

117TH CONGRESS  
1ST SESSION

# H. R. 5209

To combat the national security threat of foreign corruption and kleptocracy,  
and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2021

Mr. COHEN (for himself, Mr. WILSON of South Carolina, Mr. MALINOWSKI, Mr. CURTIS, Mr. CLEAVER, Mr. FITZPATRICK, Ms. JACKSON LEE, Ms. SALAZAR, Ms. KAPTUR, Mr. HILL, Ms. PORTER, Mr. GONZALEZ of Ohio, Ms. SPANBERGER, Mr. HUDSON, Mr. PHILLIPS, Mr. VEASEY, Mr. GALLEGRO, and Ms. MOORE of Wisconsin) 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 combat the national security threat of foreign corruption  
and kleptocracy, 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 “Counter-Kleptocracy  
5 Act”.

1 **SEC. 2. COMBATING GLOBAL CORRUPTION ACT OF 2021.**

2 (a) SHORT TITLE.—This section may be cited as the  
3 “Combating Global Corruption Act of 2021”.

4 (b) DEFINITIONS.—In this section:

5 (1) CORRUPT ACTOR.—The term “corrupt  
6 actor” means—

7 (A) any foreign person or entity that is a  
8 government official or government entity re-  
9 sponsible for, or complicit in, an act of corrup-  
10 tion; and

11 (B) any company, in which a person or en-  
12 tity described in subparagraph (A) has a sig-  
13 nificant stake, which is responsible for, or  
14 complicit in, an act of corruption.

15 (2) CORRUPTION.—The term “corruption”  
16 means the unlawful exercise of entrusted public  
17 power for private gain, including by bribery, nepo-  
18 tism, fraud, or embezzlement.

19 (3) SIGNIFICANT CORRUPTION.—The term “sig-  
20 nificant corruption” means corruption committed at  
21 a high level of government that has some or all of  
22 the following characteristics:

23 (A) Illegitimately distorts major decision-  
24 making, such as policy or resource determina-  
25 tions, or other fundamental functions of govern-  
26 ance.

1 (B) Involves economically or socially large-  
2 scale government activities.

3 (c) PUBLICATION OF TIERED RANKING LIST.—

4 (1) IN GENERAL.—The Secretary of State shall  
5 annually publish, on a publicly accessible website, a  
6 tiered ranking of all foreign countries.

7 (2) TIER 1 COUNTRIES.—A country shall be  
8 ranked as a tier 1 country in the ranking published  
9 under paragraph (1) if the government of such coun-  
10 try is complying with the minimum standards set  
11 forth in subsection (d).

12 (3) TIER 2 COUNTRIES.—A country shall be  
13 ranked as a tier 2 country in the ranking published  
14 under paragraph (1) if the government of such coun-  
15 try is making efforts to comply with the minimum  
16 standards set forth in subsection (d), but is not  
17 achieving the requisite level of compliance to be  
18 ranked as a tier 1 country.

19 (4) TIER 3 COUNTRIES.—A country shall be  
20 ranked as a tier 3 country in the ranking published  
21 under paragraph (1) if the government of such coun-  
22 try is making de minimis or no efforts to comply  
23 with the minimum standards set forth in subsection  
24 (d).

1 (d) MINIMUM STANDARDS FOR THE ELIMINATION OF  
2 CORRUPTION AND ASSESSMENT OF EFFORTS TO COMBAT  
3 CORRUPTION.—

4 (1) IN GENERAL.—The government of a coun-  
5 try is complying with the minimum standards for  
6 the elimination of corruption if the government—

7 (A) has enacted and implemented laws and  
8 established government structures, policies, and  
9 practices that prohibit corruption, including sig-  
10 nificant corruption;

11 (B) enforces the laws described in para-  
12 graph (1) by punishing any person who is  
13 found, through a fair judicial process, to have  
14 violated such laws;

15 (C) prescribes punishment for significant  
16 corruption that is commensurate with the pun-  
17 ishment prescribed for serious crimes; and

18 (D) is making serious and sustained ef-  
19 forts to address corruption, including through  
20 prevention.

21 (2) FACTORS FOR ASSESSING GOVERNMENT EF-  
22 FORTS TO COMBAT CORRUPTION.—In determining  
23 whether a government is making serious and sus-  
24 tained efforts to address corruption, the Secretary of

1 State shall consider, to the extent relevant or appro-  
2 priate, factors such as—

3 (A) whether the government of the country  
4 has criminalized corruption, investigates and  
5 prosecutes acts of corruption, and convicts and  
6 sentences persons responsible for such acts over  
7 which it has jurisdiction, including, as appro-  
8 priate, incarcerating individuals convicted of  
9 such acts;

10 (B) whether the government of the country  
11 vigorously investigates, prosecutes, convicts,  
12 and sentences public officials who participate in  
13 or facilitate corruption, including nationals of  
14 the country who are deployed in foreign military  
15 assignments, trade delegations abroad, or other  
16 similar missions, who engage in or facilitate sig-  
17 nificant corruption;

18 (C) whether the government of the country  
19 has adopted measures to prevent corruption,  
20 such as measures to inform and educate the  
21 public, including potential victims, about the  
22 causes and consequences of corruption;

23 (D) what steps the government of the  
24 country has taken to prohibit government offi-  
25 cials from participating in, facilitating, or

1           condoning corruption, including the investiga-  
2           tion, prosecution, and conviction of such offi-  
3           cials;

4           (E) the extent to which the country pro-  
5           vides access, or, as appropriate, makes adequate  
6           resources available, to civil society organizations  
7           and other institutions to combat corruption, in-  
8           cluding reporting, investigating, and moni-  
9           toring;

10          (F) whether an independent judiciary or  
11          judicial body in the country is responsible for,  
12          and effectively capable of, deciding corruption  
13          cases impartially, on the basis of facts and in  
14          accordance with the law, without any improper  
15          restrictions, influences, inducements, pressures,  
16          threats, or interferences (direct or indirect);

17          (G) whether the government of the country  
18          is assisting in international investigations of  
19          transnational corruption networks and in other  
20          cooperative efforts to combat significant corrup-  
21          tion, including, as appropriate, cooperating with  
22          the governments of other countries to extradite  
23          corrupt actors;

24          (H) whether the government of the country  
25          recognizes the rights of victims of corruption,

1 ensures their access to justice, and takes steps  
2 to prevent victims from being further victimized  
3 or persecuted by corrupt actors, government of-  
4 ficials, or others;

5 (I) whether the government of the country  
6 protects victims of corruption or whistleblowers  
7 from reprisal due to such persons having as-  
8 sisted in exposing corruption, and refrains from  
9 other discriminatory treatment of such persons;

10 (J) whether the government of the country  
11 is willing and able to recover and, as appro-  
12 priate, return the proceeds of corruption;

13 (K) whether the government of the country  
14 is taking steps to implement financial trans-  
15 parency measures in line with the Financial Ac-  
16 tion Task Force recommendations, including  
17 due diligence and beneficial ownership trans-  
18 parency requirements;

19 (L) whether the government of the country  
20 is facilitating corruption in other countries in  
21 connection with state-directed investment, loans  
22 or grants for major infrastructure, or other ini-  
23 tiatives; and

1 (M) such other information relating to cor-  
2 ruption as the Secretary of State considers ap-  
3 propriate.

4 (3) ASSESSING GOVERNMENT EFFORTS TO COM-  
5 BAT CORRUPTION IN RELATION TO RELEVANT  
6 INTERNATIONAL COMMITMENTS.—In determining  
7 whether a government is making serious and sus-  
8 tained efforts to address corruption, the Secretary of  
9 State shall consider the government of a country’s  
10 compliance with the following, as relevant:

11 (A) The Inter-American Convention  
12 against Corruption of the Organization of  
13 American States, done at Caracas March 29,  
14 1996.

15 (B) The Convention on Combating Bribery  
16 of Foreign Public Officials in International  
17 Business Transactions of the Organisation of  
18 Economic Co-operation and Development, done  
19 at Paris December 21, 1997 (commonly re-  
20 ferred to as the “Anti-Bribery Convention”).

21 (C) The United Nations Convention  
22 against Transnational Organized Crime, done  
23 at New York November 15, 2000.



1 (D) The United Nations Convention  
2 against Corruption, done at New York October  
3 31, 2003.

4 (E) Such other treaties, agreements, and  
5 international standards as the Secretary of  
6 State considers appropriate.

7 (e) IMPOSITION OF SANCTIONS UNDER GLOBAL  
8 MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT.—

9 (1) IN GENERAL.—The Secretary of State, in  
10 coordination with the Secretary of the Treasury,  
11 should evaluate whether there are foreign persons  
12 engaged in significant corruption for the purposes of  
13 potential imposition of sanctions under the Global  
14 Magnitsky Human Rights Accountability Act (sub-  
15 title F of title XII of Public Law 114–328; 22  
16 U.S.C. 2656 note)—

17 (A) in all countries identified as tier 3  
18 countries under subsection (c); or

19 (B) in relation to the planning or construc-  
20 tion or any operation of the Nord Stream 2  
21 pipeline.

22 (2) REPORT REQUIRED.—Not later than 180  
23 days after publishing the list required by subsection  
24 (c)(1) and annually thereafter, the Secretary of

1 State shall submit to the committees specified in  
2 paragraph (6) a report that includes—

3 (A) a list of foreign persons with respect to  
4 which the President imposed sanctions pursuant  
5 to the evaluation under subsection (a);

6 (B) the dates on which such sanctions  
7 were imposed;

8 (C) the reasons for imposing such sanc-  
9 tions; and

10 (D) a list of all foreign persons found to  
11 have been engaged in significant corruption in  
12 relation to the planning, construction, or oper-  
13 ation of the Nord Stream 2 pipeline.

14 (3) FORM OF REPORT.—Each report required  
15 by paragraph (2) shall be submitted in unclassified  
16 form but may include a classified annex.

17 (4) BRIEFING IN LIEU OF REPORT.—The Sec-  
18 retary of State, in coordination with the Secretary of  
19 the Treasury, may (except with respect to the list re-  
20 quired by paragraph (2)(D)) provide a briefing to  
21 the committees specified in paragraph (6) instead of  
22 submitting a written report required under para-  
23 graph (2), if doing so would better serve existing  
24 United States anti-corruption efforts or the national  
25 interests of the United States.

1           (5) TERMINATION OF REQUIREMENTS RELAT-  
2           ING TO NORD STREAM 2.—The requirements under  
3           paragraphs (1)(B) and (2)(D) shall terminate on the  
4           date that is 5 years after the date of the enactment  
5           of this Act.

6           (6) COMMITTEES SPECIFIED.—The committees  
7           specified in this subsection are—

8                   (A) the Committee on Foreign Relations,  
9                   the Committee on Appropriations, the Com-  
10                   mittee on Banking, Housing, and Urban Af-  
11                   fairs, and the Committee on the Judiciary of  
12                   the Senate; and

13                   (B) the Committee on Foreign Affairs, the  
14                   Committee on Appropriations, the Committee  
15                   on Financial Services, and the Committee on  
16                   the Judiciary of the House of Representatives.

17           (f) DESIGNATION OF EMBASSY ANTI-CORRUPTION  
18           POINTS OF CONTACT.—

19                   (1) IN GENERAL.—The Secretary of State shall  
20                   annually designate an anti-corruption point of con-  
21                   tact at the United States diplomatic post to each  
22                   country identified as tier 2 or tier 3 under sub-  
23                   section (c), or which the Secretary otherwise deter-  
24                   mines is in need of such a point of contact. The

1 point of contact shall be the chief of mission or the  
2 chief of mission’s designee.

3 (2) RESPONSIBILITIES.—Each anti-corruption  
4 point of contact designated under subsection (a)  
5 shall be responsible for enhancing coordination and  
6 promoting the implementation of a whole-of-govern-  
7 ment approach among the relevant Federal depart-  
8 ments and agencies undertaking efforts to—

9 (A) promote good governance in foreign  
10 countries; and

11 (B) enhance the ability of such countries—

12 (i) to combat public corruption; and

13 (ii) to develop and implement corrup-  
14 tion risk assessment tools and mitigation  
15 strategies.

16 (3) TRAINING.—The Secretary of State shall  
17 implement appropriate training for anti-corruption  
18 points of contact designated under paragraph (1).

19 **SEC. 3. FOREIGN CORRUPTION ACCOUNTABILITY ACT.**

20 (a) SHORT TITLE.—This section may be cited as the  
21 “Foreign Corruption Accountability Act”.

22 (b) FINDINGS.—Congress finds the following:

23 (1) When public officials and their allies use the  
24 mechanisms of government to engage in extortion or

1 bribery, they impoverish their countries' economic  
2 health and harm citizens.

3 (2) By empowering the United States Govern-  
4 ment to hold to account foreign public officials and  
5 their associates who engage in extortion or bribery,  
6 the United States can deter malfeasance and ulti-  
7 mately serve the citizens of fragile countries suffo-  
8 cated by corrupt bureaucracies.

9 (3) The Special Inspector General for Afghan  
10 Reconstruction's 2016 report "Corruption in Con-  
11 flict: Lessons from the U.S. Experience in Afghan-  
12 stan" included the recommendation, "Congress  
13 should consider enacting legislation that authorizes  
14 sanctions against foreign government officials or  
15 their associates who engage in corruption."

16 (c) AUTHORIZATION OF IMPOSITION OF SANC-  
17 TIONS.—

18 (1) IN GENERAL.—The President may impose  
19 the sanctions described in paragraph (2) with re-  
20 spect to any foreign person who is an individual the  
21 President determines—

22 (A) engages in public corruption activities  
23 against a United States person, including—

24 (i) soliciting or accepting bribes;

1 (ii) using the authority of the state to  
2 extort payments; or

3 (iii) engaging in extortion; or

4 (B) conspires to engage in, or knowingly  
5 and materially assists, sponsors, or provides sig-  
6 nificant financial, material, or technological  
7 support for any of the activities described in  
8 subparagraph (A).

9 (2) SANCTIONS DESCRIBED.—

10 (A) INELIGIBILITY FOR VISAS AND ADMIS-  
11 SIONS TO THE UNITED STATES.—The foreign  
12 person shall be—

13 (i) inadmissible to the United States;

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

17 (iii) otherwise ineligible to be admitted  
18 or paroled into the United States or to re-  
19 ceive any other benefit under the Immigra-  
20 tion and Nationality Act (8 U.S.C. 1101 et  
21 seq.).

22 (B) CURRENT VISAS REVOKED.—

23 (i) IN GENERAL.—The issuing con-  
24 sular officer or the Secretary of State, (or  
25 a designee of the Secretary of State) shall,

1 in accordance with section 221(i) of the  
2 Immigration and Nationality Act (8 U.S.C.  
3 1201(i)), revoke any visa or other entry  
4 documentation issued to the foreign person  
5 regardless of when the visa or other entry  
6 documentation is issued.

7 (ii) EFFECT OF REVOCATION.—A rev-  
8 ocation under clause (i) shall—

9 (I) take effect immediately; and

10 (II) automatically cancel any  
11 other valid visa or entry documenta-  
12 tion that is in the foreign person's  
13 possession.

14 (iii) REGULATIONS REQUIRED.—Not  
15 later than 180 days after the date of the  
16 enactment of this Act, the Secretary of  
17 State shall prescribe such regulations as  
18 are necessary to carry out this subsection.

19 (3) EXCEPTION TO COMPLY WITH LAW EN-  
20 FORCEMENT OBJECTIVES AND AGREEMENT REGARD-  
21 ING THE HEADQUARTERS OF THE UNITED NA-  
22 TIONS.—Sanctions under paragraph (2) shall not  
23 apply to a foreign person if admitting the person  
24 into the United States—

1 (A) would further important law enforce-  
2 ment objectives; or

3 (B) is necessary to permit the United  
4 States to comply with the Agreement regarding  
5 the Headquarters of the United Nations, signed  
6 at Lake Success June 26, 1947, and entered  
7 into force November 21, 1947, between the  
8 United Nations and the United States, or other  
9 applicable international obligations of the  
10 United States.

11 (4) TERMINATION OF SANCTIONS.—The Presi-  
12 dent may terminate the application of sanctions  
13 under this section with respect to a foreign person  
14 if the President determines and reports to the ap-  
15 propriate congressional committees not later than 15  
16 days before the termination of the sanctions that—

17 (A) the person is no longer engaged in the  
18 activity that was the basis for the sanctions or  
19 has taken significant verifiable steps toward  
20 stopping the activity;

21 (B) the President has received reliable as-  
22 surances that the person will not knowingly en-  
23 gage in activity subject to sanctions under this  
24 part in the future; or



1           (C) the termination of the sanctions is in  
2           the national security interests of the United  
3           States.

4           (5) REGULATORY AUTHORITY.—The President  
5           shall issue such regulations, licenses, and orders as  
6           are necessary to carry out this section.

7           (6) APPROPRIATE CONGRESSIONAL COMMIT-  
8           TEES DEFINED.—In this section, the term “appro-  
9           priate congressional committees” means—

10           (A) the Committee on the Judiciary, the  
11           Committee on Financial Services, and the Com-  
12           mittee on Foreign Affairs of the House of Rep-  
13           resentatives; and

14           (B) the Committee on the Judiciary, the  
15           Committee on Banking, Housing, and Urban  
16           Affairs, and the Committee on Foreign Rela-  
17           tions of the Senate.

18           (d) REPORTS TO CONGRESS.—

19           (1) IN GENERAL.—The President shall submit  
20           to the appropriate congressional committees, in ac-  
21           cordance with paragraph (2), a report that in-  
22           cludes—

23           (A) a list of each foreign person with re-  
24           spect to which the President imposed sanctions

1 pursuant to subsection (e) during the year pre-  
2 ceding the submission of the report;

3 (B) the number of foreign persons with re-  
4 spect to which the President—

5 (i) imposed sanctions under sub-  
6 section (e)(1) during that year; and

7 (ii) terminated sanctions under sub-  
8 section (e)(6) during that year;

9 (C) the dates on which such sanctions were  
10 imposed or terminated, as the case may be;

11 (D) the reasons for imposing or termi-  
12 nating such sanctions;

13 (E) the total number of foreign persons  
14 considered under subsection (e)(3) for whom  
15 sanctions were not imposed; and

16 (F) recommendations as to whether the  
17 imposition of additional sanctions would be an  
18 added deterrent in preventing public corruption.

19 (2) DATES FOR SUBMISSION.—

20 (A) INITIAL REPORT.—The President shall  
21 submit the initial report under paragraph (1)  
22 not later than 120 days after the date of the  
23 enactment of this Act.

24 (B) SUBSEQUENT REPORTS.—The Presi-  
25 dent shall submit a subsequent report under

1 paragraph (1) on December 10, or the first day  
2 thereafter on which both Houses of Congress  
3 are in session, of—

4 (i) the calendar year in which the ini-  
5 tial report is submitted if the initial report  
6 is submitted before December 10 of that  
7 calendar year; and

8 (ii) each calendar year thereafter.

9 (3) FORM OF REPORT.—

10 (A) IN GENERAL.—Each report required  
11 by paragraph (1) shall be submitted in unclassi-  
12 fied form, but may include a classified annex.

13 (B) EXCEPTION.—The name of a foreign  
14 person to be included in the list required by  
15 paragraph (1)(A) may be submitted in the clas-  
16 sified annex authorized by subparagraph (A)  
17 only if the President—

18 (i) determines that it is vital for the  
19 national security interests of the United  
20 States to do so; and

21 (ii) uses the annex in a manner con-  
22 sistent with congressional intent and the  
23 purposes of this section.

24 (4) PUBLIC AVAILABILITY.—

1           (A) IN GENERAL.—The unclassified por-  
2           tion of the report required by paragraph (1)  
3           shall be made available to the public, including  
4           through publication in the Federal Register.

5           (B) NONAPPLICABILITY OF CONFIDEN-  
6           TIALITY REQUIREMENT WITH RESPECT TO VISA  
7           RECORDS.—The President shall publish the list  
8           required by paragraph (1)(A) without regard to  
9           the requirements of section 222(f) of the Immig-  
10          ration and Nationality Act (8 U.S.C. 1202(f))  
11          with respect to confidentiality of records per-  
12          taining to the issuance or refusal of visas or  
13          permits to enter the United States.

14          (5) APPROPRIATE CONGRESSIONAL COMMIT-  
15          TEES DEFINED.—In this section, the term “appro-  
16          priate congressional committees” means—

17               (A) the Committee on Appropriations, the  
18               Committee on Foreign Affairs, the Committee  
19               on Financial Services, and the Committee on  
20               the Judiciary of the House of Representatives;  
21               and

22               (B) the Committee on Appropriations, the  
23               Committee on Foreign Relations, the Com-  
24               mittee on Banking, Housing, and Urban Af-

1           fairs, and the Committee on the Judiciary of  
2           the Senate.

3           (e) SUNSET.—

4           (1) IN GENERAL.—The authority to impose  
5           sanctions under subsection (c) and the requirements  
6           to submit reports under subsection (d) shall termi-  
7           nate on the date that is 6 years after the date of en-  
8           actment of this Act.

9           (2) CONTINUATION IN EFFECT OF SANC-  
10          TIONS.—Sanctions imposed under subsection (c) on  
11          or before the date specified in paragraph (1), and in  
12          effect as of such date, shall remain in effect until  
13          terminated in accordance with the requirements of  
14          subsection (c)(4).

15          (f) DEFINITIONS.—In this section:

16          (1) ENTITY.—The term “entity” means a part-  
17          nership, association, trust, joint venture, corpora-  
18          tion, group, subgroup, or other organization.

19          (2) FOREIGN PERSON.—The term “foreign per-  
20          son” means a person that is not a United States  
21          person.

22          (3) UNITED STATES PERSON.—The term  
23          “United States person” means a person that is a  
24          United States citizen, permanent resident alien, enti-  
25          ty organized under the laws of the United States or

1 any jurisdiction within the United States (including  
2 foreign branches), or any person in the United  
3 States.

4 (4) PERSON.—The term “person” means an in-  
5 dividual or entity.

6 (5) PUBLIC CORRUPTION.—The term “public  
7 corruption” means the unlawful exercise of entrusted  
8 public power for private gain, including by bribery,  
9 nepotism, fraud, or embezzlement.

10 **SEC. 4. FOREIGN EXTORTION PREVENTION ACT.**

11 (a) SHORT TITLE.—This section may be cited as the  
12 “Foreign Extortion Prevention Act”.

13 (b) PROHIBITION OF DEMAND FOR BRIBE.—Section  
14 201 of title 18, United States Code, is amended—

15 (1) in subsection (a), by adding at the end the  
16 following:

17 “(4) The term ‘foreign official’ means—

18 “(A) any official or employee of a foreign  
19 government or any department, agency, or in-  
20 strumentality thereof;

21 “(B) any official or employee of a public  
22 international organization;

23 “(C) any person acting in an official ca-  
24 pacity for or on behalf of any such government  
25 or department, agency, or instrumentality, or

1 for or on behalf of any such public international  
2 organization; or

3 “(D) any person acting in an unofficial ca-  
4 pacity for or on behalf of and with authoriza-  
5 tion from any such government or department,  
6 agency, or instrumentality, or for or on behalf  
7 of and with authorization from any such public  
8 international organization.

9 “(5) The term ‘public international organiza-  
10 tion’ means—

11 “(A) an organization that is designated by  
12 Executive order pursuant to section 1 of the  
13 International Organizations Immunities Act (22  
14 U.S.C. 288); or

15 “(B) any other international organization  
16 that is designated by the President by Execu-  
17 tive order for the purposes of this section, effec-  
18 tive as of the date of publication of such order  
19 in the Federal Register.”; and

20 (2) by adding at the end the following:

21 “(f)(1) IN GENERAL.—It shall be unlawful for any  
22 foreign official or person selected to be a foreign official  
23 to corruptly demand, seek, receive, accept, or agree to re-  
24 ceive or accept, directly or indirectly, anything of value

1 personally or for any other person or non-governmental  
2 entity, in or affecting interstate commerce, in return for—

3           “(A) being influenced in the performance of any  
4 official act;

5           “(B) being induced to do or omit to do any act  
6 in violation of the official duty of such official or  
7 person; or

8           “(C) conferring any improper advantage,  
9 in connection with obtaining or retaining business for or  
10 with, or directing business to, any person.

11           “(2) PENALTIES.—Any person who violates  
12 paragraph (1) of this section shall be fined not more  
13 than \$250,000 or three times the monetary equiva-  
14 lent of the thing of value, or imprisoned for not  
15 more than fifteen years, or both.

16           “(3) TRANSFER.—Except for costs related to  
17 the administration and enforcement of the Foreign  
18 Extortion Prevention Act, all fines and penalties im-  
19 posed against a person under paragraph (2) of this  
20 section, whether pursuant to a criminal prosecution,  
21 enforcement proceeding, deferred prosecution agree-  
22 ment, non-prosecution agreement, a declination to  
23 prosecute or enforce, a civil penalty, or any other  
24 resolution, shall be deposited in the Victims of



1 Kleptocracy Fund established under subsection (l) of  
2 this section.

3 “(4) JURISDICTION.—An offense under para-  
4 graph (1) of this section shall be subject to  
5 extraterritorial Federal jurisdiction.

6 “(5) REPORT.—Not later than one year after  
7 the date of enactment of the Foreign Extortion Pre-  
8 vention Act, and annually thereafter, the Attorney  
9 General shall submit to the Committee on the Judi-  
10 ciary of the House of Representatives and the Com-  
11 mittee on the Judiciary of the Senate, and post on  
12 the publicly available website of the Department of  
13 Justice, a report—

14 “(A) providing an overview of the scale  
15 and nature of bribery involving foreign officials,  
16 including an analysis of where these crimes are  
17 most likely to be committed;

18 “(B) focusing, in part, on demands by for-  
19 eign officials for bribes from United States  
20 domiciled or incorporated entities, and the ef-  
21 forts of foreign governments to prosecute such  
22 cases;

23 “(C) addressing United States diplomatic  
24 efforts to protect United States domiciled or in-  
25 corporated entities from foreign bribery, and

1 the effectiveness of those efforts in protecting  
2 such entities;

3 “(D) summarizing major actions taken  
4 under this section in the previous year, includ-  
5 ing, but not limited to, enforcement actions  
6 taken and penalties imposed;

7 “(E) evaluating the effectiveness of the  
8 Department of Justice in enforcing this section;

9 “(F) detailing what resources or legislative  
10 action the Department of Justice needs to en-  
11 sure adequate enforcement of this section; and

12 “(G) studying the efficacy of mutual legal  
13 assistance treaties and how they can be im-  
14 proved or built upon in multilateral fora, in-  
15 cluding the identification of legal and policy  
16 issues that are delaying prompt responses.

17 “(6) ANNUAL PUBLICATION OF MUTUAL LEGAL  
18 ASSISTANCE TREATY DATA.—Not later than one  
19 year after the date of enactment of the Foreign Ex-  
20 tortion Prevention Act, and annually thereafter, the  
21 Attorney General shall publish on the website of the  
22 Department of Justice—

23 “(A) the number of requests for mutual  
24 legal assistance made to the Department of

1 Justice from foreign governments during the  
2 preceding year;

3 “(B) the number of requests for mutual  
4 legal assistance returned for noncompliance  
5 during the preceding year;

6 “(C) the reason or reasons each request  
7 for mutual legal assistance returned for non-  
8 compliance was so returned;

9 “(D) the number of requests for mutual  
10 legal assistance processed by the Department of  
11 Justice during the preceding year;

12 “(E) the median length of time taken to  
13 process a request for mutual legal assistance by  
14 the Department of Justice;

15 “(F) the number of requests for mutual  
16 legal assistance that have been pending or not  
17 completely fulfilled within six months of receipt  
18 and the number of requests for mutual legal as-  
19 sistance that have been pending or not com-  
20 pletely fulfilled within one year or longer of re-  
21 ceipt; and

22 “(G) the number of outreach efforts by the  
23 Department of Justice to explain how foreign  
24 countries can receive mutual legal assistance.

1           “(7) VICTIMS OF KLEPTOCRACY FUND.—There  
2 is established in the United States Treasury a fund  
3 to be known as the ‘Victims of Kleptocracy Fund’.  
4 Amounts deposited into the Victims of Kleptocracy  
5 Fund pursuant to paragraph (3) of this subsection  
6 or other law shall be available to the Attorney Gen-  
7 eral, without fiscal year limitation or need for subse-  
8 quent appropriation, only for the purposes of—

9           “(A) the International Criminal Investiga-  
10 tive Training Assistance Program;

11           “(B) the Kleptocracy Asset Recovery Ini-  
12 tiative;

13           “(C) the Office of Overseas Prosecutorial  
14 Development, Assistance, and Training; and

15           “(D) the Office of International Affairs,  
16 including for the hiring of personnel to speed  
17 processing of requests for mutual legal assist-  
18 ance.

19           “(8) CONSTRUCTION.—This subsection shall  
20 not be construed as encompassing conduct that  
21 would violate section 30A of the Securities Exchange  
22 Act of 1934 (15 U.S.C. 78dd–1) or section 104 or  
23 104A of the Foreign Corrupt Practices Act of 1977  
24 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–3) whether pur-

1 suant to a theory of direct liability, conspiracy, com-  
2 plicity, or otherwise.”.

3 **SEC. 5. GOLDEN VISA ACCOUNTABILITY ACT.**

4 (a) **SHORT TITLE.**—This section may be cited as the  
5 “Golden Visa Accountability Act”.

6 (b) **DEFINITIONS.**—In this section:

7 (1) **FOREIGN STATE.**—The term “foreign state”  
8 has the meaning given such term in section 1603 of  
9 title 28, United States Code.

10 (2) **FOREIGN INVESTOR VISA.**—The term “for-  
11 eign investor visa” means any visa or passport  
12 granted by a foreign investor visa program.

13 (3) **FOREIGN INVESTOR VISA DENIAL.**—The  
14 term “foreign investor visa denial” means the deci-  
15 sion of a foreign state to deny an applicant a foreign  
16 investor visa because of involvement in corruption or  
17 serious human rights abuse.

18 (4) **FOREIGN INVESTOR VISA PROGRAM.**—The  
19 term “foreign investor visa program” means any  
20 visa or passport program of a foreign state that pro-  
21 vides a visa or citizenship in exchange for an invest-  
22 ment of any size.

23 (5) **UNITED STATES INVESTOR VISA DENIAL.**—  
24 The term “United States investor visa denial”  
25 means a decision to deny an applicant a visa under

1 section 203(b)(5) of the Immigration and Nation-  
2 ality Act (8 U.S.C. 1153(b)(5)) because of involve-  
3 ment in corruption or serious human rights abuse.

4 (6) INVESTOR VISA DENIALS DATABASE.—

5 (A) IN GENERAL.—Not later than 180  
6 days after the date of the enactment of this  
7 Act, the Secretary of State shall establish an in-  
8 vestor visa denials database. Initially, this data-  
9 base shall include records related to United  
10 States investor visa denials, for the purpose of  
11 coordinating with foreign states—

12 (i) to prevent the abuse of investor  
13 visas by foreign corrupt officials or crimi-  
14 nals;

15 (ii) to ensure that the proceeds of cor-  
16 ruption are not used to purchase an inves-  
17 tor visa; and

18 (iii) to counter the tendency of foreign  
19 corrupt officials and criminals to “shop”  
20 for an investor visa.

21 (B) EXPANSION.—The Secretary of State  
22 shall expand the database to include foreign in-  
23 vestor visa denials. Foreign states that provide  
24 records related to foreign investor visa denials  
25 for inclusion in the database shall gain access

1 to records contained therein. Priority foreign  
2 states for inclusion in this database are—

3 (i) the foreign states of the European  
4 Union, which include Austria, Belgium,  
5 Bulgaria, Croatia, Republic of Cyprus,  
6 Czech Republic, Denmark, Estonia, Fin-  
7 land, France, Germany, Greece, Hungary,  
8 Ireland, Italy, Latvia, Lithuania, Luxem-  
9 bourg, Malta, Netherlands, Poland, Por-  
10 tugal, Romania, Slovakia, Slovenia, Spain,  
11 and Sweden; and

12 (ii) the foreign states of the Five  
13 Eyes, which include Australia, Canada,  
14 New Zealand, and the United Kingdom.

15 (C) ADMISSION.—Foreign states may of  
16 their own volition apply for access to, and inclu-  
17 sion in, the investor visa denials database. The  
18 Secretary of State may admit a foreign state to  
19 the database if the Secretary determines that—

20 (i) the foreign state will be honest and  
21 forthcoming with records regarding its for-  
22 eign investor visa denials; and

23 (ii) the foreign investor visa program  
24 is at risk of abuse by foreign corrupt offi-  
25 cials.

1 **SEC. 6. JUSTICE FOR VICTIMS OF KLEPTOCRACY ACT OF**  
2 **2021.**

3 (a) **SHORT TITLE.**—This section may be cited as the  
4 “Justice for Victims of Kleptocracy Act of 2021”.

5 (b) **FORFEITED PROPERTY.**—

6 (1) **IN GENERAL.**—Chapter 46 of title 18,  
7 United States Code, is amended by adding at the  
8 end the following:

9 **“§ 988. Accounting of certain forfeited property**

10 “(a) **ACCOUNTING.**—The Attorney General shall  
11 make available to the public an accounting of any property  
12 relating to foreign government corruption that is forfeited  
13 to the United States under section 981 or 982.

14 “(b) **FORMAT.**—The accounting described under sub-  
15 section (a) shall be published on the website of the Depart-  
16 ment of Justice in a format that includes the following:

17 “(1) A heading as follows: ‘Assets stolen from  
18 the people of \_\_\_\_\_ and recovered by the  
19 United States’, the blank space being filled with the  
20 name of the foreign government that is the target of  
21 corruption.

22 “(2) The total amount recovered by the United  
23 States on behalf of the foreign people that is the tar-  
24 get of corruption at the time when such recovered  
25 funds are deposited into the Department of Justice



1       Asset Forfeiture Fund or the Department of the  
2       Treasury Forfeiture Fund.

3       “(c) UPDATED WEBSITE.—The Attorney General  
4 shall update the website of the Department of Justice to  
5 include an accounting of any new property relating to for-  
6 eign government corruption that has been forfeited to the  
7 United States under section 981 or 982 not later than  
8 14 days after such forfeiture, unless such update would  
9 compromise an ongoing law enforcement investigation.”.

10           (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions for chapter 46 of title 18, United States Code,  
12 is amended by adding at the end the following:

“988. Accounting of certain forfeited property.”.

13       (c) SENSE OF CONGRESS.—It is the sense of Con-  
14 gress that recovered assets be returned for the benefit of  
15 the people harmed by the corruption under conditions that  
16 reasonably ensure the transparent and effective use, ad-  
17 ministration and monitoring of returned proceeds.

18 **SEC. 7. REVEAL ACT.**

19       (a) SHORT TITLE.—This section may be cited as the  
20 “Revealing and Explaining Visa Exclusions for Account-  
21 ability and Legitimacy Act” or the “REVEAL Act”.

22       (b) LIMITING CONFIDENTIALITY OF RECORDS.—

23           (1) IN GENERAL.—Section 222(f) of the Immi-  
24 gration and Nationality Act (8 U.S.C. 1202(f)) is  
25 amended—

1 (A) in paragraph (1), by striking the pe-  
2 riod at the end and inserting a semicolon;

3 (B) in paragraph (2)(B), by striking the  
4 period at the end and inserting the following: “;  
5 and”; and

6 (C) by adding at the end the following:

7 “(3) the Secretary of State may make available  
8 to the public the identity of an individual alien de-  
9 termined to be inadmissible to the United States  
10 pursuant to subparagraph (C) of section 212(a)(3),  
11 and the grounds on which a determination was made  
12 to refuse a visa or permit.”.

13 (2) APPLICATION.—This subsection and the  
14 amendments made by this subsection shall apply  
15 with respect to any determination under section  
16 212(a)(3)(C) of the Immigration and Nationality  
17 Act (8 U.S.C. 1182(a)(3)(C)) made before, on, or  
18 after the date of enactment of this Act.

19 (3) CONSIDERATION OF CERTAIN INFORMATION  
20 IN REVEALING BANS.—In determining whether to  
21 waive confidentiality under section 222(f)(3) of the  
22 Immigration and Nationality Act, as added by para-  
23 graph (1), the Secretary of State shall consider—

1 (A) information provided by the chair-  
2 person and ranking member of each of the ap-  
3 propriate congressional committees; and

4 (B) credible information obtained by other  
5 countries and nongovernmental organizations  
6 that monitor corruption and human rights  
7 abuse.

8 (c) REPORTS TO CONGRESS.—

9 (1) IN GENERAL.—Not later than 120 days  
10 after the date of enactment of this Act, and annually  
11 thereafter, the President shall submit to the appro-  
12 priate congressional committees a report that in-  
13 cludes, for the previous year—

14 (A) a list of each individual that the Sec-  
15 retary of State determined was ineligible for an  
16 immigrant or nonimmigrant visa pursuant to  
17 subparagraph (C) of section 212(a)(3) of the  
18 Immigration and Nationality Act (8 U.S.C.  
19 1182(a)(3)); and

20 (B) a list of each individual described in  
21 subparagraph (A), but for whom the Secretary  
22 of State determined not to make public the  
23 identity of the individual, and the grounds on  
24 which the determination of ineligibility was  
25 made.

1 (2) FORM OF REPORT.—

2 (A) IN GENERAL.—Each report required  
3 by paragraph (1) shall be submitted in unclassi-  
4 fied form, but may include a classified annex.

5 (B) EXCEPTION.—The name of an alien to  
6 be included in the list required by paragraph  
7 (1)(A)) may be submitted in the classified  
8 annex authorized by subparagraph (A) only if  
9 the President—

10 (i) determines that it is vital for the  
11 national security interests of the United  
12 States to do so;

13 (ii) uses the annex in a manner con-  
14 sistent with congressional intent and the  
15 purposes of this section; and

16 (iii) not later than 15 days before sub-  
17 mitting the name in a classified annex,  
18 provides to the appropriate congressional  
19 committees notice of, and a justification  
20 for, including the name in the classified  
21 annex.

22 (3) PUBLIC AVAILABILITY.—

23 (A) IN GENERAL.—The unclassified por-  
24 tion of the report required by paragraph (1)

1 shall be made available to the public, including  
2 through publication in the Federal Register.

3 (B) NONAPPLICABILITY OF CONFIDEN-  
4 TIALITY REQUIREMENT WITH RESPECT TO VISA  
5 RECORDS.—The President shall publish the list  
6 required by paragraph (1)(A) without regard to  
7 the requirements of section 222(f) of the Immi-  
8 gration and Nationality Act (8 U.S.C. 1202(f))  
9 with respect to confidentiality of records per-  
10 taining to the issuance or refusal of visas or  
11 permits to enter the United States.

12 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
13 TEES DEFINED.—In this section, the term “appro-  
14 priate congressional committees” means—

15 (A) the Committee on the Judiciary and  
16 the Committee on Foreign Relations of the Sen-  
17 ate; and

18 (B) the Committee on the Judiciary and  
19 the Committee on Foreign Affairs of the House  
20 of Representatives.

21 **SEC. 8. TRAP ACT OF 2021.**

22 (a) SHORT TITLE.—This section may be cited as the  
23 “Transnational Repression Accountability and Prevention  
24 Act of 2021” or as the “TRAP Act of 2021”.

1 (b) TRANSNATIONAL REPRESSION ACCOUNTABILITY  
2 AND PREVENTION.—

3 (1) FINDINGS.—Congress makes the following  
4 findings:

5 (A) The International Criminal Police Or-  
6 ganization (INTERPOL) works to prevent and  
7 fight crime through enhanced cooperation and  
8 innovation on police and security matters, in-  
9 cluding kleptocracy, counterterrorism,  
10 cybercrime, counternarcotics, and transnational  
11 organized crime.

12 (B) United States membership and partici-  
13 pation in INTERPOL advances the national se-  
14 curity and law enforcement interests of the  
15 United States related to combating kleptocracy,  
16 terrorism, cybercrime, narcotics, and  
17 transnational organized crime.

18 (C) Article 2 of INTERPOL’s Constitution  
19 states that the organization aims “[to] ensure  
20 and promote the widest possible mutual assist-  
21 ance between all criminal police authorities . . .  
22 in the spirit of the ‘Universal Declaration of  
23 Human Rights’”.

24 (D) Article 3 of INTERPOL’s Constitu-  
25 tion states that “[i]t is strictly forbidden for the

1           Organization to undertake any intervention or  
2           activities of a political, military, religious or ra-  
3           cial character”.

4           (E) These principles provide INTERPOL  
5           with a foundation based on respect for human  
6           rights and avoidance of politically motivated ac-  
7           tions by the organization and its members.

8           (F) According to the Justice Manual of the  
9           United States Department of Justice, “[i]n the  
10          United States, national law prohibits the arrest  
11          of the subject of a Red Notice issued by an-  
12          other INTERPOL member country, based upon  
13          the notice alone”.

14          (2) SENSE OF CONGRESS.—It is the sense of  
15          Congress that some INTERPOL member countries  
16          have repeatedly misused INTERPOL’s databases  
17          and processes, including Notice and Diffusion mech-  
18          anisms, for activities of an overtly political or other  
19          unlawful character and in violation of international  
20          human rights standards, including making requests  
21          to harass or persecute political opponents, human  
22          rights defenders, or journalists.

23          (3) SUPPORT FOR INTERPOL INSTITUTIONAL  
24          REFORMS.—The Attorney General and the Secretary  
25          of State shall—

1 (A) use the voice, vote, and influence of  
2 the United States, as appropriate, within  
3 INTERPOL's General Assembly and Executive  
4 Committee to promote reforms aimed at im-  
5 proving the transparency of INTERPOL and  
6 ensuring its operation consistent with its Con-  
7 stitution, particularly articles 2 and 3, and  
8 Rules on the Processing of Data, including—

9 (i) supporting INTERPOL's reforms  
10 enhancing the screening process for No-  
11 tices, Diffusions, and other INTERPOL  
12 communications to ensure they comply  
13 with INTERPOL's Constitution and Rules  
14 on the Processing of Data (RPD);

15 (ii) supporting and strengthening  
16 INTERPOL's coordination with the Com-  
17 mission for Control of INTERPOL's Files  
18 (CCF) in cases in which INTERPOL or  
19 the CCF has determined that a member  
20 country issued a Notice, Diffusion, or  
21 other INTERPOL communication against  
22 an individual in violation of articles 2 or 3  
23 of the INTERPOL Constitution, or the  
24 RPD, to prohibit such member country  
25 from seeking the publication or issuance of



1 any subsequent Notices, Diffusions, or  
2 other INTERPOL communication against  
3 the same individual based on the same set  
4 of claims or facts;

5 (iii) increasing, to the extent prac-  
6 ticable, dedicated funding to the CCF and  
7 the Notices and Diffusions Task Force in  
8 order to further expand operations related  
9 to the review of requests for red notices  
10 and red diffusions;

11 (iv) supporting candidates for posi-  
12 tions within INTERPOL's structures, in-  
13 cluding the Presidency, Executive Com-  
14 mittee, General Secretariat, and CCF who  
15 have demonstrated experience relating to  
16 and respect for the rule of law;

17 (v) seeking to require INTERPOL in  
18 its annual report to provide a detailed ac-  
19 count, disaggregated by member country  
20 or entity of—

21 (I) the number of Notice re-  
22 quests, disaggregated by color, that it  
23 received;

1 (II) the number of Notice re-  
2 quests, disaggregated by color, that it  
3 rejected;

4 (III) the category of violation  
5 identified in each instance of a re-  
6 jected Notice;

7 (IV) the number of Diffusions  
8 that it cancelled without reference to  
9 decisions by the CCF; and

10 (V) the sources of all  
11 INTERPOL income during the re-  
12 porting period; and

13 (vi) supporting greater transparency  
14 by the CCF in its annual report by pro-  
15 viding a detailed account, disaggregated by  
16 country, of—

17 (I) the number of admissible re-  
18 quests for correction or deletion of  
19 data received by the CCF regarding  
20 issued Notices, Diffusions, and other  
21 INTERPOL communications; and

22 (II) the category of violation al-  
23 leged in each such complaint;

24 (B) inform the INTERPOL General Secre-  
25 tariat about incidents in which member coun-

1 tries abuse INTERPOL communications for po-  
2 litically motivated or other unlawful purposes so  
3 that, as appropriate, action can be taken by  
4 INTERPOL; and

5 (C) request to censure member countries  
6 that repeatedly abuse and misuse INTERPOL's  
7 red notice and red diffusion mechanisms, in-  
8 cluding restricting the access of those countries  
9 to INTERPOL's data and information systems.

10 (4) REPORT ON INTERPOL.—

11 (A) IN GENERAL.—Not later than 180  
12 days after the date of enactment of this Act,  
13 and biannually thereafter for a period of 4  
14 years, the Attorney General and the Secretary  
15 of State, in consultation with the heads of other  
16 relevant United States Government depart-  
17 ments or agencies, shall submit to the appro-  
18 priate committees of Congress a report con-  
19 taining an assessment of how INTERPOL  
20 member countries abuse INTERPOL Red No-  
21 tices, Diffusions, and other INTERPOL com-  
22 munications for political motives and other un-  
23 lawful purposes within the past three years.

1 (B) ELEMENTS.—The report required  
2 under paragraph (1) shall include the following  
3 elements:

4 (i) A list of countries that the Attor-  
5 ney General and the Secretary determine  
6 have repeatedly abused and misused the  
7 red notice and red diffusion mechanisms  
8 for political purposes.

9 (ii) A description of the most common  
10 tactics employed by member countries in  
11 conducting such abuse, including the  
12 crimes most commonly alleged and the  
13 INTERPOL communications most com-  
14 monly exploited.

15 (iii) An assessment of the adequacy of  
16 INTERPOL mechanisms for challenging  
17 abusive requests, including the Commission  
18 for the Control of INTERPOL's Files  
19 (CCF), an assessment of the CCF's March  
20 2017 Operating Rules, and any short-  
21 coming the United States believes should  
22 be addressed.

23 (iv) A description of how  
24 INTERPOL's General Secretariat identi-  
25 fies requests for red notice or red diffu-

1           sions that are politically motivated or are  
2           otherwise in violation of INTERPOL's  
3           rules and how INTERPOL reviews and  
4           addresses cases in which a member country  
5           has abused or misused the red notice and  
6           red diffusion mechanisms for overtly polit-  
7           ical purposes.

8           (v) A description of any incidents in  
9           which the Department of Justice assesses  
10          that United States courts and executive  
11          departments or agencies have relied on  
12          INTERPOL communications in contraven-  
13          tion of existing law or policy to seek the  
14          detention of individuals or render judg-  
15          ments concerning their immigration status  
16          or requests for asylum, with holding of re-  
17          moval, or convention against torture claims  
18          and any measures the Department of Jus-  
19          tice or other executive departments or  
20          agencies took in response to these inci-  
21          dents.

22          (vi) A description of how the United  
23          States monitors and responds to likely in-  
24          stances of abuse of INTERPOL commu-  
25          nications by member countries that could

1 affect the interests of the United States,  
2 including citizens and nationals of the  
3 United States, employees of the United  
4 States Government, aliens lawfully admit-  
5 ted for permanent residence in the United  
6 States, aliens who are lawfully present in  
7 the United States, or aliens with pending  
8 asylum, withholding of removal, or conven-  
9 tion against torture claims, though they  
10 may be unlawfully present in the United  
11 States.

12 (vii) A description of what actions the  
13 United States takes in response to credible  
14 information it receives concerning likely  
15 abuse of INTERPOL communications tar-  
16 geting employees of the United States Gov-  
17 ernment for activities they undertook in an  
18 official capacity.

19 (viii) A description of United States  
20 advocacy for reform and good governance  
21 within INTERPOL.

22 (ix) A strategy for improving inter-  
23 agency coordination to identify and ad-  
24 dress instances of INTERPOL abuse that  
25 affect the interests of the United States,

1 including international respect for human  
2 rights and fundamental freedoms, citizens  
3 and nationals of the United States, em-  
4 ployees of the United States Government,  
5 aliens lawfully admitted for permanent res-  
6 idence in the United States, aliens who are  
7 lawfully present in the United States, or  
8 aliens with pending asylum, withholding of  
9 removal, or convention against torture  
10 claims, though they may be unlawfully  
11 present in the United States.

12 (C) FORM OF REPORT.—Each report re-  
13 quired under this subsection shall be submitted  
14 in unclassified form, but may include a classi-  
15 fied annex, as appropriate. The unclassified  
16 portion of the report shall be posted on a pub-  
17 licly available website of the Department of  
18 State and of the Department of Justice.

19 (D) BRIEFING.—Not later than 30 days  
20 after the submission of each report under sub-  
21 paragraph (A), the Department of Justice and  
22 the Department of State, in coordination with  
23 other relevant United States Government de-  
24 partments and agencies, shall brief the appro-  
25 priate committees of Congress on the content of

1 the reports and recent instances of INTERPOL  
2 abuse by member countries and United States  
3 efforts to identify and challenge such abuse, in-  
4 cluding efforts to promote reform and good gov-  
5 ernance within INTERPOL.

6 (5) PROHIBITION REGARDING BASIS FOR EX-  
7 TRADITION.—No United States Government depart-  
8 ment or agency may extradite an individual based  
9 solely on an INTERPOL Red Notice or Diffusion  
10 issued by another INTERPOL member country for  
11 such individual.

12 (6) DEFINITIONS.—In this section:

13 (A) APPROPRIATE COMMITTEES OF CON-  
14 GRESS.—The term “appropriate committees of  
15 Congress” means—

16 (i) the Committee on Foreign Rela-  
17 tions and the Committee on the Judiciary  
18 of the Senate; and

19 (ii) the Committee on Foreign Affairs  
20 and the Committee on the Judiciary of the  
21 House of Representatives.

22 (B) INTERPOL COMMUNICATIONS.—The  
23 term “INTERPOL communications” means  
24 any INTERPOL Notice or Diffusion or any  
25 entry into any INTERPOL database or other



1           communications   system   maintained   by  
2           INTERPOL.

○