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# U.S. Sanctions: Legislation in the 117<sup>th</sup> Congress

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## U.S. Sanctions: Legislation in the 117<sup>th</sup> Congress

Members of the 117<sup>th</sup> Congress have introduced more than 350 bills related to the use of sanctions as a foreign policy and national security tool. Of these bills, committees have considered more than 60, at least one chamber has passed more than 30, and the President has signed seven into law. The 117<sup>th</sup> Congress has demonstrated continued prioritization of longstanding policy issues related to the use of sanctions, as well as consideration of issues that are comparatively new to the debate surrounding sanctions.

Sanctions legislation introduced in the 117<sup>th</sup> Congress may be divided into three broad, and sometimes overlapping, categories:

- **Country-Specific Sanctions:** legislation that relates to sanctions with respect to geopolitical events or strategic interests concerning a specific country or region. Such legislation most frequently targeted the governments of, or objectionable behaviors within the borders of, Russia, Iran, China, Cuba, Afghanistan, and Burma in this time period.
- **Sanctions Related to Transnational Issues:** legislation concerning sanctions related to specific objectionable behaviors or transnational issues that threaten U.S. foreign policy or national security interests. The largest portion of these in the 117<sup>th</sup> Congress target human rights abuse, corruption, and international terrorism.
- **Sanctions Implementation and Process:** legislation that relates to Congress's role in the use of sanctions as a U.S. foreign policy tool, such as legislation that prescribes appropriations for executive branch agencies that implement U.S. sanctions, outlines mechanisms by which Congress may engage in oversight of sanctions, and defines the criteria by which the President may waive sanctions.

When introducing legislation related to U.S. sanctions, Members may consider certain issues related to Congress's role in sanctions implementation, including the following:

- **The Role of Sanctions in U.S. Foreign Policy:** In addition to authorizing, requiring, or prohibiting the imposition of sanctions through legislation, Congress also has avenues at its disposal to define or clarify the foreign policy and national security strategies or objectives that sanctions should serve. Members may consider how best to contextualize the use of sanctions as a tool within broader U.S. foreign policy.
- **The Roles of Congress and the Executive Branch:** Congress may take actions that affect sanctions imposed by the President through executive order by invoking emergency authorities. Such actions may take the form of codifying into law sanctions authorities issued by executive order; enacting requirements for the President to report to Congress on the use of sanctions; enacting legislation that sets the conditions by which sanctions designations may be waived or subject to exemptions; and modifying the funding, structure, or oversight mechanisms of executive agencies that administer U.S. sanctions. Congress may also enact legislation that creates sanctions authorities in instances where the President has not yet done so, or declines to do so.
- **Oversight and Implementation:** In enacting sanctions legislation, Members may consider how to balance promoting flexible implementation of sanctions with exercising Congress's constitutionally endowed authority to engage in oversight of the executive branch. In doing so, Members may consider how or whether to include requirements that the executive branch report on the implementation of sanctions, or what conditions to place on waiving, exempting, or removing sanctions in certain circumstances.
- **Constitutional Role of Congress:** Members have leveraged Congress's constitutionally endowed "power of the purse" to exert influence on the policies and practices of executive agencies implementing U.S. sanctions. Some elements of legislation introduced in the 117<sup>th</sup> Congress include provisions that seek to prevent recognition of foreign governments by the United States or seek to require sanctions on specific individuals or entities, but may also be subject to legal challenges.

## Contents

Role of Sanctions in U.S. Foreign Policy.....	1
Sanctions and the 117 <sup>th</sup> Congress: Selected Trends and Actions.....	2
Legislation Related to Country-Specific Sanctions.....	3
Russia.....	3
Iran.....	4
China.....	6
Cuba.....	7
Afghanistan.....	8
Burma.....	9
Transnational Issues.....	9
Human Rights and Corruption.....	9
Terrorism/Counterterrorism.....	10
Sanctions Implementation and Agencies Administering U.S. Sanctions.....	11
Congressional Issues.....	12
Role of Sanctions in U.S. Foreign Policy.....	12
Roles of Congress and the Executive Branch.....	13
Selected Oversight and Implementation Issues.....	14
Constitutional Role of Congress.....	15

## Tables

Table A-1. Enacted Legislation Related to U.S. Sanctions.....	16
Table A-2. The National Defense Authorization Act (NDAA) for Fiscal Year 2022.....	16
Table A-3. The Consolidated Appropriations Act for Fiscal Year 2022.....	18
Table A-4. The Suspending Normal Trade Relations with Russia and Belarus Act of 2022.....	20
Table A-5. Ending Importation of Russian Oil Act of 2022.....	20
Table B-1. Selected Legislation Related to Russia Sanctions.....	21
Table B-2. Selected Legislation Related to Iran Sanctions.....	24
Table B-3. Selected Legislation Related to China Sanctions.....	25
Table B-4. Selected Legislation Related to Cuba Sanctions.....	28
Table B-5. Selected Legislation Related to Sanctions on Afghanistan, the Taliban, or the Haqqani Network.....	28
Table C-1. Selected Legislation Related to Sanctions and Human Rights and/or Corruption.....	29
Table C-2. Selected Legislation Related to Sanctions and Terrorism/Counterterrorism.....	31

## Appendixes

Appendix A. Enacted Legislation with Sanctions Provisions: A Selected Summary.....	16
Appendix B. Selected Legislation Related to Country-Specific Sanctions.....	21
Appendix C. Selected Legislation Related to Sanctions Concerning Transnational Issues.....	29

## **Contacts**

Author Information..... 32

## Role of Sanctions in U.S. Foreign Policy

Sanctions are coercive measures imposed by a government or coalition of governments against another country, government, or specific individuals and entities. In furtherance of U.S. national security or foreign policy objectives, the United States may impose sanctions to deter or alter objectionable behaviors or policies.<sup>1</sup> These sanctions include restrictive measures affecting, for example, foreign assistance; exports, imports, joint projects, or investments, including trade embargoes or prohibitions on financial underwriting or insurance; diplomatic ties or the ability to travel to the United States; access to assets held in the United States; economic transactions with individuals or entities under U.S. jurisdiction; or access to the U.S. financial system. The United States' use of sanctions as a foreign policy and national security tool has increased substantially since the terrorist attacks of September 11, 2001.<sup>2</sup> As of October, 2021, the U.S. Department of the Treasury reports that the United States maintains sanctions on over 9,400 individuals and entities—an increase of over 900% since 2000—related to more than 20 countries.<sup>3</sup>

Congress and the executive branch occupy different roles in the use of sanctions as a foreign policy tool, based on the legal authority conferred on each by the Constitution and federal statute. The Constitution grants Congress the power to impose and collect taxes, tariffs, and duties, and to regulate international commerce. The President has no specific constitutional authority over international trade and commerce—including over restrictions on trade and commerce commonly referred to as “sanctions”—unless delegated such authority through legislation enacted by Congress.<sup>4</sup> Congress has authorized the President to impose restrictions on international trade and commerce when conditions threaten the U.S. national security, foreign policy, or economy in enacting the National Emergencies Act (NEA), Trading With the Enemy Act, and the International Emergency Economic Powers Act (IEEPA).<sup>5</sup> Under these authorities, the President can establish and enforce economic restrictions without further congressional action.<sup>6</sup> Though emergency authorities empower the President to impose economic sanctions without further congressional action, Congress has often enacted legislation that directs the President to impose such sanctions with respect to a specific foreign policy objective, geopolitical situation, or bilateral relationship, and may choose to do so in future instances. Congress also may exercise its role in structuring and imposing sanctions by using its constitutional power to appropriate (or withhold) funds to the agencies administering sanctions, engage in oversight on sanctions

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<sup>1</sup> The United States may also impose sanctions as part of participation in multilateral United Nations sanctions, under its obligations pursuant to section 5 of the United Nations Participation Act of 1945 (UNPA; P.L. 79-264 as amended, 50 U.S.C. 1701 et seq.).

<sup>2</sup> U.S. Department of the Treasury, 2021 Sanctions Review, October, 2021, at <https://home.treasury.gov/system/files/136/Treasury-2021-sanctions-review.pdf>.

<sup>3</sup> According to the Treasury's 2021 Sanctions Review, at the end of the year 2000 the Specially Designated Nationals list included 912 individuals and entities, compared to 9,421 at the time of the report's release, at <https://home.treasury.gov/system/files/136/Treasury-2021-sanctions-review.pdf>; U.S. Department of the Treasury, Office of Foreign Assets Control, “Sanctions Programs and Country Information,” at <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>.

<sup>4</sup> For more information, see CRS Report R44707, *Presidential Authority over Trade: Imposing Tariffs and Duties*.

<sup>5</sup> The National Emergencies Act of 1976 (P.L. 94-412; 50 U.S.C. §1601 et seq.), Trading With the Enemy Act (TWEA; P.L. 65-91, as amended; 50 U.S.C. 53), and the International Emergency Economic Powers Act of 1977 (IEEPA; Title II of P.L. 95-223, 50 U.S.C. §1701 et seq.), respectively. The President may also restrict foreign persons' entry into the United States pursuant to section 212(f) of the Immigration and Nationality Act of 1952 (INA; P.L. 82-414, as amended, 8 U.S.C. 1182(f)).

<sup>6</sup> See CRS Report R45618, *The International Emergency Economic Powers Act: Origins, Evolution, and Use*.

implementation, or revoke or amend the legislation that grants authority to the executive branch over international commerce and trade.

In the United States, sanctions administration and enforcement are the responsibility of the executive branch. This responsibility is shared by various agencies and departments, but primarily the Departments of State, the Treasury, and Commerce:

- the Department of State manages arms sales, diplomatic relations, visa issuance, military aid, and foreign aid;
- the Department of the Treasury regulates transactions, access to U.S.-based assets, use of the U.S. dollar and U.S. banking system, and the U.S. voice and vote in the international financial institutions; and
- the Department of Commerce oversees export licensing and compliance with international obligations primarily associated with nuclear nonproliferation agreements.<sup>7</sup>

## Sanctions and the 117<sup>th</sup> Congress: Selected Trends and Actions

Congress remains engaged in decisions affecting the use of sanctions in foreign policy. Numerous Members of the 117<sup>th</sup> Congress have introduced over 350 pieces of legislation related to sanctions. Of these, seven have become law (see **Appendix A**); these include

- the Reinforcing Nicaragua’s Adherence to Conditions for Electoral Reform Act of 2021 (RENACER Act);<sup>8</sup>
- the Uyghur Forced Labor Prevention Act (UFLPA) of 2021;<sup>9</sup>
- the Suspending Normal Trade Relations with Russia and Belarus Act;<sup>10</sup>
- the Ending Importation of Russian Oil Act;<sup>11</sup>
- an act to amend the Fentanyl Sanctions Act, to modify certain deadlines relating to the Commission on Combating Synthetic Opioid Trafficking;<sup>12</sup>
- the Consolidated Appropriations Act for Fiscal Year 2022;<sup>13</sup> and
- the National Defense Authorization Act (NDAA) for Fiscal Year 2022.<sup>14</sup>

Annual appropriations and defense authorization legislation is often used as a legislative vehicle for sanctions. The Consolidated Appropriations Act for Fiscal Year 2022 and the National Defense Authorization Act (NDAA) for Fiscal Year 2022 continued this trend.<sup>15</sup> They contain

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<sup>7</sup> For more information, see CRS In Focus IF11730, *Economic Sanctions: Overview for the 117th Congress*.

<sup>8</sup> P.L. 117-54.

<sup>9</sup> P.L. 117-78.

<sup>10</sup> P.L. 117-110.

<sup>11</sup> P.L. 117-109.

<sup>12</sup> P.L. 117-51.

<sup>13</sup> P.L. 117-103.

<sup>14</sup> P.L. 117-81.

<sup>15</sup> The Financial Services and General Government Appropriations Act, 2022 (Division E of P.L. 117-103), the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (Division K of P.L. 117-103); P.L. 117-81; for a summary of relevant provisions see **Table A-2** and **Table A-3**.

both appropriations for the executive agencies administering sanctions and authorization of functions related to U.S. sanctions. They also include other provisions authorizing sanctions or requiring various other restrictive measures.

Introduction of sanctions legislation frequently corresponds with major geopolitical events, executive branch testimony or reports, and appropriations cycles. Some sanctions proposals focus on issues that are comparatively new, such as contribution to climate change, threats arising from cybersecurity and digital currency, and accountability for the origins of the Coronavirus Disease 2019 (COVID-19) pandemic. Others focus on issues that are of longstanding concern to legislators, including Iran's or North Korea's attempts to acquire nuclear weapons, acts of international terrorism, and human rights abuse or corruption.

Numerous Members of the 117<sup>th</sup> Congress have introduced sanctions legislation with provisions that may be divided into three broad, and sometimes overlapping, categories:

- **Country-Specific Sanctions:** legislation that relates to sanctions with respect to geopolitical events or strategic interests concerning a specific country or region.
- **Sanctions Related to Transnational Issues:** legislation concerning sanctions related to specific objectionable behaviors or transnational issues that threaten U.S. foreign policy or national security interests.
- **Sanctions Implementation and Process:** legislation that relates to Congress's role in the use of sanctions as a U.S. foreign policy tool, such as legislation that prescribes appropriations for executive branch agencies that implement U.S. sanctions, outlines mechanisms by which Congress may engage in oversight of sanctions, and defines the criteria by which the President may waive sanctions.

This report provides an overview of sanctions legislation and related trends in the 117<sup>th</sup> Congress, organized by these categories. Tables in the appendices detail enacted and introduced sanctions legislation organized by these categories.

## Legislation Related to Country-Specific Sanctions

Some Members of the 117<sup>th</sup> Congress have introduced legislation related to sanctions that concern specific foreign countries, and have sometimes exhibited a sustained or repeated focus on sanctions implementation related to certain countries such as Russia, Iran, North Korea, China, Cuba, Afghanistan, or Burma (see **Appendix B**). Key legislative trends include bills directing that sanctions be imposed in relation to a specific foreign policy issue, removing sanctions in certain instances, and directing the President to provide reporting related to the use of sanctions or to certify that certain criteria are met before removing or waiving restrictions.

### Russia

Congress remains engaged on the use of U.S. sanctions as a policy tool to address malign activities attributed to the government of the Russian Federation, including by designating<sup>16</sup> senior officials within the government and Russian economic elites (colloquially referred to as "oligarchs").<sup>17</sup> Members have introduced more than 80 bills related to U.S. sanctions on Russia, more than 50 of which were introduced after Russia's February 24, 2022, renewed invasion of

<sup>16</sup> "Designating" is a term frequently used to describe imposition of sanctions, particularly with respect to individuals or entities placed on the Department of the Treasury's Specially Designated Nationals (SDN) List.

<sup>17</sup> For further discussion of U.S.-Russia relations, see CRS Report R46761, *Russia: Foreign Policy and U.S. Relations*.

Ukraine (**Table B-1**). Prior to February 2022, some Members of the 117<sup>th</sup> Congress introduced, but did not enact, legislation that would expand sanctions restrictions with respect to Russia in relation to the use of a chemical weapon in attacking opposition leader Alexei Navalny, acts of malign influence in foreign countries such as Georgia and Nicaragua, and the construction of the Nord Stream 2 AG pipeline to provide natural gas from Russia to Europe.<sup>18</sup>

Many of the sanctions on Russia proposed in legislation have subsequently been implemented or surpassed by sanctions imposed by executive action in response to Russia's 2022 invasion of Ukraine. Due to the rapidly changing nature of the armed conflict in Ukraine, sanctions imposed by the United States in coordination with its NATO allies, European Union (EU) partners, and other aligned nations have shifted quickly since the outset of the crisis. As of September 2022, sanctions imposed by the United States on Russia in response to its 2022 invasion of Ukraine include, among others,

- new sanctions on members of the Russian Federation government and so-called “oligarchs,” including restrictions on entry into the United States, a freeze on assets held in U.S. jurisdiction, and a prohibition on transactions with U.S. persons;
- sanctions related to construction of the Nord Stream 2 AG pipeline;
- sanctions on Russia's central bank and other major financial institutions;
- prohibitions of imports of Russian energy products;
- prohibitions on the export to Russia of critical technology; and
- sanctions on Belarus for its role in Russia's expanded invasion.<sup>19</sup>

While the acute nature of the crisis in Ukraine brought about a sudden shift in U.S. sanctions related to Russia in the short term, longer-term U.S. policy priorities with respect to Russia—and the role of sanctions as tools to achieve those priorities—may be of ongoing concern to some Members of Congress. Congress already has enacted legislation that may influence long-term sanctions policy on Russia in relation to its continued invasion of Ukraine. For example, since February 2022, Congress has revoked normal trade relations with Russia and Belarus, and banned the importation of Russian energy products.<sup>20</sup> Congress has also required a classified report from the Biden Administration detailing the nature of Russian influence in Nicaragua, and cooperation between Russian security contractors and the Nicaraguan military, intelligence services, security forces, and law enforcement.<sup>21</sup>

## Iran

U.S. sanctions on Iran date back to the 1979 revolution in that country. They are among the most restrictive of any U.S. sanctions program, and derive from the authority of numerous laws and

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<sup>18</sup> See selected legislation in **Table B-1**.

<sup>19</sup> For more, see CRS Insight IN11869, *Russia's 2022 Invasion of Ukraine: Overview of U.S. Sanctions and Other Responses*; CRS Insight IN11871, *Russia's Invasion of Ukraine: New Financial and Trade Sanctions*; and CRS Insight IN11897, *Russia's 2022 Invasion of Ukraine: European Union Responses and U.S.-EU Relations*.

<sup>20</sup> Pursuant to the Suspending Normal Trade Relations with Russia and Belarus Act of 2022 (P.L. 117-110), and the Ending Importation of Russian Oil Act of 2022 (P.L. 117-109).

<sup>21</sup> RENACER Act (P.L. 117-54 §9).



executive actions.<sup>22</sup> The United States has imposed sanctions on Iran or Iranian persons with the stated intention of compelling them to cease certain policies and behaviors, including support for acts of international terrorism, development of Iran’s nuclear program, serious human rights abuses against Iranian citizens, proliferation and sale of conventional arms and missiles to other countries, and hostile and destabilizing maritime actions in international waters. Recent congressional interest in using U.S. sanctions against Iran may stem, in part, from President Trump’s 2018 decision to withdraw from the Joint Comprehensive Plan of Action (JCPOA),<sup>23</sup> which provided for the easing of certain sanctions on Iran in exchange for its cessation of certain activities related to potential development of a nuclear weapon, and the Biden Administration’s expressed intention to reverse this withdrawal.<sup>24</sup>

Some Members of the 117<sup>th</sup> Congress have introduced multiple bills that would modify the nature of U.S. sanctions on Iran (**Table B-2**). The enacted National Defense Authorization Act for Fiscal Year 2022; the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2022;<sup>25</sup> and the Intelligence Authorization Act for Fiscal Year 2022<sup>26</sup> include provisions relevant to restrictions on Iran, including provisions that

- create new reporting requirements or reenact previous reporting requirements related to Iran’s military capabilities,<sup>27</sup> Iran’s nuclear program,<sup>28</sup> and the impact U.S. sanctions have had in modifying, constraining, or affecting the activities for which Iran is sanctioned;<sup>29</sup>
- create new restrictions or reenact previous restrictions on Iran, such as prohibiting the acquisition of medical personal protective equipment from Iran;<sup>30</sup> and
- prohibit the transfer of appropriated funds to Iran or the use of appropriated funds for projects that support or otherwise legitimize the government of Iran.<sup>31</sup>

The majority of proposed legislation introduced in the 117<sup>th</sup> Congress concerning Iran sanctions seeks to limit the removal of sanctions in some capacity—many by placing restrictions on the

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<sup>22</sup> For a comprehensive analysis of U.S. sanctions related to Iran, including a description of authorities to waive sanctions, or those not waived in the course of implementing the JCPOA, see CRS Report R43311, *Iran: U.S. Economic Sanctions and the Authority to Lift Restrictions*.

<sup>23</sup> For more information see CRS Report R43311, *Iran: U.S. Economic Sanctions and the Authority to Lift Restrictions*.

<sup>24</sup> CRS Report R46663, *Possible U.S. Return to Iran Nuclear Agreement: Frequently Asked Questions*.

<sup>25</sup> As enacted in Division K of the Consolidated Appropriations Act for Fiscal Year 2022 (P.L. 117-103).

<sup>26</sup> As enacted in Division X of the Consolidated Appropriations Act for Fiscal Year 2022 (P.L. 117-103).

<sup>27</sup> Section 1227(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2022 (P.L. 117-81).

<sup>28</sup> Section 7041(b)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (Division K of P.L. 117-103).

<sup>29</sup> Section 7041(b)(2)(B) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (Division K of P.L. 117-103), directing the Secretary of State to provide a report assessing the impact of bilateral and secondary sanctions on Iran’s destabilizing activities in the Middle East; Section 717 of the Intelligence Authorization Act for Fiscal Year 2022 (Division X of P.L. 117-103), directing the Director of National Intelligence to provide a report on the effects of U.S. economic sanctions, with case studies to include Iran and China.

<sup>30</sup> Section 802 of the National Defense Authorization Act for Fiscal Year 2022 (P.L. 117-81) directs that such prohibitions apply to multiple foreign countries, including Iran.

<sup>31</sup> Section 1226 of the National Defense Authorization Act for Fiscal Year 2022 (P.L. 117-81); Sections 7007 and 7041(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (Division K of P.L. 117-103).

President’s ability to reenter the JCPOA or enter into a related successor agreement. Multiple proposed bills seek to limit executive authority to enter into any agreement with Iran that would ease sanctions by requiring that the President certify that certain conditions are met before doing so.<sup>32</sup> These certification requirements are generally more expansive and apply to a broader range of malign behaviors than those required by existing law under the Iran Nuclear Agreement Review Act (INARA) of 2015.<sup>33</sup> Members have also introduced legislation that seeks to require that the JCPOA or any related agreement with Iran be treated as a treaty rather than as an international agreement, thus requiring the advice and consent of the Senate to enter into force.<sup>34</sup> Other bills introduced in the 117<sup>th</sup> Congress contain provisions that seek to restrict the removal of sanctions on Iran outside the context of a return to the JCPOA or negotiation of a new successor agreement. Such provisions include those that codify executive orders directing that sanctions be imposed on Iran or Iranian persons, or restrict the President’s ability to issue waivers or exemptions to sanctions on Iran.<sup>35</sup>

## China

The United States and China maintain a bilateral relationship that is increasingly characterized by competition and rivalry, though the two remain major trade partners.<sup>36</sup> The United States designates nationals of the People’s Republic of China (PRC) to be subject to sanctions based on multiple authorities, including those designed to address human rights abuse, illicit narcotics trafficking, cyber-attacks, and corruption;<sup>37</sup> deter weapons proliferation; comply with multilateral sanctions on North Korea and U.S. sanctions on Iran; and object to China’s policies with respect to Hong Kong.<sup>38</sup>

<sup>32</sup> For example, H.R. 3966 “To prohibit the United States from rejoining the Joint Comprehensive Plan of Action (JCPOA) until the President makes certain certifications, and for other purposes”; H.R. 1231, the Constraining Human Rights Offenders in the Middle East (CHROME) Act of 2021.

<sup>33</sup> P.L. 114-17.

<sup>34</sup> For example, S. 1205 and H.R. 1479, the Iran Nuclear Deal Advice and Consent Act of 2021; and S. 2030, the Iran Nuclear Treaty Act.

<sup>35</sup> For example, the No Sanctions Relief for Terrorists Act of 2021 (H.R. 901) includes provisions that seek to restrict the President’s authority to waive or exempt sanctions with respect to Iranian persons designated under Executive Order 13224 of September 25, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism,” 66 *Federal Register* 490791; and H.R. 2718, the Maximum Pressure Act, which contains provisions codifying seven executive orders with respect to Iran, expansions on the criteria for imposing sanctions on Iranian persons, and other amendments to previously-enacted legislation related to Iran sanctions.

<sup>36</sup> See CRS Report R45898, *U.S.-China Relations*.

<sup>37</sup> The United States has designated PRC government entities and multiple current or former PRC government officials pursuant to the Global Magnitsky Human Rights Accountability Act in connection to serious human rights abuse in China’s Xinjiang Uyghur Autonomous Region: U.S. Department of the Treasury, Press Release, “Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Accountability Act,” July 9, 2020.

<sup>38</sup> The United States has designated for sanctions persons determined to be “responsible for or involved in developing, adopting, or implementing, the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Administrative Region,” as well as persons responsible for or complicit in actions that undermine democratic processes or institutions in Hong Kong; actions that threaten the peace, security, stability or autonomy of Hong Kong; censorship or other activities with respect to Hong Kong that prohibit, limit, or penalize the exercise of freedom of expression or assembly; the extrajudicial rendition, arbitrary detention, or torture of any person in Hong Kong; among other malign behaviors related to Hong Kong. These designations are made pursuant to Executive Order 13936 of July 14, 2020, “The President’s Executive Order on Hong Kong Normalization,” 85 *Federal Register* 43413; based on NEA, IEEPA, United States-Hong Kong Policy Act of 1992 (P.L. 102-393), Hong Kong Human Rights and Democracy Act of 2019 (HKHRDA, P.L. 116-76), and Hong Kong Autonomy Act of 2020 (HKAA, P.L. 116-149).

The 117<sup>th</sup> Congress has enacted three China sanctions-related bills. The Uyghur Forced Labor Prevention Act (UFLPA) of 2021 expands restrictions for importation into the United States of goods, wares, articles, and merchandise produced in the Xinjiang Uyghur Autonomous Region (XUAR), among other provisions.<sup>39</sup> The FY2022 NDAA includes further provisions related to forced labor in XUAR among other China-related provisions.<sup>40</sup> While not directly related to sanctions, provisions in the Infrastructure Investment and Jobs Act of 2021 also require federal reporting on the impact of forced labor in China on the electric vehicle supply chain.<sup>41</sup>

Some Members of the 117<sup>th</sup> Congress have also introduced measures seeking to expand existing restrictions on China, to direct sanctions determinations on specific targets in China under existing authorities, or to establish entirely new sanctions authorities on China in relations to certain behaviors or policies (see **Table B-3**). For example, multiple bills focus on investigating China's support for Russia following its renewed invasion of Ukraine, and/or designating Chinese actors for sanctions due to their transactions with or support for Russia.<sup>42</sup> A large portion of other pending legislation that could trigger sanctions on China allege that China might have had a nefarious role in the initial spread of COVID-19.<sup>43</sup> Such legislation requires an investigation into the source of the COVID-19 pandemic, and the imposition of sanctions on the Chinese Government if it is determined to be responsible—through negligence or deliberate action—for the spread of COVID-19. Some provisions also would authorize the President to place restrictions on foreign countries or nationals facilitating the operation of wildlife markets, one suspected source of virus outbreaks.

## Cuba

The United States has imposed sanctions on Cuba in multiple forms, including a full embargo, since the early 1960s.<sup>44</sup> Sanctions remain a central component of U.S. policy toward Cuba, though disagreement exists among U.S. policymakers on whether continued restrictions on Cuba or renewed engagement with Cuba represents a better long-term U.S. policy strategy.<sup>45</sup> The United States currently imposes extensive restrictions on Cuba due to its designation as a state

<sup>39</sup> P.L. 117-78 §5(a). As stated by the Department of Homeland Security's Customs and Border Protection, UFLPA establishes the presumption that "any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, or produced by certain entities, is prohibited by Section 307 of the Tariff Act of 1930 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States." This indicates that goods produced in XUAR are subject to the presumption that they are produced using forced labor, and subject to restrictions on their importation into the United States.

<sup>40</sup> See **Table A-2** for a more detailed description of such provisions. U.S. law already prohibits the importation of goods that are produced using forced labor through section 307 of the Tariff Act of 1930, as amended (P.L. 71-361, 19 U.S.C. §1307); see also CRS Report R46631, *Section 307 and U.S. Imports of Products of Forced Labor: Overview and Issues for Congress*. The UFLPA establishes the presumption that "the importation of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, or produced by certain entities, is prohibited by Section 307 of the Tariff Act of 1930 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States."

<sup>41</sup> Section 40436 of the Infrastructure Investment and Jobs Act of 2021 (P.L. 117-58).

<sup>42</sup> For example: S. 3877, Crippling Unhinged Russian Belligerence and Chinese Involvement in Putin's Schemes (CURB CIPS) Act of 2022; H.R. 7314, Assessing Xi's Interference and Subversion Act (AXIS) Act; and S. 4620, Countering Communist China's Financing of Russia's War on Ukraine Act.

<sup>43</sup> See **Table B-3** for selected examples.

<sup>44</sup> See CRS Report R47246, *Cuba: U.S. Policy in the 117th Congress*, and CRS Report R43888, *Cuba Sanctions: Legislative Restrictions Limiting the Normalization of Relations* for further discussion of U.S. policy toward Cuba.

<sup>45</sup> *Ibid.*

sponsor of acts of international terrorism.<sup>46</sup> These restrictions include a prohibition on most foreign aid, a prohibition on arms sales, and strict export controls, among others.<sup>47</sup> Restrictions imposed on Cuba under other sanctions laws may overlap with the state sponsor of terror sanctions or be additional, including

- a prohibition on most financial transactions with Cuba;
- a block on Cuban government assets in the United States;
- a requirement that all exports to Cuba be licensed or authorized by the Department of Commerce’s Bureau of Industry and Security; and
- a prohibition on transactions with restricted individuals and entities that are controlled by the Cuban military, intelligence, or security services.<sup>48</sup>

Several bills related to U.S. sanctions on Cuba have been introduced in the 117<sup>th</sup> Congress, primarily during the first session. Roughly half of the proposed measures call for continuing or expanding existing restrictions, while the other half propose lifting restrictions to varying degrees (**Table B-4**). Proposed sanctions legislation regarding Cuba includes allegations of continued human rights abuses by the Cuban government, and of Cuba’s involvement in suspected attacks of an unknown nature against U.S. government personnel.<sup>49</sup> Some proposed legislation seeks to lift sanctions restrictions on Cuba and includes provisions asserting that normalized U.S.-Cuba economic relations and engagement represent a more effective means to promote human rights and democratic rule in the country.<sup>50</sup>

## Afghanistan

The 117<sup>th</sup> Congress remains engaged in issues related to U.S. sanctions on the Taliban and the Haqqani Network. Some Members have introduced multiple bills related to U.S. policy in Afghanistan, including sanctions, following the Taliban’s August 2021 takeover of the country (see **Table B-5**). The Taliban and Haqqani Network were each designated as supporters of international terrorism prior to 2021, and remained so designated after taking control of Afghanistan.<sup>51</sup> The majority of bills related to Afghanistan sanctions introduced in the 117<sup>th</sup> Congress seek to expand sanctions restrictions on the Taliban and/or the Haqqani Network.<sup>52</sup> Multiple proposed bills seek to prevent the official recognition of the Taliban as the government

<sup>46</sup> For a description of restrictions imposed due to designation as a state sponsor of terror, see CRS Report R43835, *State Sponsors of Acts of International Terrorism—Legislative Parameters: In Brief*.

<sup>47</sup> See CRS Report R43835, *State Sponsors of Acts of International Terrorism—Legislative Parameters: In Brief*.

<sup>48</sup> The United States also restricts lodging at accommodations in Cuba at a property that is owned or controlled by the Cuban government, and sanctions Cuban persons determined to be responsible for human rights abuses; see CRS Report R47246, *Cuba: U.S. Policy in the 117th Congress*.

<sup>49</sup> Section 2 of the Denying Earnings to the Military Oligarchy in Cuba and Restricting Activities of the Cuban Intelligence Apparatus (DEMOCRACIA) Act of 2021 (S. 2990 and H.R. 5557); and Section 2 of the Havana Syndrome Attacks Response Act of 2021 (H.R. 4914).

<sup>50</sup> Section 2 of the United States-Cuba Relations Normalization Act of 2021 (H.R. 3625); and Section 2 of the United States-Cuba Trade Act of 2021 (S. 249).

<sup>51</sup> See CRS In Focus IF12039, *Afghanistan: Humanitarian Crisis, Economic Collapse, and U.S. Sanctions*. The Taliban and the Haqqani Network are designated, respectively, as a Specially Designated Global Terrorist (SDGT) and a Foreign Terrorist Organization (FTO). The authority for these designations is derived from Executive Order 13224 of September 25, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism,” 66 *Federal Register* 49079, and Section 212 (a)(3)(B) of the Immigration and Nationality Act of 1952, as amended (INA; P.L. 82-414, 8 U.S.C. §1182(a)(3)(B)).

<sup>52</sup> See selected examples in **Table B-5**.

of Afghanistan or express a sense of Congress that such recognition not be the policy of the United States.<sup>53</sup>

## Burma

The United States has used sanctions as a component of its policy toward Burma beginning with its period of military rule from 1962 to 2011.<sup>54</sup> More recently, the United States has imposed sanctions on Burmese actors in relation to human rights abuse and to its February 2021 military coup.<sup>55</sup> Some Members of the 117<sup>th</sup> Congress have introduced multiple measures related to sanctions on Burma, largely in response to the coup d'état during which Burma's ruling party, the National League for Democracy, was deposed by the Tatmadaw, Burma's armed forces.<sup>56</sup> Introduced versions in the Senate and House of the Burma Unified through Rigorous Military Accountability (BURMA) Act of 2021 seek to support a transition to democracy and national reconciliation in Burma, in part by directing the President to impose sanctions against government officials in Burma for acts of human rights abuse or corruption, pursuant to the Global Magnitsky Act,<sup>57</sup> and on certain military-owned enterprises in Burma pursuant to the Burmese Freedom and Democracy Act of 2008.<sup>58</sup>

## Transnational Issues

In addition to legislation focusing on specific countries or regions, some Members of the 117<sup>th</sup> Congress have introduced legislation related to sanctions that target objectionable behaviors such as terrorism or human rights abuse, respond to new challenges facing the enforcement of sanctions such as digital currencies, or seek to use sanctions in ways they have not previously been applied—for example as a means to deter greenhouse gas emissions (see **Appendix C**).<sup>59</sup> Existing or proposed sanctions authorities focusing on these issues may target not only foreign country or government entities and officials, but also sub-state and non-state actors and entities, and private individuals and entities. Sanctions related to certain transnational issues and objectionable behaviors may overlap with country-specific sanctions authorities.

## Human Rights and Corruption

Of the more than 350 sanctions measures introduced by Members of the 117<sup>th</sup> Congress to date more than 80 address human rights abuse or corruption (**Table C-1**). These measures seek to apply sanctions related to human rights abuse and corruption in specific countries, and in response to certain behaviors that occur globally.<sup>60</sup> Some measures further seek to address malign

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<sup>53</sup> For example, the Preventing the Recognition of Terrorist States Act of 2021 (S. 2745, H.R. 5333), and the Taliban Recognition Prevention Act of 2021 (H.R. 5272).

<sup>54</sup> See CRS Report R44570, *U.S. Restrictions on Relations with Burma*.

<sup>55</sup> *Ibid.*; Executive Order 14014 of February 10, 2021, “Blocking Property With Respect to the Situation in Burma,” 86 *Federal Register* 9429.

<sup>56</sup> For further information, see CRS Report R46792, *Coup in Burma: Implications for Congress*.

<sup>57</sup> *Ibid.* §104; see also CRS Report R46981, *The Global Magnitsky Human Rights Accountability Act: Scope, Implementation, and Considerations for Congress*.

<sup>58</sup> *Ibid.*; P.L. 108-159, 22 U.S.C. 2656 note.

<sup>59</sup> For example, the Targeting Environmental and Climate Recklessness Act of 2021 (H.R. 3245 and S. 1405).

<sup>60</sup> See **Table C-1**. Of the legislation seeking to establish sanctions authority or modify existing sanctions authority in relation to alleged human rights abuse or corruption in a specific foreign country or region, a substantial portion address conditions in countries discussed above, including China, Russia, Iran, Cuba, Afghanistan, or Burma. Other



behaviors not included in current sanctions authorities by amending existing sanctions programs related to human rights abuse or corruption. Enacted provisions related to human rights sanctions during the 117<sup>th</sup> Congress are in the RENACER Act of 2021; the Haiti Development, Accountability, and Institutional Transparency Initiative Act of 2021;<sup>61</sup> and the Global Magnitsky Human Rights Accountability Reauthorization Act.<sup>62</sup>

Relevant pending legislation includes provisions that seek to expand the scope of existing sanctions authorities related to human rights abuse and corruption to include new or more specifically defined behaviors. Such legislation would apply Global Magnitsky sanctions to individuals or entities determined to engage in the trafficking of persons,<sup>63</sup> human rights abuse against workers, or actions that threaten to worsen the impact of climate change.<sup>64</sup> Multiple pending bills would also direct the President to determine whether acts of corruption related to specific geopolitical events merit designation of associated individuals and entities under Global Magnitsky authorities.<sup>65</sup>

Other bills introduced during the 117<sup>th</sup> Congress seek to establish new sanctions authorities related to human rights, foreign policy priorities, or objectionable behaviors not specifically identified under existing human rights sanctions authorities. For example, multiple bills seek to require the imposition of sanctions on persons determined to have engaged in human rights abuse related to LGBTQI rights.<sup>66</sup> Some proposed bills also include provisions that may establish new sanctions authority to deter abuses of human rights related to freedom of the press and journalism.<sup>67</sup>

## Terrorism/Counterterrorism

The United States has frequently used sanctions as a foreign policy tool in its efforts to counter or deter acts of international terrorism, especially in the years following the terrorist attacks of September 11, 2001.<sup>68</sup> Some Members of the 117<sup>th</sup> Congress have introduced more than 20 bills

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legislation includes provisions related to human rights abuse and corruption, and the use of sanctions as a tool to address them, in Cambodia, Ethiopia, Haiti, Honduras, Lebanon, Libya, Mexico, Nicaragua, North Korea, Saudi Arabia, Sudan, Turkey, and Vietnam. In multiple instances, these bills direct that sanctions related to human rights abuse or corruption be imposed in these countries pursuant to the Global Magnitsky Act.

<sup>61</sup> As included in Division V of the Consolidated Appropriations Act for Fiscal Year 2022 (P.L. 117-103 §§102-110).

<sup>62</sup> As included in Section 6(a) of the Suspending Normal Trade Relations with Russia and Belarus Act of 2022 (P.L. 117-110).

<sup>63</sup> The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2021 (H.R. 5150 §301).

<sup>64</sup> For example, through Section 105 of the Global Labor Support Act of 2021 (S. 2104) and Section 6 of the Targeting Environmental and Climate Recklessness Act of 2021 (S. 1405, H.R. 2345).

<sup>65</sup> For example, Section 2(e) of the Counter-Kleptocracy Act of 2021 (H.R. 5209) directs the Secretary of State in coordination with the Secretary of the Treasury to evaluate whether foreign persons have engaged in sanctionable behavior in relation to the planning or construction of the Nord Stream 2 pipeline, among other provisions.

<sup>66</sup> Provisions directing that human rights abuse against persons that are Lesbian, Gay, Bisexual, Transgender, Queer, & Intersex (LGBTQI) is included, for example, in the GLOBE Act of 2021 (S. 1996, H.R. 3800), and the Global Respect Act of 2021 (S. 2277, H.R. 3485).

<sup>67</sup> For example, the Jamal Khashoggi Press Freedom Accountability Act of 2021 (S. 225, H.R. 839).

<sup>68</sup> For example, as of October, 2022, the Department of the Treasury's Office of Foreign Assets Control designates more than 1,500 individuals and entities as Specially Designated Global Terrorists (SDGTs) on the Specially Designated Nationals list (Office of Foreign Assets Control, Sanctions List Search, <https://sanctionssearch.ofac.treas.gov/>). SDGT designation is made pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or

and joint resolutions pertaining partially or wholly to U.S. foreign policy on terrorism and counterterrorism that include sanctions provisions (**Table C-2**). Some relate to amending the processes by which existing terrorism sanctions programs are implemented. Others, like those discussed above regarding Iran and Afghanistan, relate to terrorism or terrorist entities and actors in those countries.

Multiple bills introduced in the 117<sup>th</sup> Congress seek to expand existing U.S. sanctions authorities related to terrorism, such as by granting the President the authority to prohibit U.S. persons from providing social media services to terrorism designees.<sup>69</sup> Others contain provisions seeking to curb activities by financial institutions that benefit sanctions designees.<sup>70</sup> Some Members of the 117<sup>th</sup> Congress also have introduced bills to deter acts of terrorism in Lebanon, the West Bank and the Gaza Strip, Yemen, and in the Middle East Region generally. Some seek to require that the President designate individuals or entities under existing sanctions authorities related to acts of international terrorism.<sup>71</sup> Others seek to strengthen existing sanctions related to terrorist groups in foreign countries or regions by directing that foreign persons and agencies supporting such terrorist groups also be subject to U.S. sanctions.<sup>72</sup>

## Sanctions Implementation and Agencies Administering U.S. Sanctions

Congress has enacted legislation that revises internal structures of U.S. agencies with responsibilities to implement sanctions,<sup>73</sup> and may appropriate funds based on the perceived needs of these agencies. In the Financial Services and General Government Appropriations Act, 2022, for example, Congress appropriated funds to the Department of the Treasury's Office of Terrorism and Financial Intelligence at higher levels than those appropriated for FY2021.<sup>74</sup> Congress's role in enacting such increases in appropriations for agencies tasked with prominent roles in sanctions implementation may have both short-term and long-term effects on the U.S. government's capacity to implement and enforce sanctions.

FY2022 appropriations also may demonstrate Congress's use of funding allocation to address evolving challenges and priorities related to sanctions implementation. For instance, \$80,000,000 is made available for the Department of the Treasury's Cybersecurity Enhancement Account, compared with \$18,000,000 for FY2021.<sup>75</sup> Funding increases of this degree may affect

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Support Terrorism," 66 *Federal Register* 49079.

<sup>69</sup> For example, Section 3 of the No Social Media Accounts for Terrorists or State Sponsors of Terrorism Act of 2021 (H.R. 1543).

<sup>70</sup> Such as the Taylor Force Martyr Payment Prevention Act of 2022 (S. 3318, H.R. 7824).

<sup>71</sup> For example, Section 3 of the Standing Against Houthi Aggression Act of 2021 (H.R. 3965), and Section 3 of the Sanctioning Iranian-Backed Militia Terrorists Act (H.R. 2113).

<sup>72</sup> Such as Sections 4-7 of the Palestinian International Terrorism Support Prevention Act of 2021 (S. 1904, H.R. 3685).

<sup>73</sup> For example, Congress reestablished a State Department Office of Sanctions Coordination as part of the Consolidated Appropriations Act for Fiscal Year 2021 (Section 361 of Division FF, Title III, Subtitle G of P.L. 116-260).

<sup>74</sup> The Financial Services and General Government Appropriations Act, 2022 (Division E, Title I of P.L. 117-103, Consolidated Appropriations Act, 2022), makes available \$195,192,000 for the Office of Terrorism and Financial Intelligence, a base level increase of \$20,192,000, or nearly 12% over FY2021 base appropriations. The 2022 act also makes available until September 30, 2023, an additional \$25,000,000 for that office to respond to the situation in Ukraine and for related expenses.

<sup>75</sup> Financial Services and General Government Appropriations Act, 2022 (Division E, Title I of P.L. 117-103, Consolidated Appropriations Act, 2022); Financial Services and General Government Appropriations Act, 2021

substantive changes in the department’s ability to address the challenges posed by cybersecurity and digital currencies, described as a potential priority in the Department of the Treasury’s 2021 Sanctions Review.<sup>76</sup>

Congress also maintains an active role in requiring oversight of sanctions implementation, including through requirements that the President report on the implementation of sanctions programs and the national emergencies that give rise to using sanctions. Congress may simultaneously enact legislation that authorizes new sanctions and require reports on the implementation of those sanctions, or require reports related to existing sanctions programs. More than half of the legislation related to sanctions introduced in the 117<sup>th</sup> Congress included some manner of reporting requirement. Enacted appropriations legislation for FY2022 includes a new provision requiring the Director of National Intelligence to report on the effects of U.S. sanctions.<sup>77</sup> This report is required to include analysis of whether U.S. sanctions have been effective in altering the behaviors or policies for which they were imposed, including through case studies.<sup>78</sup>

## Congressional Issues

When considering sanctions legislation, Members may take into account a number of intersecting policy issues, including the efficacy of sanctions as a foreign policy tool, oversight of sanctions implementation, and the appropriate roles of Congress and the executive branch in establishing sanctions policy.

### Role of Sanctions in U.S. Foreign Policy

Numerous Members have introduced bills providing for the use of sanctions during the 117<sup>th</sup> Congress. U.S. government agencies that administer sanctions have described them as a “tool of first resort,” especially following the terrorist attacks of September 11, 2001, and observers have documented that the use of sanctions in U.S. foreign policy is increasing.<sup>79</sup> In this context, increased attention has been placed on the longstanding debate of how the United States can use sanctions most effectively, and what their role in U.S. foreign policy should be. Many observers contend that sanctions are most effective when applied in concert with broader foreign policy strategies and tools.<sup>80</sup> Such assertions may be put forth in the context of questions on whether a U.S. sanctions program is contributing to the desired change in behavior or to the achievement of U.S. foreign policy aims.<sup>81</sup>

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(Division E, Title I of P.L. 116-260, Consolidated Appropriations Act, 2021); Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-128).

<sup>76</sup> U.S. Department of the Treasury, 2021 Sanctions Review, October, 2021, at <https://home.treasury.gov/system/files/136/Treasury-2021-sanctions-review.pdf>.

<sup>77</sup> Section 717 of the Intelligence Authorization Act for Fiscal Year 2022 (Division X of P.L. 117-103).

<sup>78</sup> See **Table A-3** for further detail.

<sup>79</sup> U.S. Department of the Treasury, 2021 Sanctions Review, October, 2021, at <https://home.treasury.gov/system/files/136/Treasury-2021-sanctions-review.pdf>; the Government Accountability Office (GAO), “Economic Sanctions: Treasury and State Have Received Increased Resources for Sanctions Implementation but Face Hiring Challenges,” GAO-20-324, March 2020.

<sup>80</sup> U.S. Department of the Treasury, 2021 Sanctions Review, October, 2021; Gary Clyde Hufbauer et al., *Economic Sanctions Reconsidered*, 3<sup>rd</sup> Edition, Peterson Institute for International Economics, 2009.

<sup>81</sup> Dursun Peksen, “When Do Economic Sanctions Work Best?,” Center for a New American Security, June 10, 2019, at <https://www.cnas.org/publications/commentary/when-do-economic-sanctions-work-best>; Jonathan Masters, “What



Congress has multiple methods at its disposal to not only authorize, require, or prohibit the imposition of sanctions, but also to clarify what broader foreign policy and national security strategies or objectives that sanctions should serve. Some Members of the 117<sup>th</sup> Congress have, however, in multiple instances introduced legislation that authorizes the use of sanctions but makes no further statement about sanctions' role within broader U.S. foreign policy strategy, or what other tools such as diplomacy, foreign aid, economic and trade policy, or military force may be used in concert with sanctions to maximize their effectiveness. In enacting legislation to authorize the use of sanctions, Congress may consider including findings, statements of policy, or requirements for congressional oversight that help to clarify how the proposed sanctions form a coherent part of U.S. foreign policy, and what that policy should be.

## Roles of Congress and the Executive Branch

Existing legislation empowers the President to impose sanctions through executive order by invoking emergency authorities, without additional congressional action.<sup>82</sup> In many instances, Members of the 117<sup>th</sup> Congress have introduced legislation that directs the President to consider sanctions targets under the criteria of sanctions programs that have been implemented through emergency authorities. Authorizing sanctions in this manner may allow the President to impose sanctions quickly in response to changing circumstances, but may also limit Congress's ability to engage in oversight on the use of those sanctions. Congress may consider, when introducing legislation, how reliance on emergency authorities may affect its ability to clarify the set of foreign policy priorities surrounding the decision to impose sanctions. It may also consider whether to introduce legislation that establishes Congress's foreign policy priorities and strategies with respect to the use of sanction, even in instances where the President has already implemented sanctions by executive order. Such actions may take the form of

- codifying into law sanctions authorities issued by executive order, and concurring with, dissenting with, or modifying the stated policy priorities under which the President authorized such sanctions;
- enacting requirements for the President to report to Congress on the use of sanctions and requiring assessments of their impact, efficacy,<sup>83</sup>
- enacting legislation that sets the conditions by which sanctions designations may be waived or subject to exemptions; or
- modifying the funding, structure, or oversight mechanisms of executive agencies that administer U.S. sanctions.

Congress also may enact legislation creating sanctions authorities in instances where the President has not yet done so, or declines to do so.

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Are Economic Sanctions?," *Council on Foreign Relations*, August 12, 2019, at <https://www.cfr.org/background/what-are-economic-sanctions>; Brett Schaefer, "A User's Guide To Economic Sanctions," *The Heritage Foundation*, June 25, 1997, at <https://www.heritage.org/international-economies/report/users-guide-economic-sanctions>.

<sup>82</sup> See CRS Report R45618, *The International Emergency Economic Powers Act: Origins, Evolution, and Use*.

<sup>83</sup> Senators on the Senate Committee for Banking, Housing, and Urban Affairs repeatedly questioned Deputy Secretary of the Treasury Wally Adeyemo on why the Treasury Department's 2021 Sanctions Review did not include assessments of the efficacy of specific sanctions programs in achieving their goals. United States Senate Committee on Banking, Housing, and Urban Affairs, full committee hearing, "International Policy Update: The Treasury Department's Sanctions Policy Review and Other Issues," October 19, 2021.

## Selected Oversight and Implementation Issues

### *Oversight and Reporting Requirements*

Legislation introduced by Members of the 117<sup>th</sup> Congress contains a wide range of oversight provisions related to the imposition of U.S. sanctions—some requiring extensive reporting from the executive branch on the implementation of proposed sanctions alongside other oversight requirements, and some requiring no reporting or oversight. In certain instances, Members may view extensive oversight as an impediment to flexible implementation of sanctions. For example, as in the case of Russia’s renewed invasion of Ukraine beginning February 24, 2022, geopolitical events to which the United States responds by using sanctions may change rapidly, and may require nimble imposition of, exemptions to, or even removal of restrictions, depending on how political situations or diplomatic negotiations evolve. In other instances, Members may view oversight as necessary as a means to constrain executive action on sanctions and ensure that sanctions continue to serve U.S. foreign policy and national security interests. In exercising its role with respect to U.S. sanctions, Congress may weigh the comparative need for flexibility in imposing sanctions with the need for it to exercise its constitutionally endowed authority to engage in oversight of the executive branch.

### *Sanctions Waivers, Exemptions, and Removals*

Sanctions legislation introduced by in the 117<sup>th</sup> Congress provides for varying flexibility for the President to waive sanctions on the basis of certain national interests, to exempt activities or sectors from sanctions, or to remove sanctions if certain conditions are met. Some legislation even seeks to revoke waivers or exemptions issued by the President, or to limit the President’s ability to do so in the future. Some observers, including members of the current presidential Administration, contend that sanctions should be reversible where possible, or that sanctions authorities should provide flexibility for the President to waive sanctions.<sup>84</sup> In certain instances, however, Congress has enacted legislation that directs the President to impose sanctions in a manner that limits his or her flexibility to waive or remove sanctions restrictions.<sup>85</sup>

Members of Congress may consider when introducing sanctions legislation whether enhanced or restricted executive flexibility to impose, exempt, waive, or remove sanctions best serves the broader foreign policy objectives they seek to achieve through sanctions. This may include factors such as

- what manner of national interests should be considered when waiving sanctions, and what notification requirements might be included to ensure those interests are served;

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<sup>84</sup> U.S. Department of the Treasury, 2021 Sanctions Review, October, 2021; Richard N. Haass, “Economic Sanctions: Too Much of a Bad Thing,” *The Brookings Institution*, June 1, 1998, at <https://www.brookings.edu/research/economic-sanctions-too-much-of-a-bad-thing/>.

<sup>85</sup> For example, the Countering America’s Adversaries Through Sanctions Act (CAATSA; P.L. 115-44) was signed into law on August 2, 2017, after passing the House and Senate with veto-proof majorities. The act mandates a variety of sanctions, reporting requirements, and criteria for waivers, exemptions, or removals of sanctions; see CRS In Focus IF10805, *Countering America’s Adversaries Through Sanctions Act (CAATS Act) Deadlines, Time Frames, and Start Dates*. In signing the act, President Trump disputed some provisions of CAATSA, saying they encroached on executive power (Administration of Donald J. Trump, “Statement on Signing the Countering America’s Adversaries Through Sanctions Act,” August 2, 2017).

- what manner of exemptions may maximize sanctions’ efficacy, and how those exemptions conform to broader U.S. foreign policy and national security strategy; and
- what criteria should be considered when removing sanctions, and if or how Congress should be notified regarding proposed removals.

## Constitutional Role of Congress

As described in previous sections, the 117<sup>th</sup> Congress has leveraged Congress’s constitutionally endowed “power of the purse” to exert influence on the policies and practices of executive agencies implementing U.S. sanctions. Such legislation includes, for example, the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2022, and the Financial Services and General Government Appropriations Act for Fiscal Year 2022, which include provisions requiring executive reporting on sanctions administration, as well as appropriations for executive agencies that implement sanctions and sanctions enforcement. Members of Congress may consider how to leverage future appropriations legislation to maintain an active role in the administration of U.S. sanctions programs and policy.

Some elements of legislation introduced in the 117<sup>th</sup> Congress include provisions that seek to prevent recognition of foreign governments by the United States or seek to require sanctions on specific individuals or entities. Such provisions may send a message regarding Congress’s view of how sanctions should further U.S. foreign policy and national security priorities, but may also be subject to legal challenges. For example, Article II of the Constitution has been interpreted as granting the President the power to recognize foreign governments,<sup>86</sup> nominate U.S. ambassadors to foreign countries,<sup>87</sup> and receive foreign ambassadors into the United States.<sup>88</sup> Efforts by some Members of Congress to enact legislation that would require the President to make determinations on the aforementioned functions may face judicial challenge. Similarly, Article I, Section 9, Clause 3 of the Constitution states, “No Bill of Attainder or ex post facto Law shall be passed.” The Supreme Court has described a bill of attainder as “a law that legislatively determines guilt and inflicts punishment upon an identifiable individual without provision of the protections of a judicial trial.”<sup>89</sup> Previous interpretations of this clause may indicate that congressional efforts to enact legislation mandating that sanctions be imposed on a named individual or entity might be subject to legal challenge under the Bill of Attainder Clause, though it is not clear that such a challenge would be successful.<sup>90</sup> Members of Congress may, therefore, consider the potential for such challenges when introducing legislation that seeks to require the President to sanction named individuals or entities.

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<sup>86</sup> *Zivotofsky v. Kerry*, 576 U.S. 1, 7-9 (2015).

<sup>87</sup> U.S. Const. art. II, §2.

<sup>88</sup> U.S. Const. art. II, §3.

<sup>89</sup> *Nixon v. Administrator of General Services et al.*, 433 U.S. 425 (1977).

<sup>90</sup> The Bill of Attainder Clause was recently the subject of a lawsuit by Huawei filed against the United States; see CRS Legal Sidebar LSB10274, *Huawei v. United States: The Bill of Attainder Clause and Huawei’s Lawsuit Against the United States*. Previous case precedents on the Bill of Attainder Clause have focused on whether the action required by legislation constituted a “punishment.”

# Appendix A. Enacted Legislation with Sanctions Provisions: A Selected Summary

**Table A-1. Enacted Legislation Related to U.S. Sanctions**  
Introduced in the 117<sup>th</sup> Congress

P.L.	Title/Intent	Date Introduced	Became Law
P.L. 117-110	Suspending Normal Trade Relations with Russia and Belarus Act	3/17/2022	4/8/2022
P.L. 117-109	Ending Importation of Russian Oil Act	3/8/2022	4/8/2022
P.L. 117-78	To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.	12/14/2021	12/23/2021
P.L. 117-51	To amend the Fentanyl Sanctions Act, to modify certain deadlines relating to the Commission on Combating Synthetic Opioid Trafficking.	8/6/2021	10/19/2021
P.L. 117-103	Consolidated Appropriations Act, 2022 (see <b>Table A-3</b> )	4/13/2021	3/15/2022
P.L. 117-81	National Defense Authorization Act for Fiscal Year 2022 (see <b>Table A-2</b> )	5/13/2021	12/27/2021
P.L. 117-54	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act of 2021	3/25/2021	11/10/2021

Source: Congress.gov.

**Table A-2. The National Defense Authorization Act (NDAA) for Fiscal Year 2022**  
Selected Provisions Relating Directly or Indirectly to U.S. Sanctions

Provisions Creating New Restrictions or Maintaining Existing Restrictions	
Section	Provision Summary
§6106	A provision seeking to improve U.S. efforts to counter illicit finance by amending Section 6214(b) of the National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283, div. F, title LXI) to expand the scope of the work performed by the Supervisory Team on Countering Illicit Finance, and by amending Section 9714 of the Combating Russian Money Laundering Act of 2021 (P.L. 116-283 title XCVII, subtitle B) to include provisions related to the handling of classified information, penalties for violations of the act, and injunctions by the Secretary of the Treasury.
§735(a)	A prohibition on the use of funds authorized by the NDAA for fiscal year 2022 to fund any work to be performed by the Chinese entity EcoHealth Alliance, Inc. on research supported by the government of China.
§802	A prohibition on the acquisition of personal protective equipment for preventing the spread of disease from "non-allied foreign nations," to include the Democratic People's Republic of North Korea, the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.
§848	A prohibition on procuring any products mined, produced, or manufactured wholly or in part using forced labor, or from an entity that has used labor from within the Xinjiang Uyghur Autonomous Region (XUAR).

**Provisions Creating New Restrictions or Maintaining Existing Restrictions**

§§1213-1214	Prohibitions on the transfer of Department of Defense (DoD) funds or resources to the Taliban, or the use of DoD aircraft to transport currency to the Taliban or the Islamic Emirate of Afghanistan.
§1225	A prohibition on the transfer of funds authorized by the NDAA for fiscal year 2022 to the Badr Organization.
§1226	A prohibition on the transfer of funds authorized by the NDAA for fiscal year 2022 to the government of Iran or any subsidiary of the government of Iran or agent or instrumentality of Iran.
§1234	A prohibition on the availability of funds authorized by the NDAA for fiscal year 2022 for any activity that recognizes the sovereignty of the Russian Federal over Crimea.
§1339	An extension of a prohibition set forth in Section 1273(a) of the NDAA for fiscal year 2020 (P.L. 116-92, title XII, subtitle G) on provision of in-flight refueling to non-U.S. aircraft that engage in hostilities in the ongoing civil war in Yemen.

**Provisions Creating New Reporting Requirements or Maintaining Existing Reporting Requirements**

Section	Provision Summary
§1222(b)(11)	A required report relating to the U.S. defense and diplomatic strategy for Syria that includes an assessment of the progress made toward meeting the criteria specified in the Caesar Syria Civilian Protection Act of 2019 (P.L. 116-92, the National Defense Authorization Act for Fiscal Year 2020, div. F, title LXXIV of) in order to suspend sanctions against the Assad regime.
§125(a)(2)(A)	A required report relating to the military capabilities of Iran that includes: an assessment of the impact that unilateral revocation of U.S. economic sanctions would have on the military capabilities of Iranian military entities and Iran-backed groups; and an assessment of the United Nations arms embargo, and its impact on Iran's ability to supply, sell, or transfer arms or related materiel while the embargo was in effect.
§6508(b)(2)(G)	A required report relating to U.S. policy toward South Sudan that includes analysis of the impact of U.S. and international sanctions on deterring corruption, mitigating and reducing conflict, and holding accountable those responsible for human rights abuse.
§6509(b)(4)	A required report relating to U.S. strategy for engagement with Southeast Asia and the Association of Southeast Asian Nations (ASEAN) that includes a summary of initiatives across the U.S. government to enhance the capacity of Southeast Asian nations to enforce international law and multilateral sanctions, and initiatives to cooperate with ASEAN on these issues.
§6510(b)(2)	A required briefing relating to support for democracy in Burma that includes an assessment of the impact of U.S. and international sanctions—and a description of potential additional sanctions—in securing U.S. foreign policy goals with respect to Burma.

**Source:** P.L. 117-81, which became law on December 27, 2021.

**Table A-3. The Consolidated Appropriations Act for Fiscal Year 2022**  
Selected Provisions Relating Directly or Indirectly to U.S. Sanctions

<b>Provisions Creating New Restrictions or Maintaining Existing Restrictions</b>	
Section	Provision Summary
Section 7031(c) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	Reenactment of the human rights and corruption provisions of Section 7031(c), which directs the Secretary of State to restrict entry into the United States of persons determined to be involved in significant corruption or a gross violation of human rights.
Sections 7041-7046 of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A set of requirements, also included in appropriations acts for previous fiscal years, that none of the funds appropriated by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (Division K of P.L. 117-103), be made available to the governments of certain countries, unless the Secretary of State certifies to Congress that specific requirements are met. Such requirements—which may vary depending on U.S. foreign policy priorities and political events within the referenced country—apply to assistance to the governments of countries, including Afghanistan, Burma, Cambodia, Colombia, Egypt, El Salvador, Georgia, Guatemala, Haiti, Honduras, Lebanon, Pakistan, the Peoples’ Republic of China, Saudi Arabia, South Sudan, Sri Lanka, Sudan, Turkey, and Zimbabwe.
Section 7047(b) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A restriction on aid to any government that has taken affirmative steps intended to support Russia’s annexation of Crimea or any other territory of Ukraine, or that has established diplomatic relations with or recognizes the independence of the Russian-occupied territories of Abkhazia and Tskhinvali Region/South Ossetia.
Section 7043(e) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A restriction, also included in appropriations acts for previous fiscal years, on the use of funds appropriated by the Department of State, Foreign Operations, and Related Programs Appropriations Act for assistance to the central government of any country determined to have materially contributed to the malicious cyber activities and capabilities of the Government of North Korea.
Section 7047(a) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A prohibition on any of the funds appropriated by the Department of State, Foreign Operations, and Related Programs Appropriations Act being made available to the central government of the Russian Federation.
Section 7007 of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A prohibition, also included in appropriations acts for previous fiscal years, on funds appropriated pursuant to Titles III through VI of the Department of State, Foreign Operations, and Related Programs Appropriations Act being made available for direct finance or assistance to the governments of Cuba, North Korea, Iran, or Syria.

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**Provisions Creating New Restrictions or Maintaining Existing Restrictions**


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Section 7008 of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A prohibition, also included in appropriations acts for previous fiscal years, on funds appropriated pursuant to Titles III through VI of the Department of State, Foreign Operations, and Related Programs Appropriations Act being made available to the government of any country whose duly elected head of government is deposed by a military coup d'etat.
Section 7041(j) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A restriction, also included in appropriations acts for previous fiscal years, on funds for nonlethal stabilization assistance for Syria prohibiting their use for projects that support or otherwise legitimize the government of Iran.
Sections 101-108 of Division V, the Haiti Development, Accountability, and Institutional Transparency Initiative Act	The Haiti Development, Accountability, and Institutional Transparency Initiative Act of 2022, initially introduced through H.R. 2471 and S. 1104 and included in the Consolidated Appropriations Act for Fiscal Year 2022 in Division V. As part of the act's stated support for efforts to promote human rights and anticorruption policies, it directs enforcement of sanctions imposed in accordance with the Global Magnitsky Human Rights Accountability Act.

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**Provisions Creating New Reporting Requirements or Reenacting Previous Reporting Requirements**


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Section	Provision Summary
Section 7041(b)(2) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A requirement, also included in appropriations acts for previous fiscal years, for the Secretary of State to submit a semi-annual report to Congress as required by Section 135(d)(4) of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as added by Section 2 of the Iran Nuclear Agreement Review Act of 2015 (P.L. 114-17).
Section 7041(b)(2) of Division K, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	A requirement, also included in appropriations acts for previous fiscal years, for a report describing the status of U.S. bilateral sanctions on Iran, the reimposition and renewed enforcement of secondary sanctions, and a description of the impact such sanctions have had on Iran's destabilizing activities in the Middle East.
Section 708 of Division X, Intelligence Authorization Act for Fiscal Year 2022	A reporting requirement related to the efforts of the Chinese Communist Party to erode the freedom and autonomy of Hong Kong, as well as the use of forced labor schemes in China's renewable energy sector.
Section 717 of Division X, Intelligence Authorization Act for Fiscal Year 2022	A requirement, not included in appropriations acts for previous fiscal years, for the Director of National Intelligence—in consultation with the Assistant Secretary of the Treasury for Intelligence and Analysis—to report on the effects of U.S. economic sanctions. The requirement directs that the report include an assessment of whether U.S. economic sanctions have constrained, modified, or affected the ability of designated individuals, entities, or governments to continue the activities for which they are sanctioned; an assessment of the effectiveness of imposing additional sanctions; and specifically includes reporting with respect to China and Iran in the provision.

**Source:** P.L. 117-103, which became law on March 15, 2022.



**Table A-4. The Suspending Normal Trade Relations with Russia and Belarus Act of 2022**

Selected Provisions Relating Directly or Indirectly to U.S. Sanctions

<b>Provisions Creating New Restrictions or Maintaining Existing Restrictions</b>	
Section	Provision Summary
§3	Provides that on the day after the enactment of this act, the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States shall apply to all products of the Russian Federation and of the Republic of Belarus.
§4	Provides that the President is authorized to temporarily resume, for periods not to exceed one year each, the application of the rates of duty set forth in column 1 of the Harmonized Tariff Schedule of the United States to the products of the Russian Federation, the Republic of Belarus, or both, if the President submits to Congress with respect to either or both such countries a certification under subsection (c) of this act for each such period.
§5	Provides that the United States Trade Representative shall use the voice and influence of the United States at the WTO to condemn the recent aggression in Ukraine, encourage other WTO members to suspend trade concessions to the Russian Federation and the Republic of Belarus, consider further steps with the view to suspend the Russian Federation’s participation in the WTO, and seek to halt the accession process of the Republic of Belarus at the WTO and cease accession-related work.
§6	Repeals the sunset provision stated in Section 1265 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of P.L. 114–328; 22 U.S.C. 2656 note).

**Source:** P.L. 117-110, which became law on April 8, 2022.

**Table A-5. Ending Importation of Russian Oil Act of 2022**

Selected Provisions Relating Directly or Indirectly to U.S. Sanctions

<b>Provisions Creating New Restrictions or Maintaining Existing Restrictions</b>	
Section	Provision Summary
§2	Provides that all products of the Russian Federation classified under chapter 27 of the Harmonized Tariff Schedule of the United States shall be banned from importation into the United States.
§3	Provides that the termination of the prohibition on importation of Russian energy products shall take effect beginning 90 calendar days after the President certifies to Congress that the Russian Federation has reached an agreement to withdraw Russian forces and for the cessation of military hostilities that is accepted by the free and independent government of Ukraine, poses no immediate military threat of aggression to any North Atlantic Treaty Organization member, and recognizes the right of the people of Ukraine to independently and freely choose their own government.  Such a termination may not take effect if Congress enacts a joint resolution of disapproval within the 90-day period following submission of such certification.

**Source:** P.L. 117-109, which became law on April 8, 2022.



## Appendix B. Selected Legislation Related to Country-Specific Sanctions

### Russia

**Table B-I. Selected Legislation Related to Russia Sanctions**  
Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
H.R. 8614	Banning Oil Exports to Foreign Adversaries Act	7/29/2022
H.R. 8568	Russia is a State Sponsor of Terrorism Act	7/28/2022
S. 4651	A bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to stipulate, as a condition on the sale at auction of any petroleum products from the Strategic Petroleum Reserve, that the petroleum products not be exported to certain countries, to prohibit such sales to certain state-owned entities, and for other purposes.	7/28/2022
H.R. 8544	Deter PRC Support to the Russian War Effort Act	7/27/2022
S. 4620	Countering Communist China's Financing of Russia's War on Ukraine Act	7/26/2022
H.R. 8459	Russian Property Theft and Occupation Act of 2022	7/21/2022
H.R. 8339	To modify the annual report on military and security developments involving the Russian Federation.	7/12/2022
S. 4463	A bill to terminate General License No. 8C of the Office of Foreign Assets Control of the Department of the Treasury and require the application of sanctions under Executive Order 14024 to the entities listed in General License No. 8C.	6/23/2022
H.R. 8156	Oligarch Assets for Ukrainian Victory Act of 2022	6/21/2022
H.R. 8120	Expanding Trade Sanctions on Russia Act	6/16/2022
H.R. 7991	Keeping Russia's Energy and Military Liable for Invading its Neighbors (KREMLIN) Act	6/8/2022
S. 4364	Keeping Russia's Energy and Military Liable for Invading its Neighbors (KREMLIN) Act	6/8/2022
H.R. 7596	Repurposing Elite Luxuries Into Emergency Funds for Ukraine Act	4/27/2022
S. 4098	A bill to prohibit nationals of the Russian Federation and Belarus from working in Department of Energy National Laboratories.	4/27/2022
S. 4075	Kleptocrat Liability for Excessive Property Transactions and Ownership Act (KLEPTO) Act	4/7/2022
S. 4054	A bill to terminate General License No. 8A of the Office of Foreign Assets Control of the Department of the Treasury and require the application of sanctions under Executive Order 14024 to the Russian financial institutions listed in General License No. 8A.	4/7/2022
H.R. 7429	Russian Digital Asset Sanctions Compliance Act of 2022	4/6/2022
H.R. 7340	To provide for congressional oversight of certain sanctions imposed with respect to the Russian Federation.	3/31/2022
H.R. 7338	Russia Cryptocurrency Transparency Act	3/31/2022

H.R./S.	Title/Intent	Date Introduced
H.R. 7314	Assessing Xi's Interference and Subversion Act (AXIS) Act	3/31/2022
H.R. 7311	Countering Malign Russian Activities in Africa Act	3/31/2022
S. 3936	Repurposing Elite Luxuries Into Emergency Funds for Ukraine Act	3/28/2022
H.R. 7205	Ukrainian Sovereignty Act of 2022	3/24/2022
H.R. 7187	Yachts for Ukraine Act	3/21/2022
H.R. 7163	Sanctioning Putin's Enablers Act	3/18/2022
H.R. 7108	Suspending Normal Trade Relations with Russia and Belarus Act	3/17/2022
S. 3882	Stop Top Oil Producers and Protect Ukraine from Tyrannical Invasions Now (STOP PUTIN) Act of 2022	3/17/2022
S. 3877	Crippling Unhinged Russian Belligerence and Chinese Involvement in Putin's Schemes (CURB CIPS) Act of 2022	3/17/2022
S. 3867	Digital Asset Sanctions Compliance Enhancement Act of 2022	3/17/2022
H.R. 7086	Oligarch Asset Forfeiture Act	3/15/2022
H.R. 7083	Make Russia Pay Act	3/15/2022
S. 3838	Asset Seizure for Ukraine Reconstruction Act	3/15/2022
H.R. 7067	Closing Loopholes in Russia Sanctions Act of 2022	3/11/2022
H.R. 7066	Russia and Belarus Financial Sanctions Act of 2022	3/11/2022
H.R. 7014	To suspend normal trade relations treatment for the Russian Federation and the Republic of Belarus, and for other purposes.	3/9/2022
H.R. 7012	Ukraine Assistance and American Energy Acceleration Act	3/9/2022
H.R. 6995	Russia Trade and Investment Ban Act	3/8/2022
H.R. 6968	Ending Importation of Russian Oil Act	3/8/2022
S. 3786	A bill to suspend normal trade relations treatment for the Russian Federation and the Republic of Belarus, and for other purposes.	3/8/2022
H.R. 6960	Regaining Energy Freedom and Undeniable Security and Preserving U.S. Trade Interests Now (REFUSE PUTIN) Act	3/7/2022
H.R. 6954	Direct Investigations on China, Take Action To Oppose Russia (DICTATOR) Act of 2022	3/7/2022
H.R. 6953	Severing Putin's Immense Gains from Oil Transfers (SPIGOT) Act of 2022	3/7/2022
H.R. 6944	Energy Unleashing in Response to the Offenses of Putin against Europeans (EUROPE) Act	3/7/2022
H.R. 6930	Asset Seizure for Ukraine Reconstruction Act	3/3/2022
S. 3754	Severing Putin's Immense Gains from Oil Transfers (SPIGOT) Act of 2022	3/3/2022
H.R. 6894	No Energy Revenues for Russian Hostilities Act of 2022	3/2/2022
S. 3732	Halting Enrichment of Russian Oligarchs and Industry Allies of Moscow's Schemes to Leverage its Abject Villainy Abroad (HEROIAM SLAVA) Act of 2022	3/2/2022
S. 3723	Special Russian Sanctions Authority Act of 2022	3/1/2022

<b>H.R./S.</b>	<b>Title/Intent</b>	<b>Date Introduced</b>
H.R. 6869	To authorize the President of the United States to issue letters of marque and reprisal for the purpose of seizing the assets of certain Russian citizens, and for other purposes.	2/28/2022
H.R. 6853	Russian Travel Sanctions for a Democratic Ukraine Act	2/25/2022
H.R. 6846	Corruption, Overthrowing Rule of Law, and Ruining Ukraine: Putin's Trifecta Act	2/25/2022
H.R. 6842	To provide for the imposition of sanctions on members of parliament of the Russian Federation who voted on February 15, 2022, in favor of the appeal to President Vladimir Putin to recognize the regions of Donetsk and Luhansk in southeastern Ukraine as one or more independent states.	2/25/2022
H.R. 6821	United States-Russian Federation Seafood Reciprocity Act of 2022	2/22/2022
H.R. 6748	Midland Over Moscow Act	2/15/2022
H.R. 6742	Never Yielding Europe's Territory (NYET) Act of 2022	2/15/2022
S. 3652	Never Yielding Europe's Territory (NYET) Act of 2022	2/15/2022
S. 3640	Belarus Aggression Accountability Act of 2022	2/10/2022
S. 3614	United States-Russian Federation Seafood Reciprocity Act of 2022	2/9/2022
H.R. 6470	Defending Ukraine Sovereignty Act of 2022	1/21/2022
H.R. 6422	Putin Accountability Act	1/19/2022
S. 3513	Deterring Authoritarian Hostilities Act of 2022	1/13/2022
S. 3488	Defending Ukraine Sovereignty Act of 2022	1/12/2022
H.R. 6367	Guaranteeing Ukrainian Autonomy by Reinforcing its Defense (GUARD) Act of 2022	1/10/2022
S. 3436	Protecting Europe's Energy Security Implementation Act	12/18/2021
S. 3353	Domestic Energy Crisis Relief Act	12/9/2021
S. 3322	CAATSA Implementation Act of 2021	12/7/2021
S. 2986	A bill to require a review of sanctions with respect to Russian kleptocrats and human rights abusers.	10/7/2021
S. 2894	A bill to require the imposition of sanctions with respect to Nord Stream 2 AG pursuant to the Countering America's Adversaries Through Sanctions Act.	9/29/2021
S. 2826	Restricting Taliban Critical Mineral Trade Act	9/23/2021
H.R. 3598	Protecting Our Wellbeing by Expanding Russian Sanctions (POWERS) Act	5/28/2021
S. 1764	Protecting Our Wellbeing by Expanding Russian Sanctions (POWERS) Act	5/20/2021
H.R. 3144	Restraining Russian Imperialism Act	5/12/2021
H.R. 2946	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	4/30/2021
S. 1064	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	3/25/2021
S. 1041	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	3/25/2021

H.R./S.	Title/Intent	Date Introduced
H.R. 2046	Energy Security Cooperation with Allied Partners in Europe Act of 2021	3/18/2021
S. 819	Energy Security Cooperation with Allied Partners in Europe Act of 2021	3/18/2021
S. 814	Ukraine Security Partnership Act of 2021	3/17/2021
H.R. 1223	Holding Russia Accountable for Malign Activities Act of 2021	2/23/2021
H.R. 923	To support the independence, sovereignty, and territorial integrity of the Republic of Georgia, and for other purposes.	2/8/2021
S. 208	Holding Russia Accountable for Malign Activities Act of 2021	2/3/2021

Source: Congress.gov.

## Iran

**Table B-2. Selected Legislation Related to Iran Sanctions**

Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
S. 4746	Solidify Iran Sanctions Act of 2022	8/2/2022
S. 4290	Iran China Accountability Act	5/24/2022
H.R. 7635	Iranian Nuclear and Venezuelan Energy, Sanctions and Terrorism Investigation Government Accountability Report (INVESTIGAR) Act	4/28/2022
H.R. 7490	Investigating Russian Ambitions in Nuclear Negotiations (IRAN) Negotiations Act	4/11/2022
H.R. 7402	No U.S. Financing for Iran Act of 2022	4/5/2022
H.R. 7330	Keeping Israel Safe from Iranian Proxies Act	3/31/2022
H.R. 7159	To terminate certain waivers of sanctions with respect to Iran issued in connection with the Joint Comprehensive Plan of Action, and for other purposes.	3/18/2022
S. 3857	A bill to terminate certain waivers of sanctions with respect to Iran issued in connection with the Joint Comprehensive Plan of Action, and for other purposes.	3/16/2022
H.R. 7063	Restoring Maximum Pressure on Iranian Terrorists Act	3/11/2022
S. 3798	Preempting Misguided Appeasement and Financing of Destabilizing Regimes Act of 2022	3/10/2022
S. 3421	Stop Iranian Drones Act of 2021	12/16/2021
S. 3347	Masih Alinejad Harassment and Unlawful Targeting (HUNT) Act of 2021	12/8/2021
H.R. 6089	Stop Iranian Drones Act	11/30/2021
S. 3075	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	10/26/2021
H.R. 5677	To make technical amendments to update statutory references to certain provisions classified to title 2, United States Code, title 50, United States Code, and title 52, United States Code.	10/22/2021
H.R. 5333	Preventing the Recognition of Terrorist States Act of 2021	9/22/2021
S. 2781	No Harbor for Terror Act	9/21/2021

H.R./S.	Title/Intent	Date Introduced
S. 2745	Preventing the Recognition of Terrorist States Act of 2021	9/14/2021
H.R. 4592	Holding Iranian Leaders Accountable Act of 2021	7/21/2021
S. 2374	A bill to impose sanctions with respect to the Supreme Leader of the Islamic Republic of Iran, Ayatollah Ali Khamenei, and Sayyud Ebrahim Raisol-Sadati, who was elected president of the Islamic Republic of Iran in the 2021 presidential election.	7/15/2021
H.R. 4373	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022	7/6/2021
H.R. 3966	To prohibit the United States from rejoining the Joint Comprehensive Plan of Action (JCPOA) until the President makes certain certifications, and for other purposes.	6/17/2021
S. 2030	Iran Nuclear Treaty Act	6/10/2021
S. 1950	Iran Sanctions Preservation Act	5/27/2021
H.R. 3465	Iran China Accountability Act	5/21/2021
S. 1743	Index Provider Transparency and Accountability Act	5/20/2021
H.R. 2938	Putting Americans First Act	4/30/2021
H.R. 2718	Maximum Pressure Act	4/21/2021
S. 1205	Iran Nuclear Deal Advice and Consent Act of 2021	4/19/2021
H.R. 2117	Iran Human Rights and Accountability Act of 2021	3/19/2021
H.R. 2113	Sanctioning Iranian-Backed Militia Terrorists Act	3/19/2021
H.R. 1699	Iran Sanctions Relief Review Act of 2021	3/9/2021
H.R. 1479	Iran Nuclear Deal Advice and Consent Act of 2021	3/2/2021
S. 488	Iran Sanctions Relief Review Act of 2021	2/25/2021
S. 434	Iran Diplomacy Act of 2021	2/24/2021
H.R. 1231	Constraining Human Rights Offenders in the Middle East Act	2/23/2021
H.R. 1203	Iran Nuclear Verification Act	2/22/2021
H.R. 857	Iranian Arms Transfer Prevention Act of 2021	2/5/2021
H.R. 901	No Sanctions Relief for Terrorists Act	2/5/2021
H.R. 819	Stop Corrupt Iranian Oligarchs and Entities Act	2/4/2021
H.R. 733	Stop Evasion of Iran Sanctions Act of 2021	2/2/2021

Source: Congress.gov.

## China

**Table B-3. Selected Legislation Related to China Sanctions**  
Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
S. 4620	Countering Communist China's Financing of Russia's War on Ukraine Act	7/26/2022
S. 4428	Taiwan Policy Act of 2022	6/16/2022

H.R./S.	Title/Intent	Date Introduced
H.R. 8041	China Social Media Reciprocity Act	6/13/2022
H.R. 7998	Sanctioning Supporters of Slave Labor Act	6/9/2022
S. 4290	Iran China Accountability Act	5/24/2022
S. 4099	Sanction Transactions Originating from Pernicious Chinese Companies and Policies (STOP CCP) Act of 2022	4/27/2022
H.R. 7457	Hold CCP Accountable Act of 2022	4/7/2022
H.R. 7314	Assessing Xi's Interference and Subversion (AXIS) Act	3/31/2022
S. 3877	Crippling Unhinged Russian Belligerence and Chinese Involvement in Putin's Schemes (CURB CIPS) Act of 2022	3/17/2022
H.R. 6954	Direct Investigations on China, Take Action To Oppose Russia (DICTATOR) Act of 2022	3/7/2022
S. 3735	Deterring Communist Chinese Aggression against Taiwan through Financial Sanctions Act of 2022	3/2/2022
H.R. 6686	Sanctioning Tyrannical and Oppressive People within the Chinese Communist Party (STOP CCP) Act	2/9/2022
S. 3584	Countering Corporate Corruption in China Act of 2022	2/3/2022
H.R. 6524	To require the Secretary of the Treasury to carry out a study on Chinese support for Afghan illicit finance, and for other purposes.	1/28/2022
H.R. 6484	Sanctions Targeting Aggressors of Neighboring Democracies with Taiwan (STAND with Taiwan) Act of 2022	1/25/2022
S. 3526	Sanctions Targeting Aggressors of Neighboring Democracies with Taiwan (STAND with Taiwan) Act of 2022	1/19/2022
H.R. 6417	Free Peng Shuai Act	1/18/2022
S. 3463	Coronavirus Origin Validation, Investigation, and Determination (COVID) Act of 2022	1/10/2022
H.R. 6319	Falun Gong Protection Act	12/16/2021
H.R. 6256	To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.	12/14/2021
S. 3052	Cambodia Democracy and Human Rights Act of 2022	10/21/2021
H.R. 5580	Countering China Economic Coercion Act	10/15/2021
S. 2933	Chinese Communist Party Accountability Act of 2021	10/5/2021
H.R. 5454	To direct the Secretary of Defense to report to Congress on the feasibility of establishing an office within the Department of Defense to oversee sanctions with respect to Chinese military companies, and for other purposes.	9/30/2021
H.R. 5431	Designating the Chinese Communist Party as a Transnational Organized Crime Group Act	9/30/2021
S. 2826	Restricting Taliban Critical Mineral Trade Act	9/23/2021
H.R. 5326	Chinese Military and Surveillance Company Sanctions Act of 2021	9/22/2021
H.R. 5286	Protecting Americans from Corporate Human Rights Abusers Act	9/17/2021
H.R. 5046	Holding Countries Accountable for Negligent Chemical and Biological Programs Act	8/17/2021

H.R./S.	Title/Intent	Date Introduced
H.R. 4821	Combating the Persecution of Christians in China Act	7/29/2021
H.R. 4793	Protecting Personal Data from Foreign Adversaries Act	7/29/2021
H.R. 4792	Countering Communist China Act	7/29/2021
H.R. 4592	Holding Iranian Leaders Accountable Act of 2021	7/21/2021
H.R. 4281	Tibet Independence Act	6/30/2021
H.R. 4048	COVID-19 Origins Accountability Act of 2021	6/22/2021
S. 2148	Coronavirus Origin Validation, Investigation, and Determination (COVID) Act of 2021	6/21/2021
H.R. 3922	World Deserves To Know Act	6/15/2021
H.R. 3882	Compensation for Americans Act of 2021	6/14/2021
S. 1987	Li Wenliang Global Public Health Accountability Act of 2021	6/9/2021
H.R. 3583	Never Again International Outbreak Prevention Act	5/28/2021
H.R. 3524	Ensuring American Global Leadership and Engagement (EAGLE) Act	5/25/2021
H.R. 3465	Iran China Accountability Act	5/21/2021
S. 1743	Index Provider Transparency and Accountability Act	5/20/2021
H.R. 3306	Uyghur Stop Oppressive Sterilizations (Uyghur SOS) Act	5/18/2021
H.R. 3295	Prohibiting TSP Investment in China Act	5/18/2021
S. 1665	Prohibiting TSP Investment in China Act	5/18/2021
S. 1657	South China Sea and East China Sea Sanctions Act of 2021	5/17/2021
H.R. 3018	Chinese Communist Party (CCP) Politburo Accountability Act	5/7/2021
H.R. 3011	Holding Chinese Military Companies Accountable Act	5/7/2021
S. 1245	Combating Chinese Purloining of Trade Secrets (CCP Trade Secrets) Act	4/20/2021
S. 1169	Strategic Competition Act of 2021	4/15/2021
S. 1029	Sanctioning and Highlighting Authoritarian Medicine and Eugenics (SHAME) Act	3/25/2021
S. 687	Strengthening Trade, Regional Alliances, Technology, and Economic and Geopolitical Initiatives concerning China (STRATEGIC) Act	3/10/2021
S. 429	Countering Chinese Propaganda Act	2/24/2021
H.R. 1214	Countering Chinese Propaganda Act	2/23/2021
H.R. 1155	Uyghur Forced Labor Prevention Act	2/18/2021
H.R. 1137	Opposing Business with Chinese Military Companies Act	2/18/2021
H.R. 1131	China Technology Transfer Control Act of 2021	2/18/2021
S. 65	Uyghur Forced Labor Prevention Act	1/27/2021
S. 37	Preventing Future Pandemics Act of 2021	1/25/2021
H.R. 151	Preventing Future Pandemics Act of 2021	1/4/2021

Source: Congress.gov

## Cuba

**Table B-4. Selected Legislation Related to Cuba Sanctions**

Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
S. 2990	Denying Earnings to the Military Oligarchy in Cuba and Restricting Activities of the Cuban Intelligence Apparatus (DEMOCRACIA) Act	10/18/2021
H.R. 5557	Denying Earnings to the Military Oligarchy in Cuba and Restricting Activities of the Cuban Intelligence Apparatus (DEMOCRACIA) Act	10/12/2021
H.R. 4914	Havana Syndrome Attacks Response Act	8/3/2021
H.R. 3625	United States-Cuba Relations Normalization Act	5/28/2021
S. 1694	Freedom to Export to Cuba Act of 2021	5/19/2021
S. 249	United States-Cuba Trade Act of 2021	2/4/2021
H.R. 198	Baseball Diplomacy Act	1/5/2021

Source: Congress.gov.

## Afghanistan

**Table B-5. Selected Legislation Related to Sanctions on Afghanistan, the Taliban, or the Haqqani Network**

Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
H.R. 6524	To require the Secretary of the Treasury to carry out a study on Chinese support for Afghan illicit finance, and for other purposes.	1/28/2022
H.R. 5404	Taliban Rare Earth Minerals Sanctions Act	9/28/2021
S. 2863	Afghanistan Counterterrorism, Oversight, and Accountability Act of 2021	9/27/2021
S. 2826	Restricting Taliban Critical Mineral Trade Act	9/23/2021
H.R. 5333	Preventing the Recognition of Terrorist States Act of 2021	9/22/2021
S. 2781	No Harbor for Terror Act	9/21/2021
H.R. 5272	Taliban Recognition Prevention Act	9/17/2021
S. 2745	Preventing the Recognition of Terrorist States Act of 2021	9/14/2021
H.R. 5236	Prevent Taliban Support Act	9/10/2021
H.R. 5127	Afghanistan Withdrawal Oversight and Liability (AWOL) Act	8/31/2021
H.R. 5117	Ensuring Evacuation from Afghanistan Act of 2021	8/27/2021
H.R. 5066	Afghanistan Accountability Act	8/20/2021

Source: Congress.gov



## Appendix C. Selected Legislation Related to Sanctions Concerning Transnational Issues

### Human Rights Abuse and/or Corruption

**Table C-1. Selected Legislation Related to Sanctions and Human Rights and/or Corruption**

Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
S. 4216	North Korean Human Rights Reauthorization Act of 2022	5/12/2022
S. 4021	Human Rights Violators Act of 2022	4/6/2022
H.R. 7332	North Korean Human Rights Reauthorization Act of 2022	3/31/2022
S. 3924	Global Magnitsky Human Rights Accountability Extension Act	3/24/2022
S. 3725	No Trading with Invaders Act	3/1/2022
H.R. 6586	Guaranteeing Enemy Nations Omit from Criminalizing, Impeding, or Detaining Exceptional Global Athletes Magnifying Exploitation during Sporting events Act (GENOCIDE) GAMES Act	2/3/2022
H.R. 6417	Free Peng Shuai Act	1/18/2022
H.R. 6140	Sudan Democracy Act	12/3/2021
S. 3275	Sudan Democracy Act	11/29/2021
S. 3199	Ethiopia Peace and Stabilization Act of 2022	11/4/2021
S. 3155	Jamal Khashoggi Human Rights Act	11/3/2021
S. 3052	Cambodia Democracy and Human Rights Act of 2022	10/21/2021
S. 2986	A bill to require a review of sanctions with respect to Russian kleptocrats and human rights abusers.	10/7/2021
H.R. 5209	Counter-Kleptocracy Act	9/10/2021
H.R. 5150	Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2021	9/3/2021
H.R. 4718	Stop Arming Human Rights Abusers Act	7/27/2021
H.R. 4686	Cambodia Democracy Act of 2021	7/26/2021
H.R. 4546	Turkey Human Rights Promotion Act of 2021	7/20/2021
S. 2403	Turkey Human Rights Promotion Act of 2021	7/20/2021
H.R. 4322	Combating Global Corruption Act of 2021	7/1/2021
S. 2277	Global Respect Act of 2021	6/24/2021
S. 2129	Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021	6/17/2021
S. 2104	Global Labor Support Act of 2021	6/17/2021
S. 1996	Greater Leadership Overseas for the Benefit of Equality Act of 2021	6/9/2021
H.R. 3800	Greater Leadership Overseas for the Benefit of Equality (GLOBE) Act of 2021	6/8/2021

H.R./S.	Title/Intent	Date Introduced
H.R. 3485	Global Respect Act	5/25/2021
H.R. 3373	Honoring Our Commitment to Elevate America's Neighbor Islands and Allies (Honoring OCEANIA) Act	5/20/2021
S. 1774	Honoring Our Commitment to Elevate America's Neighbor Islands and Allies (Honoring OCEANIA) Act	5/20/2021
S. 1637	Hizballah Money Laundering Prevention Act of 2021	5/13/2021
H.R. 3001	Vietnam Human Rights Act	5/4/2021
H.R. 2946	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	4/30/2021
S. 1478	World Press Freedom Protection and Reciprocity Act	4/29/2021
H.R. 2716	Honduras Human Rights and Anti-Corruption Act of 2021	4/21/2021
H.R. 2471	Consolidated Appropriations Act, 2022	4/13/2021
S. 1104	Haiti Development, Accountability, and Institutional Transparency Initiative Act	4/13/2021
S. 1064	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	3/25/2021
S. 1041	Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act	3/25/2021
H.R. 1464	Saudi Arabia Accountability for Gross Violations of Human Rights Act	3/1/2021
H.R. 1392	Protection of Saudi Dissidents Act of 2021	2/26/2021
S. 424	International Human Rights Defense Act of 2021	2/24/2021
H.R. 1228	Libya Stabilization Act	2/23/2021
S. 388	Honduras Human Rights and Anti-Corruption Act of 2021	2/23/2021
S. 379	Libya Stabilization Act	2/23/2021
H.R. 1201	International Human Rights Defense Act of 2021	2/22/2021
H.R. 1122	Supporting Mexico Against Corruption Act	2/18/2021
H.R. 839	Jamal Khashoggi Press Freedom Accountability Act of 2021	2/4/2021
S. 226	Jamal Khashoggi Press Freedom Accountability Act of 2021	2/4/2021
S. 158	Countering Russian and Other Overseas Kleptocracy (CROOK) Act	2/2/2021
S. 93	Global Magnitsky Human Rights Accountability Reauthorization Act	1/28/2021
S. 14	Combating Global Corruption Act of 2021	1/22/2021
H.R. 402	Countering Russian and Other Overseas Kleptocracy (CROOK) Act	1/21/2021

**Source:** Congress.gov

## Terrorism/Counterterrorism

**Table C-2. Selected Legislation Related to Sanctions and Terrorism/Counterterrorism**

Introduced in the 117<sup>th</sup> Congress (reverse chronological order)

H.R./S.	Title/Intent	Date Introduced
H.R. 8568	Russia is a State Sponsor of Terrorism Act	7/28/2022
H.R. 7824	Taylor Force Martyr Payment Prevention Act of 2022	5/18/2022
H.R. 7139	Removing Arms from Terrorists Through Sanctions Act	3/17/2022
H.R. 7063	Restoring Maximum Pressure on Iranian Terrorists Act	3/11/2022
H.R. 6897	Preventing Usurpation of Power and Privileges by Extralegal Territories' Seditious (PUPPETS) Act of 2022	3/2/2022
S. 3739	Preventing Usurpation of Power and Privileges by Extralegal Territories' Seditious (PUPPETS) Act of 2022	3/2/2022
S. 3318	Taylor Force Martyr Payment Prevention Act of 2021	12/6/2021
S. 2863	Afghanistan Counterterrorism, Oversight, and Accountability Act of 2021	9/27/2021
H.R. 5333	Preventing the Recognition of Terrorist States Act of 2021	9/22/2021
S. 2745	Preventing the Recognition of Terrorist States Act of 2021	9/14/2021
H.R. 5066	Afghanistan Accountability Act	8/20/2021
H.R. 4793	Protecting Personal Data from Foreign Adversaries Act	7/29/2021
H.R. 3965	Standing Against Houthi Aggression Act	6/17/2021
H.R. 3685	Hamas International Financing Prevention Act	6/4/2021
S. 1904	Palestinian International Terrorism Support Prevention Act of 2021	5/27/2021
H.R. 3388	Protecting Critical Infrastructure Act of 2021	5/20/2021
H.R. 2710	Banking Transparency for Sanctioned Persons Act of 2021	4/20/2021
S. 1164	Global Hostage Act of 2021	4/15/2021
H.R. 2113	Sanctioning Iranian-Backed Militia Terrorists Act	3/19/2021
H.R. 1543	No Social Media Accounts for Terrorists or State Sponsors of Terrorism Act of 2021	3/3/2021
H.R. 901	No Sanctions Relief for Terrorists Act	2/5/2021
H.R. 296	Financial Technology Protection Act	1/13/2021
H.R. 261	Palestinian International Terrorism Support Prevention Act of 2021	1/11/2021

Source: Congress.gov

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