

## Calendar No. 312

117TH CONGRESS  
2D SESSION

# H. R. 6968

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IN THE SENATE OF THE UNITED STATES

MARCH 23, 2022

Received

MARCH 24, 2022

Read the first time

MARCH 28, 2022

Read the second time and placed on the calendar

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## AN ACT

To prohibit the importation of energy products of the Russian Federation, 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 “Suspending Energy  
5 Imports from Russia Act”.

6 **SEC. 2. PROHIBITION ON IMPORTATION OF ENERGY PROD-**  
7 **UCTS OF THE RUSSIAN FEDERATION.**

8 (a) IN GENERAL.—

1           (1) PROHIBITION OF ENERGY PRODUCTS.—Not-  
2           withstanding any other provision of law, all products  
3           of the Russian Federation classified under chapter  
4           27 of the Harmonized Tariff Schedule of the United  
5           States shall be banned from importation into the  
6           United States, other than products imported on or  
7           before 11:59 p.m. eastern daylight time on the date  
8           that is 45 days after the date of the enactment of  
9           this Act.

10           (2) AUTHORITY TO ALLOW IMPORTATION  
11           UNDER CONTRACT.—Notwithstanding the prohibi-  
12           tion under paragraph (1), the President may allow  
13           certain products described in such paragraph to be  
14           imported into the United States if the importation  
15           of such products is pursuant to a written contract  
16           or agreement that was entered into before the date  
17           of the enactment of this Act.

18           (b) NATIONAL INTEREST WAIVER.—

19           (1) IN GENERAL.—The President is authorized  
20           to waive the prohibition under subsection (a) with  
21           respect to one or more of the products of the Rus-  
22           sian Federation described in the matter preceding  
23           paragraph (1) of subsection (a) if the President cer-  
24           tifies that such waiver is in the national interest of  
25           the United States and includes in such certification

1 a description of the product or products to which the  
2 waiver is proposed to apply. Such waiver shall take  
3 effect beginning on the date that is 90 calendar days  
4 after the date of submission of such certification,  
5 unless there is enacted into law during such 90-day  
6 period a joint resolution of disapproval.

7 (2) CONGRESSIONAL CONSULTATION.—

8 (A) PRIOR JUSTIFICATION.—The President  
9 shall, not later than 15 calendar days before  
10 submitting a certification described in para-  
11 graph (1), submit to the appropriate congress-  
12 sional committees a justification for the waiver  
13 proposed under such paragraph.

14 (B) APPROPRIATE CONGRESSIONAL COM-  
15 MITTEES.—For purposes of this paragraph, the  
16 term “appropriate congressional committees”  
17 means—

18 (i) the Committee on Ways and  
19 Means, the Committee on Financial Serv-  
20 ices, and the Committee on Foreign Affairs  
21 of the House of Representatives; and

22 (ii) the Committee on Finance, the  
23 Committee on Banking, Housing, and  
24 Urban Affairs, and the Committee on For-  
25 eign Relations of the Senate.

1 (c) JOINT RESOLUTION OF DISAPPROVAL.—

2 (1) DEFINITION.—For purposes of this section,  
3 the term “joint resolution of disapproval” means  
4 only a joint resolution—

5 (A) which does not have a preamble;

6 (B) the title of which is as follows: “Joint  
7 resolution disapproving the President’s pro-  
8 posed waiver under section 2(b)(1) of the Sus-  
9 pending Energy Imports from Russia Act.”;  
10 and

11 (C) the matter after the resolving clause of  
12 which is as follows: “That Congress disapproves  
13 the proposed waiver of the President under sec-  
14 tion 2(b)(1) of the Suspending Energy Imports  
15 from Russia Act, submitted to Congress on  
16 \_\_\_\_\_”, the blank space being filled in with  
17 the appropriate date.

18 (2) INTRODUCTION IN THE HOUSE OF REP-  
19 RESENTATIVES.—During a period of 5 legislative  
20 days beginning on the date that a certification under  
21 subsection (b)(1) is submitted to Congress, a joint  
22 resolution of disapproval may be introduced in the  
23 House of Representatives by the majority leader or  
24 the minority leader.

1           (3) INTRODUCTION IN THE SENATE.—During a  
2           period of 5 days on which the Senate is in session  
3           beginning on the date that a certification under sub-  
4           section (b)(1) is submitted to Congress, a joint reso-  
5           lution of disapproval may be introduced in the Sen-  
6           ate by the majority leader (or the majority leader’s  
7           designee) or the minority leader (or the minority  
8           leader’s designee).

9           (4) FLOOR CONSIDERATION IN THE HOUSE OF  
10          REPRESENTATIVES.—

11           (A) REPORTING AND DISCHARGE.—If a  
12           committee of the House to which a joint resolu-  
13           tion of disapproval has been referred has not  
14           reported such joint resolution within 10 legisla-  
15           tive days after the date of referral, that com-  
16           mittee shall be discharged from further consid-  
17           eration thereof.

18           (B) PROCEEDING TO CONSIDERATION.—  
19           Beginning on the third legislative day after  
20           each committee to which a joint resolution of  
21           disapproval has been referred reports it to the  
22           House or has been discharged from further con-  
23           sideration thereof, it shall be in order to move  
24           to proceed to consider the joint resolution in the  
25           House. All points of order against the motion

1 are waived. Such a motion shall not be in order  
2 after the House has disposed of a motion to  
3 proceed on a joint resolution with regard to the  
4 same certification. The previous question shall  
5 be considered as ordered on the motion to its  
6 adoption without intervening motion. The mo-  
7 tion shall not be debatable. A motion to recon-  
8 sider the vote by which the motion is disposed  
9 of shall not be in order.

10 (C) CONSIDERATION.—The joint resolution  
11 shall be considered as read. All points of order  
12 against the joint resolution and against its con-  
13 sideration are waived. The previous question  
14 shall be considered as ordered on the joint reso-  
15 lution to final passage without intervening mo-  
16 tion except two hours of debate equally divided  
17 and controlled by the sponsor of the joint reso-  
18 lution (or a designee) and an opponent. A mo-  
19 tion to reconsider the vote on passage of the  
20 joint resolution shall not be in order.

21 (5) CONSIDERATION IN THE SENATE.—

22 (A) COMMITTEE REFERRAL.—A joint reso-  
23 lution of disapproval introduced in the Senate  
24 shall be referred to the Committee on Finance.

1 (B) REPORTING AND DISCHARGE.—If the  
2 Committee on Finance has not reported such  
3 joint resolution of disapproval within 10 days  
4 on which the Senate is in session after the date  
5 of referral of such joint resolution, that com-  
6 mittee shall be discharged from further consid-  
7 eration of such joint resolution and the joint  
8 resolution shall be placed on the appropriate  
9 calendar.

10 (C) MOTION TO PROCEED.—Notwith-  
11 standing Rule XXII of the Standing Rules of  
12 the Senate, it is in order at any time after the  
13 Committee on Finance reports the joint resolu-  
14 tion of disapproval to the Senate or has been  
15 discharged from its consideration (even though  
16 a previous motion to the same effect has been  
17 disagreed to) to move to proceed to the consid-  
18 eration of the joint resolution, and all points of  
19 order against the joint resolution (and against  
20 consideration of the joint resolution) shall be  
21 waived. The motion to proceed is not debatable.  
22 The motion is not subject to a motion to post-  
23 pone. A motion to reconsider the vote by which  
24 the motion is agreed to or disagreed to shall not  
25 be in order. If a motion to proceed to the con-

1           sideration of the joint resolution of disapproval  
2           is agreed to, the joint resolution shall remain  
3           the unfinished business until disposed of.

4           (D) DEBATE.—Debate on the joint resolu-  
5           tion of disapproval, and on all debatable mo-  
6           tions and appeals in connection therewith, shall  
7           be limited to not more than 10 hours, which  
8           shall be divided equally between the majority  
9           and minority leaders or their designees. A mo-  
10          tion to further limit debate is in order and not  
11          debatable. An amendment to, or a motion to  
12          postpone, or a motion to proceed to the consid-  
13          eration of other business, or a motion to recom-  
14          mit the joint resolution of disapproval is not in  
15          order.

16          (E) VOTE ON PASSAGE.—The vote on pas-  
17          sage shall occur immediately following the con-  
18          clusion of the debate on the joint resolution of  
19          disapproval and a single quorum call at the con-  
20          clusion of the debate, if requested in accordance  
21          with the rules of the Senate.

22          (F) RULES OF THE CHAIR ON PROCE-  
23          DURE.—Appeals from the decisions of the Chair  
24          relating to the application of the rules of the  
25          Senate, as the case may be, to the procedure re-



1           lating to the joint resolution of disapproval shall  
2           be decided without debate.

3           (G) CONSIDERATION OF VETO MES-  
4           SAGES.—Debate in the Senate of any veto mes-  
5           sage with respect to the joint resolution of dis-  
6           approval, including all debatable motions and  
7           appeals in connection with such joint resolution,  
8           shall be limited to 10 hours, to be equally di-  
9           vided between, and controlled by, the majority  
10          leader and the minority leader or their des-  
11          ignees.

12          (6) PROCEDURES IN THE SENATE.—Except as  
13          otherwise provided in this subsection, the following  
14          procedures shall apply in the Senate to a joint reso-  
15          lution of disapproval to which this subsection ap-  
16          plies:

17                 (A) Except as provided in subparagraph  
18                 (B), a joint resolution of disapproval that has  
19                 passed the House of Representatives shall,  
20                 when received in the Senate, be referred to the  
21                 Committee on Finance for consideration in ac-  
22                 cordance with this subsection.

23                 (B) If a joint resolution of disapproval to  
24                 which this section applies was introduced in the  
25                 Senate before receipt of a joint resolution of

1 disapproval that has passed the House of Rep-  
2 resentatives, the joint resolution from the  
3 House of Representatives shall, when received  
4 in the Senate, be placed on the calendar. If this  
5 subparagraph applies, the procedures in the  
6 Senate with respect to a joint resolution of dis-  
7 approval introduced in the Senate that contains  
8 the identical matter as the joint resolution of  
9 disapproval that passed the House of Rep-  
10 resentatives shall be the same as if no joint res-  
11 olution of disapproval had been received from  
12 the House of Representatives, except that the  
13 vote on passage in the Senate shall be on the  
14 joint resolution of disapproval that passed the  
15 House of Representatives.

16 (7) RULES OF THE HOUSE OF REPRESENTA-  
17 TIVES AND SENATE.—This subsection is enacted by  
18 Congress—

19 (A) as an exercise of the rulemaking power  
20 of the Senate and the House of Representa-  
21 tives, respectively, and as such are deemed a  
22 part of the rules of each House, respectively,  
23 but applicable only with respect to the proce-  
24 dure to be followed in that House in the case  
25 of legislation described in those sections, and

1           supersede other rules only to the extent that  
2           they are inconsistent with such rules; and

3                   (B) with full recognition of the constitu-  
4           tional right of either House to change the rules  
5           (so far as relating to the procedure of that  
6           House) at any time, in the same manner, and  
7           to the same extent as in the case of any other  
8           rule of that House.

9 **SEC. 3. COOPERATION AND ACCOUNTABILITY AT THE**  
10 **WORLD TRADE ORGANIZATION.**

11       The United States Trade Representative shall use the  
12 voice and influence of the United States at the WTO to—

13           (1) condemn the recent aggression in Ukraine;

14           (2) encourage other WTO members to suspend  
15 trade concessions to the Russian Federation; and

16           (3) consider further steps with the view to sus-  
17 pend the Russian Federation’s participation in the  
18 WTO.

19 **SEC. 4. MODIFICATIONS TO AND REAUTHORIZATION OF**  
20 **SANCTIONS UNDER THE GLOBAL MAGNITSKY**  
21 **HUMAN RIGHTS ACCOUNTABILITY ACT WITH**  
22 **RESPECT TO HUMAN RIGHTS VIOLATIONS.**

23       (a) DEFINITIONS.—Section 1262 of the Global  
24 Magnitsky Human Rights Accountability Act (subtitle F

1 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)  
2 is amended by striking paragraph (2).

3 (b) SENSE OF CONGRESS.—

4 (1) IN GENERAL.—The Global Magnitsky  
5 Human Rights Accountability Act (subtitle F of title  
6 XII of Public Law 114–328; 22 U.S.C. 2656 note)  
7 is amended by inserting after section 1262 (as  
8 amended by subsection (a)) the following new sec-  
9 tion:

10 **“SEC. 1262A. SENSE OF CONGRESS.**

11 “It is the sense of Congress that the President should  
12 establish and regularize information sharing and sanc-  
13 tions-related decisionmaking with like-minded govern-  
14 ments possessing human rights and anti-corruption sanc-  
15 tions programs similar in nature to those authorized under  
16 this subtitle.”.

17 (2) CLERICAL AMENDMENT.—The table of con-  
18 tents in section 2(b) and in title XII of division A  
19 of the National Defense Authorization Act for Fiscal  
20 Year 2017 (Public Law 114–328) are each amended  
21 by inserting after the items relating to section 1262  
22 the following:

“Sec. 1262A. Sense of Congress.”.

23 (c) IMPOSITION OF SANCTIONS.—

24 (1) IN GENERAL.—Subsection (a) of section  
25 1263 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) is amended to  
3       read as follows:

4       “(a) IN GENERAL.—The President may impose the  
5       sanctions described in subsection (b) with respect to any  
6       foreign person that the President determines, based on  
7       credible information—

8               “(1) is responsible for or complicit in, or has di-  
9       rectly or indirectly engaged in, serious human rights  
10       abuse;

11               “(2) is a current or former government official,  
12       or a person acting for or on behalf of such an offi-  
13       cial, who is responsible for or complicit in, or has di-  
14       rectly or indirectly engaged in—

15                       “(A) corruption, including—

16                               “(i) the misappropriation of state as-  
17                               sets;

18                               “(ii) the expropriation of private as-  
19                               sets for personal gain;

20                               “(iii) corruption related to government  
21                               contracts or the extraction of natural re-  
22                               sources; or

23                               “(iv) bribery; or

24                       “(B) the transfer or facilitation of the  
25       transfer of the proceeds of corruption;

1 “(3) is or has been a leader or official of—

2 “(A) an entity, including a government en-  
3 tity, that has engaged in, or whose members  
4 have engaged in, any of the activities described  
5 in paragraph (1) or (2) during the tenure of the  
6 leader or official; or

7 “(B) an entity whose property and inter-  
8 ests in property are blocked pursuant to this  
9 section as a result of activities during the ten-  
10 ure of the leader or official;

11 “(4) has materially assisted, sponsored, or pro-  
12 vided financial, material, or technological support  
13 for, or goods or services to or in support of—

14 “(A) an activity described in paragraph (1)  
15 or (2) that is conducted by a foreign person;

16 “(B) a person whose property and inter-  
17 ests in property are blocked pursuant to this  
18 section; or

19 “(C) an entity, including a government en-  
20 tity, that has engaged in, or whose members  
21 have engaged in, an activity described in para-  
22 graph (1) or (2) conducted by a foreign person;  
23 or

24 “(5) is owned or controlled by, or has acted or  
25 been purported to act for or on behalf of, directly or

1 indirectly, a person whose property and interests in  
2 property are blocked pursuant to this section.”.

3 (2) CONSIDERATION OF CERTAIN INFORMA-  
4 TION.—Subsection (c)(2) of such section is amended  
5 by striking “violations of human rights” and insert-  
6 ing “corruption and human rights abuses”.

7 (3) REQUESTS BY CONGRESS.—Subsection  
8 (d)(2) of such section is amended—

9 (A) in subparagraph (A)—

10 (i) in the subparagraph heading, by  
11 striking “HUMAN RIGHTS VIOLATIONS”  
12 and inserting “SERIOUS HUMAN RIGHTS  
13 ABUSE”; and

14 (ii) by striking “described in para-  
15 graph (1) or (2) of subsection (a)” and in-  
16 serting “described in subsection (a) relat-  
17 ing to serious human rights abuse”; and

18 (B) in subparagraph (B)—

19 (i) in the matter preceding clause (i),  
20 by striking “described in paragraph (3) or  
21 (4) of subsection (a)” and inserting “de-  
22 scribed in subsection (a) relating to cor-  
23 ruption or the transfer or facilitation of  
24 the transfer of the proceeds of corruption”;  
25 and

1                   (ii) by striking “ranking member of—  
2                   ” and all that follows through the period at  
3                   the end and inserting “ranking member of  
4                   one of the appropriate congressional com-  
5                   mittees.”.

6           (d) REPORTS TO CONGRESS.—Section 1264(a) of the  
7 Global Magnitsky Human Rights Accountability Act (sub-  
8 title F of title XII of Public Law 114–328; 22 U.S.C.  
9 2656 note) is amended—

10           (1) in paragraph (5), by striking “; and” and  
11           inserting a semicolon;

12           (2) in paragraph (6), by striking the period at  
13           the end and inserting a semicolon; and

14           (3) by adding at the end the following:

15           “(7) a description of additional steps taken by  
16           the President through diplomacy, international en-  
17           gagement, and assistance to foreign or security sec-  
18           tors to address persistent underlying causes of seri-  
19           ous human rights abuse and corruption in each  
20           country in which foreign persons with respect to  
21           which sanctions have been imposed under section  
22           1263 are located; and

23           “(8) a description of additional steps taken by  
24           the President to ensure the pursuit of judicial ac-  
25           countability in appropriate jurisdictions with respect



1 to those foreign persons subject to sanctions under  
2 section 1263 for serious human rights abuse and  
3 corruption.”.

4 (e) REPEAL OF SUNSET.—

5 (1) IN GENERAL.—Section 1265 of the Global  
6 Magnitsky Human Rights Accountability Act (sub-  
7 title F of title XII of Public Law 114–328; 22  
8 U.S.C. 2656 note) is repealed.

9 (2) CLERICAL AMENDMENT.—The table of con-  
10 tents in section 2(b) and in title XII of division A  
11 of the National Defense Authorization Act for Fiscal  
12 Year 2017 (Public Law 114–328) are each amended  
13 by striking the items relating to section 1265.

Passed the House of Representatives March 9,  
2022.

Attest: CHERYL L. JOHNSON,  
*Clerk.*

By KEVIN McCUMBER,  
*Deputy Clerk.*

Calendar No. 312

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 6968**

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**AN ACT**

To prohibit the importation of energy products of the Russian Federation, and for other purposes.

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MARCH 28, 2022

Read the second time and placed on the calendar