-
12 der area between Argentina, Paraguay, and
13 Brazil, or any other free trade zone is a head-
14 quarters for Hizballah;

15 (B) the relationship between dissidents of
16 the Revolutionary Armed Forces of Colombia
17 (commonly known as the “FARC”) and mem-
18 bers of the National Liberation Army of Colom-
19 bia (commonly known as the “ELN”) and
20 Hizballah;

21 (C) interagency efforts and progress in
22 combatting illicit activities of Hizballah in cov-
23 ered countries;

1 (D) the actions of Hizballah in covered
2 countries that violate or undermine internation-
3 ally recognized human rights;

4 (E) the ability and efforts of the govern-
5 ment of each covered country to curb illicit ac-
6 tivities of Hizballah; and

7 (F) the extent of the role of multilateral
8 fora in efforts of the United States to counter
9 the illicit activities of Hizballah.

10 (b) BRIEFING REQUIRED.—Not later than 120 days
11 after the date of the enactment of this Act, the Secretary
12 of the Treasury, in consultation with the Secretary of
13 State, shall brief the appropriate congressional committees
14 on how Hizballah uses cryptocurrency to conduct illicit ac-
15 tivities.

16 (c) FORM OF REPORT.—The report required by sub-
17 section (a) shall be submitted in unclassified form but may
18 include a classified annex.

19 **SEC. 4. EXPANSION OF TRADE TRANSPARENCY UNITS.**

20 (a) IN GENERAL.—The Secretary of Homeland Secu-
21 rity, in consultation with the Secretary of State and the
22 Secretary of the Treasury, shall seek to improve—

23 (1) the regional sharing of data among trade
24 transparency units with respect to operations

1 against malign actors among covered countries with
2 trade transparency units and the United States; and

3 (2) cooperation with the Drug Enforcement Ad-
4 ministration, the Federal Bureau of Investigation,
5 and other Federal agencies with respect to trade
6 transparency units.

7 (b) BRIEFING REQUIRED.—Not later than 120 days
8 after date of the enactment of this Act, the Secretary of
9 Homeland Security, in consultation with the Secretary of
10 State and the Secretary of the Treasury, shall brief the
11 appropriate congressional committees on—

12 (1) the legal restrictions and limitations in each
13 bilateral agreement between the United States and
14 a covered country establishing a trade transparency
15 unit that prevent the Department of Homeland Se-
16 curity and authorities in that country from oper-
17 ating to their fullest extent against malign actors;
18 and

19 (2) recommendations for legislative action to
20 address those restrictions and limitations.

21 **SEC. 5. SANCTIONS WITH RESPECT TO SENIOR FOREIGN**
22 **POLITICAL FIGURES IN LATIN AMERICA AND**
23 **THE CARIBBEAN SUPPORTING HIZBALLAH.**

24 (a) IN GENERAL.—The President shall impose the
25 sanctions described in section 101(b) of the Hizballah

1 International Financing Prevention Act of 2015 (Public
2 Law 114–102; 50 U.S.C. 1701 note) with respect to each
3 individual on the list required by subsection (b).

4 (b) LIST.—

5 (1) IN GENERAL.—Not later than 120 days
6 after the date of the enactment of this Act, the
7 President shall submit to the appropriate congress-
8 sional committees a list of individuals who are senior
9 foreign political figures in a covered country that the
10 President determines—

11 (A) have knowingly provided material sup-
12 port to or engaged in a significant transaction
13 with Hizballah; or

14 (B) meet the criteria for the imposition of
15 sanctions under the Hizballah International Fi-
16 nancing Prevention Act of 2015 (Public Law
17 114–102; 50 U.S.C. 1701 note).

18 (2) FORM.—The list required by paragraph (1)
19 shall be submitted in unclassified form but may con-
20 tain a classified annex.

21 **SEC. 6. SANCTIONS WITH RESPECT TO FOREIGN PERSONS**
22 **SUPPORTING HIZBALLAH IN LATIN AMERICA**
23 **AND THE CARIBBEAN.**

24 (a) IN GENERAL.—The President shall impose the
25 sanctions described in section 101(b) of the Hizballah

1 International Financing Prevention Act of 2015 (Public
2 Law 114–102; 50 U.S.C. 1701 note) with respect to each
3 foreign person on the list required by subsection (b).

4 (b) LIST.—

5 (1) IN GENERAL.—Not later than 120 days
6 after the date of the enactment of this Act, the
7 President shall submit to the appropriate congress-
8 sional committees a list of foreign persons that the
9 President determines have knowingly directly or in-
10 directly engaged in significant transactions with or
11 provided material support to Hizballah in a covered
12 country.

13 (2) FORM.—The list required by paragraph (1)
14 shall be submitted in unclassified form but may con-
15 tain a classified annex.

16 **SEC. 7. WAIVER; EXCEPTIONS; PENALTIES.**

17 (a) WAIVER.—The President may waive the imposi-
18 tion of sanctions under section 5 or 6 with respect to a
19 foreign person if the President—

20 (1) determines that such a waiver is in the na-
21 tional interests of the United States; and

22 (2) submits to the appropriate congressional
23 committees notice of, and a justification for, the
24 waiver.

1 (b) PENALTIES; EXCEPTION TO COMPLY WITH
2 UNITED NATIONS HEADQUARTERS AGREEMENT; EN-
3 FORCEMENT.—Subsections (b) and (d)(2) of section 105
4 of the Hizballah International Financing Prevention Act
5 of 2015 (Public Law 114–102; 50 U.S.C. 1701 note)
6 apply with respect to the imposition of sanctions under
7 sections 5 and 6 to the same extent as such subsections
8 apply with respect to the imposition of sanctions under
9 that Act.

10 (c) EXCEPTION RELATING TO IMPORTATION OF
11 GOODS.—The authorities and requirements to impose
12 sanctions under this Act shall not include the authority
13 or requirement to impose sanctions on the importation of
14 goods.

15 **SEC. 8. REGULATORY AUTHORITY.**

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

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