

116TH CONGRESS  
1ST SESSION

# H. R. 5369

To require the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act to combat corruption and human rights violations perpetrated by officials in the Mexican Government, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2019

Mr. GALLAGHER introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on 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

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## A BILL

To require the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act to combat corruption and human rights violations perpetrated by officials in the Mexican Government, 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 “Supporting Mexico  
5 Against Corruption Act”.

1 **SEC. 2. GLOBAL MAGNITSKY SANCTIONS WITH RESPECT TO**  
2 **CERTAIN GOVERNMENT OFFICIALS THAT EN-**  
3 **GAGE IN CORRUPTION OR HUMAN RIGHTS**  
4 **ABUSES IN MEXICO.**

5 (a) IN GENERAL.—Not later than 120 days after the  
6 date of the enactment of this Act, and as appropriate  
7 thereafter, the President shall impose the sanctions de-  
8 scribed in subsection (c) with respect to each foreign per-  
9 son described in subsection (b) if the President has cred-  
10 ible evidence that the foreign person has knowingly en-  
11 gaged in any of the activities described in section  
12 1263(a)(3) of the Global Magnitsky Human Rights Ac-  
13 countability Act (subtitle F of title XII of Public Law  
14 114–328; 22 U.S.C. 2656 note).

15 (b) FOREIGN PERSONS DESCRIBED.—A foreign per-  
16 son described in this subsection is a foreign person who  
17 is—

18 (1) a current or former official of the Govern-  
19 ment of Mexico; or

20 (2) acting on behalf of, or in cooperation with,  
21 an official of such Government.

22 (c) SANCTIONS DESCRIBED.—

23 (1) IN GENERAL.—The sanctions described in  
24 this subsection are the sanctions described in section  
25 1263(b) of the Global Magnitsky Human Rights Ac-

1       countability Act (subtitle F of title XII of Public  
2       Law 114–328; 22 U.S.C. 2656 note).

3               (2) EXCEPTION FOR INTELLIGENCE ACTIVI-  
4       TIES.—The requirement to impose sanctions under  
5       this section shall not apply with respect to activities  
6       subject to the reporting requirements under title V  
7       of the National Security Act of 1947 (50 U.S.C.  
8       3091 et seq.), or any authorized intelligence activi-  
9       ties of the United States.

10       (d) WAIVER.—The President may waive the imposi-  
11      tion of the sanctions under this section with respect to  
12      a foreign person if the President determines and reports  
13      to the appropriate congressional committees that such  
14      waiver is—

15               (1) in the national security interests of the  
16      United States; or

17               (2) necessary to prevent undue economic harm  
18      to the people of Mexico.

19       (e) IMPLEMENTATION.—

20               (1) IN GENERAL.—The President may exercise  
21      all authorities provided to the President under sec-  
22      tions 203 and 205 of the International Emergency  
23      Economic Powers Act (50 U.S.C. 1702 and 1704) to  
24      carry out this section.

1           (2) EXCEPTION RELATING TO THE IMPORTA-  
2           TION OF GOODS.—The authorities and requirements  
3           to impose sanctions authorized under this Act shall  
4           not include the authority or requirement to impose  
5           sanctions on the importation of goods.

6           (3) GOOD DEFINED.—In this subsection, the  
7           term “good” means any article, natural or manmade  
8           substance, material, supply or manufactured prod-  
9           uct, including inspection and test equipment and ex-  
10          cluding technical data.

11          (f) PENALTIES.—A person that violates, attempts to  
12          violate, conspires to violate, or causes a violation of this  
13          section or any regulation, license, or order issued to carry  
14          out this section shall be subject to the penalties set forth  
15          in subsections (b) and (c) of section 206 of the Inter-  
16          national Emergency Economic Powers Act (50 U.S.C.  
17          1705) to the same extent as a person that commits an  
18          unlawful act described in subsection (a) of that section.

19          (g) REPORT ON IMPLEMENTATION.—Not later than  
20          15 days after imposing sanctions under subsection (a), the  
21          President shall submit to the appropriate congressional  
22          committees a report regarding measures taken to imple-  
23          ment this section.

24          **SEC. 3. DEFINITIONS.**

25          In this Act:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means—

4           (A) the Committee on Foreign Affairs, the  
5       Committee on Armed Services, the Permanent  
6       Select Committee on Intelligence, the Com-  
7       mittee on Financial Services, the Committee on  
8       the Judiciary, and the Committee on Appro-  
9       priations of the House of Representatives; and

10          (B) the Committee on Foreign Relations,  
11       the Committee on Armed Services, the Select  
12       Committee on Intelligence, the Committee on  
13       Banking, Housing, and Urban Affairs, the  
14       Committee on the Judiciary, and the Com-  
15       mittee on Appropriations of the Senate.

16          (2) FOREIGN PERSON.—The term “foreign per-  
17       son” means an individual or entity that is not a  
18       United States person.

19          (3) UNITED STATES PERSON.—The term  
20       “United States person” means—

21           (A) a United States citizen or an alien law-  
22       fully admitted for permanent residence to the  
23       United States; or

24           (B) an entity organized under the laws of  
25       the United States or of any jurisdiction within

- 1 the United States, including a foreign branch of
- 2 such an entity.

