

117TH CONGRESS
1ST SESSION

S. 93

To amend the Global Magnitsky Human Rights Accountability Act to modify the foreign persons subject to sanctions and to remove the sunset for the imposition of sanctions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2021

Mr. CARDIN (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Global Magnitsky Human Rights Accountability Act to modify the foreign persons subject to sanctions and to remove the sunset for the imposition of sanctions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Global Magnitsky
5 Human Rights Accountability Reauthorization Act”.

1 **SEC. 2. MODIFICATIONS TO AND REAUTHORIZATION OF**
2 **SANCTIONS WITH RESPECT TO HUMAN**
3 **RIGHTS VIOLATIONS.**

4 (a) DEFINITIONS.—Section 1262 of the Global
5 Magnitsky Human Rights Accountability Act (Subtitle F
6 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
7 is amended by striking paragraph (2) and inserting the
8 following:

9 “(2) IMMEDIATE FAMILY MEMBER.—The term
10 ‘immediate family member’, with respect to a foreign
11 person, means the spouse, parent, sibling, or adult
12 child of the person.”.

13 (b) SENSE OF CONGRESS.—The Global Magnitsky
14 Human Rights Accountability Act (Subtitle F of title XII
15 of Public Law 114–328; 22 U.S.C. 2656 note) is amended
16 by inserting after section 1262 the following new section:
17 **“SEC. 1262A. SENSE OF CONGRESS.**

18 “It is the sense of Congress that the President should
19 establish and regularize information sharing and sanc-
20 tions-related decision making with like-minded govern-
21 ments possessing human rights and anti-corruption sanc-
22 tions programs similar in nature to those authorized under
23 this subtitle.”.

24 (c) IMPOSITION OF SANCTIONS.—

25 (1) IN GENERAL.—Subsection (a) of section
26 1263 of the Global Magnitsky Human Rights Ac-

1 countability Act (Subtitle F of title XII of Public
2 Law 114–328; 22 U.S.C. 2656 note) is amended to
3 read as follows:

4 “(a) IN GENERAL.—The President may impose the
5 sanctions described in subsection (b) with respect to—

6 “(1) any foreign person that the President de-
7 termines, based on credible information—

8 “(A) is responsible for or complicit in, or
9 has directly or indirectly engaged in, serious
10 human rights abuse or any violation of inter-
11 nationally recognized human rights;

12 “(B) is a current or former government of-
13 ficial, or a person acting for or on behalf of
14 such an official, who is responsible for or
15 complicit in, or has directly or indirectly en-
16 gaged in—

17 “(i) corruption, including—

18 “(I) the misappropriation of state
19 assets;

20 “(II) the expropriation of private
21 assets for personal gain;

22 “(III) corruption related to gov-
23 ernment contracts or the extraction of
24 natural resources; or

25 “(IV) bribery; or

1 “(ii) the transfer or facilitation of the
2 transfer of the proceeds of corruption;

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

4 “(i) an entity, including a government
5 entity, that has engaged in, or whose mem-
6 bers have engaged in, any of the activities
7 described in subparagraph (A) or (B) dur-
8 ing the tenure of the leader or official; or

9 “(ii) an entity whose property and in-
10 terests in property are blocked pursuant to
11 this section as a result of activities during
12 the tenure of the leader or official;

13 “(D) has materially assisted, sponsored, or
14 provided financial, material, or technological
15 support for, or goods or services to or in sup-
16 port of—

17 “(i) an activity described in subpara-
18 graph (A) or (B) that is conducted by a
19 foreign person;

20 “(ii) a person whose property and in-
21 terests in property are blocked pursuant to
22 this section; or

23 “(iii) an entity, including a govern-
24 ment entity, that has engaged in, or whose
25 members have engaged in, an activity de-

1 scribed in subparagraph (A) or (B) con-
 2 ducted by a foreign person; or

3 “(E) is owned or controlled by, or acts or
 4 is purported to act for or on behalf of, directly
 5 or indirectly, a person whose property and in-
 6 terests in property are blocked pursuant to this
 7 section; and

8 “(2) any immediate family member of a person
 9 described in paragraph (1).”.

10 (2) SANCTIONS DESCRIBED.—Clause (ii) of sub-
 11 section (b)(2)(C) of such section is amended to read
 12 as follows:

13 “(ii) GOOD.—In this subparagraph,
 14 the term ‘good’ means any article, natural
 15 or manmade substance, material, supply,
 16 or manufactured product, including inspec-
 17 tion and test equipment, and excluding
 18 technical data.”.

19 (3) CONSIDERATION OF CERTAIN INFORMA-
 20 TION.—Subsection (c)(2) of such section is amended
 21 by inserting “corruption and” after “monitor”.

22 (4) REQUESTS BY CONGRESS.—Subsection (d)
 23 of such section is amended—

24 (A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “subsection (a)” and inserting “subsection (a)(1)”; and

(ii) in subparagraph (B)(i), by inserting “or an immediate family member of the person”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking “HUMAN RIGHTS VIOLATIONS” and inserting “SERIOUS HUMAN RIGHTS ABUSE OR VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS”; and

(II) by striking “described in paragraph (1) or (2) of subsection (a)” and inserting “described in subsection (a)(1) relating to serious human rights abuse or any violation of internationally recognized human rights”; and

(ii) in subparagraph (B), in the matter preceding clause (i), by striking “described in paragraph (3) or (4) of subsection (a)” and inserting “described in

1 subsection (a)(1) relating to corruption or
 2 the transfer or facilitation of the transfer
 3 of the proceeds of corruption”.

4 (5) TERMINATION OF SANCTIONS.—Subsection
 5 (g) of such section is amended, in the matter pre-
 6 ceding paragraph (1), by inserting “and the imme-
 7 diate family members of that person” after “a per-
 8 son”.

9 (d) REPORTS TO CONGRESS.—Section 1264(a) of the
 10 Global Magnitsky Human Rights Accountability Act (Sub-
 11 title F of title XII of Public Law 114–328; 22 U.S.C.
 12 2656 note) is amended—

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

15 (2) in paragraph (6), by striking the period at
 16 the end and inserting “; and”; and

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

18 “(7) A description of additional steps taken by
 19 the President through diplomacy and assistance to
 20 foreign or security sectors to address persistent un-
 21 derlying causes of serious human rights abuse, viola-
 22 tions of internationally recognized human rights,
 23 and corruption in each country in which foreign per-
 24 sons with respect to which sanctions have been im-
 25 posed under section 1263 are located.”.

1 (e) REPEAL OF SUNSET.—Section 1265 of the Global
2 Magnitsky Human Rights Accountability Act (Subtitle F
3 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
4 is repealed.

○