

Calendar No. _____

119TH CONGRESS
2D SESSION**S. 3496**

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2025

Mr. CORNYN (for himself, Mr. KAINE, Mr. CRUZ, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

_____ (legislative day, _____), 2026

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “United States Legal Gold and Mining Partnership Act”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1: Short title; table of contents.
Sec. 2: Findings.
Sec. 3: Definitions.
Sec. 4: Legal Gold and Mining Partnership Strategy.
Sec. 5: Classified briefing on illicit gold mining in Venezuela.
Sec. 6: Investigation of the illicit gold trade in Venezuela.
Sec. 7: Leveraging international support.
Sec. 8: Public-private partnership to build responsible gold value chains.
Sec. 9: Rule of construction regarding not authorizing the use of military force.
Sec. 10: Consideration of certain transactions involving precious metals for purposes of identifying primary money laundering concerns.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The illicit mining, trafficking, and commer-
9 cialization of gold in the Western Hemisphere—

10 (A) negatively affects the region’s economic
11 and social dynamics;

12 (B) strengthens transnational criminal or-
13 ganizations and other international illicit actors;
14 and

15 (C) has a deleterious impact on the envi-
16 ronment, indigenous peoples, and food security.

17 (2) A lack of economic opportunities and the
18 weak rule of law promote illicit activities, such as il-
19 licit gold mining, which increases the vulnerability of
20 individuals in mining areas, including indigenous

1 communities, which have been subjected to traf-
2 ficking in persons, other human rights abuses, and
3 population displacement in relation to mining activ-
4 ity, particularly in the artisanal and small-scale min-
5 ing sector.

6 (3) Illicit gold mining in Latin America often
7 involves and benefits transnational criminal organi-
8 zations, drug trafficking organizations, terrorist
9 groups, and other illegal armed groups that extort
10 miners and enter into illicit partnerships with them
11 in order to gain revenue from the illicit activity.

12 (4) Illicit gold supply chains are international in
13 nature and frequently involve—

14 (A) the smuggling of gold and supplies,
15 such as mercury;

16 (B) trade-based money laundering; and

17 (C) other cross-border flows of illicit as-
18 sets.

19 (5) In Latin America, mineral traders and ex-
20 porters, local processors, and shell companies linked
21 to transnational criminal networks and illegally
22 armed groups all play a key role in the trafficking,
23 laundering, and commercialization of illicit gold from
24 the region.

1 (6) According to a report on illegally mined
2 gold in Latin America by the Global Initiative
3 Against Transnational Organized Crime—

4 (A) more than 70 percent of the gold
5 mined in several Latin American countries,
6 such as Colombia, Ecuador, and Peru, is mined
7 through illicit means; and

8 (B) about 80 percent of the gold mined in
9 Venezuela is mined through illicit means and a
10 large percentage of such gold is sold—

11 (i) to Mibiturven, a joint venture op-
12 erated by the Maduro regime composed of
13 Minerven, a gold processor that has been
14 designated by the Office of Foreign Assets
15 Control of the Department of the Treas-
16 ury, pursuant to Executive Order 13850
17 (relating to blocking property of additional
18 persons contributing to the situation in
19 Venezuela); and Marilyns Proje Yatirim,
20 S.A., which is a Turkish company; or

21 (ii) through other trafficking and
22 commercialization networks from which the
23 Maduro regime benefits financially.

24 (7) Illegal armed groups and foreign terrorist
25 organizations, such as the Ejército de Liberación

1 Nacional (National Liberation Army—ELN), work
2 with transnational criminal organizations in Ven-
3 ezuela that participate in the illicit mining, traf-
4 ficking, and commercialization of gold.

5 (8) Transnational criminal organizations based
6 in Venezuela, such as El Tren de Aragua, have ex-
7 panded their role in the illicit mining, trafficking,
8 and commercialization of gold to increase their
9 criminal profits.

10 (9) Nicaragua's gold exports during 2023 were
11 valued at an estimated \$1,240,000,000, of which—

12 (A) gold valued at an estimated
13 637,000,000 was shipped to the United States;

14 (B) gold valued at an estimated
15 \$353,000,000 was shipped to Canada;

16 (C) gold valued at an estimated
17 \$244,000,000 was shipped to Switzerland; and

18 (D) gold valued at an estimated
19 \$6,560,000 was shipped to Italy.

20 (10) U.S. Customs and Border Protection has
21 recognized that illegal logging is the world's most
22 profitable natural resource crime and that profits
23 from illegal logging finance illegal mining.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

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

4 ~~(A) the Committee on Foreign Relations of~~
5 ~~the Senate;~~

6 ~~(B) the Committee on the Judiciary of the~~
7 ~~Senate;~~

8 ~~(C) the Committee on Banking, Housing,~~
9 ~~and Urban Affairs of the Senate;~~

10 ~~(D) the Select Committee on Intelligence~~
11 ~~of the Senate;~~

12 ~~(E) the Committee on Foreign Affairs of~~
13 ~~the House of Representatives;~~

14 ~~(F) the Committee on the Judiciary of the~~
15 ~~House of Representatives;~~

16 ~~(G) the Committee on Financial Services~~
17 ~~of the House of Representatives; and~~

18 ~~(H) the Permanent Select Committee on~~
19 ~~Intelligence of the House of Representatives.~~

20 ~~(2) ARTISANAL AND SMALL-SCALE MINING;~~
21 ~~ASM.—~~The terms “artisanal and small-scale mining”
22 ~~and “ASM”~~ refer to a form of mining common in
23 the developing world that—

1 (A) typically employs rudimentary, simple,
2 and low-cost extractive technologies and manual
3 labor-intensive techniques;

4 (B) is frequently subject to limited regula-
5 tion; and

6 (C) often features harsh and dangerous
7 working conditions.

8 (3) KEY STAKEHOLDERS.—The term “key
9 stakeholders” means private sector organizations, in-
10 dustry representatives, and civil society groups that
11 represent communities in areas affected by illicit
12 mining and trafficking of gold, including indigenous
13 groups, that are committed to the implementation of
14 the Legal Gold and Mining Partnership Strategy.

15 (4) LEGAL GOLD AND MINING PARTNERSHIP
16 STRATEGY; STRATEGY.—The terms “Legal Gold and
17 Mining Partnership Strategy” and “Strategy” mean
18 the strategy developed pursuant to section 4.

19 (5) RELEVANT FEDERAL DEPARTMENTS AND
20 AGENCIES.—The term “relevant Federal depart-
21 ments and agencies” means the Department of State
22 and all other Federal departments and agencies des-
23 ignated by the President as having significant do-
24 mestic or foreign affairs equities in countering illicit
25 mining.

1 (6) ~~SECRETARY.~~—The term “Secretary” means
2 the Secretary of State.

3 **SEC. 4. LEGAL GOLD AND MINING PARTNERSHIP STRAT-**
4 **EGY.**

5 (a) ~~STRATEGY REQUIRED.~~—The Secretary, in coordi-
6 nation with the heads of relevant Federal departments and
7 agencies, shall develop a comprehensive, multi-year strat-
8 egy, which shall be known as the Legal Gold and Mining
9 Partnership Strategy, to combat illicit gold mining in the
10 Western Hemisphere.

11 (b) ~~ELEMENTS.~~—The Strategy shall include policies,
12 programs, and initiatives—

13 (1) to interrupt the linkages between gold min-
14 ing, including ASM, and illicit actors that profit
15 from illicit mining in the Western Hemisphere;

16 (2) to deter ASM in environmentally protected
17 areas, such as national parks and conservation
18 zones, to prevent mining-related contamination of
19 critical natural resources, such as water resources,
20 soil, tropical forests, and other flora and fauna, and
21 aerosol contamination linked to detrimental health
22 impacts;

23 (3) to counter the financing and enrichment of
24 actors involved in the illicit mining, trafficking, and

1 commercialization of gold, and the abetting of their
2 activities by—

3 (A) promoting the exercise of due diligence
4 and the use of responsible sourcing methods in
5 the purchase and trade of ASM;

6 (B) preventing and prohibiting foreign per-
7 sons who control commodity trading chains
8 linked to illicit actors from enjoying the benefits
9 of access to the territory, markets or financial
10 system of the United States, and halting any
11 such ongoing activity by such foreign persons;

12 (C) combating related impunity afforded to
13 illicit actors by addressing corruption in govern-
14 ment institutions and interrupting linkages be-
15 tween corrupt officials and illicit actors that ex-
16 ploit ASM miners;

17 (D) supporting the capacity of financial in-
18 telligence units, customs agencies, and other
19 government institutions focused on anti-money
20 laundering initiatives and combating the financ-
21 ing of criminal activities and terrorism to exer-
22 cise oversight consistent with the threats posed
23 by illicit gold mining; and

24 (E) working with the governments and ap-
25 propriate institutions of countries that host gold

1 refineries or processing centers to deter the im-
2 portation of illicit gold and implement greater
3 due diligence practices;

4 (4) to build the capacity of foreign civilian law
5 enforcement institutions in the Western Hemisphere
6 to effectively counter—

7 (A) linkages between illicit gold mining, il-
8 licit actors, money laundering, and other finan-
9 cial crimes, including trade-based money laun-
10 dering;

11 (B) linkages between illicit gold mining, il-
12 licit actors, trafficking in persons, and forced or
13 coerced labor, including sex work and child
14 labor;

15 (C) linkages between illicit gold mining, il-
16 licit actors, and the illegal timber trade;

17 (D) the cross-border trafficking of illicit
18 gold, and the mercury, cyanide, explosives, and
19 other hazardous materials used in illicit gold
20 mining, particularly those originating in China
21 or trafficked by transnational criminal organi-
22 zations; and

23 (E) surveillance and investigation of illicit
24 and related activities that are related to or are
25 indicators of illicit gold mining activities;

1 (5) to ensure the successful implementation of
2 the existing Memoranda of Understanding signed
3 with the Governments of Peru and of Colombia in
4 2017 and 2018, respectively, to expand bilateral co-
5 operation to combat illicit gold mining;

6 (6) to work with governments in the Western
7 Hemisphere, bolster the effectiveness of anti-money
8 laundering efforts to combat the financing of illicit
9 actors in Latin America and the Caribbean and
10 counter the laundering of proceeds related to illicit
11 gold mining by—

12 (A) fostering international and regional co-
13 operation and facilitating intelligence sharing;
14 as appropriate, to identify and disrupt financial
15 flows related to the illicit gold mining, traf-
16 ficking, and commercialization of gold and
17 other minerals and illicit metals; and

18 (B) supporting the formulation of strate-
19 gies to ensure the compliance of reporting insti-
20 tutions involved in the mining sector and to
21 promote transparency in mining-sector trans-
22 actions;

23 (7) to support foreign government efforts—

24 (A) to facilitate licensing and formalization
25 processes for ASM miners;

(B) to develop mechanisms to support regulated cultural artisanal mining and artisanal mining as a job growth area; and

4 (C) to implement existing environmental
5 standards;

(8) to engage the mining industry and relevant trade or industry associations to encourage the building of technical expertise in best practices and access to new technologies;

(9) to support the establishment of gold commodity supply chain due diligence, responsible sourcing, tracing and tracking capacities, and standards-compliant commodity certification systems in countries in Latin America and the Caribbean, including efforts recommended in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas, Third Edition (2016);

(10) to engage with civil society to reduce the negative environmental impacts of ASM, particularly—

22 (A) the use of mercury in preliminary re-

23 fining;

24 ~~(B) the destruction of tropical forests;~~

1 ~~(C)~~ the construction of illegal and unregu-
2 lated dams and the resulting valley floods;

3 ~~(D)~~ the pollution of water resources and
4 soil; and

5 ~~(E)~~ the release of dust, which can contain
6 toxic chemicals and heavy metals that can cause
7 severe health problems;

8 ~~(11)~~ to aid and encourage ASM miners—

9 ~~(A)~~ to formalize their business activities;
10 including through skills training, technical and
11 business assistance, and access to financing,
12 loans, and credit;

13 ~~(B)~~ to utilize mercury-free gold refining
14 technologies and mining methods that minimize
15 deforestation, air pollution, and water and soil
16 contamination;

17 ~~(C)~~ to reduce the costs associated with for-
18 malization and compliance with mining regula-
19 tions; and

20 ~~(D)~~ to fully break away from the influence
21 of illicit actors who leverage the control of terri-
22 tory and use violence to extort miners and push
23 them into illicit arrangements;

24 ~~(12)~~ to interrupt the illicit gold trade in Nica-
25 ragua, including through the use of targeted United

1 States measures against the government led by
2 President Daniel Ortega and Vice-President Rosario
3 Murillo and their collaborators pursuant to Execu-
4 tive Order 14088 (relating to taking additional steps
5 to address the national emergency with respect to
6 the situation in Nicaragua), which was issued on Oc-
7 tober 24, 2022;

8 (13) to assist local journalists with investiga-
9 tions of illicit mining, trafficking, and commer-
10 cialization of gold and its supplies in the Western
11 Hemisphere;

12 (14) to promote responsible sourcing and due
13 diligence at all levels of gold supply chains, including
14 through the use of existing widely adopted, industry-
15 standard responsible sourcing and due diligence
16 standards; and

17 (15) to prevent the intentional misinvoicing of
18 the origins of gold shipments at transshipment
19 points.

20 (c) ASSESSMENT OF CHALLENGES.—The Strategy
21 shall include an assessment of the challenges posed by,
22 and policy recommendations to address—

23 (1) linkages between ASM sector production
24 and trade, particularly relating to gold, to the activi-
25 ties of illicit actors, including linkages that help to

1 finance or enrich such illicit actors or abet their ac-
2 tivities;

3 ~~(2)~~ linkages between illicit or grey market
4 trade, and markets in gold and other metals or min-
5 erals and legal trade and commerce in such commod-
6 ities, notably with respect to activities that abet the
7 entry of such commodities into legal commerce, in-
8 cluding—

9 (A) illicit cross-border trafficking, includ-
10 ing with respect to goods, persons and illegal
11 narcotics;

12 (B) money-laundering;

13 (C) the financing of illicit actors or their
14 activities; and

15 (D) the extralegal entry into the United
16 States of—

17 (i) metals or minerals, whether of
18 legal foreign origin or not; and

19 (ii) the proceeds of such metals or
20 minerals;

21 ~~(3)~~ linkages between the illicit mining, traf-
22 ficking, and commercialization of gold, diamonds,
23 and precious metals and stones, and the financial
24 and political activities of the regime of Nicolás
25 Maduro of Venezuela;

1 (4) factors that—

2 (A) produce linkages between ASM miners
3 and illicit actors, prompting some ASM miners
4 to utilize mining practices that are environ-
5 mentally damaging and unsustainable, notably
6 mining or related ore processing practices
7 that—

8 (i) involve the use of elemental mer-
9 cury; or

10 (ii) result in labor, health, environ-
11 mental, and safety code infractions and
12 workplace hazards; and

13 (B) lead some ASM miners to operate in
14 the extralegal or poorly regulated informal sec-
15 tor, and often prevent such miners from im-
16 proving the socioeconomic status of themselves
17 and their families and communities, or hinder
18 their ability to formalize their operations, en-
19 hance their technical and business capacities,
20 and access finance of fair market prices for
21 their output;

22 (5) mining-related trafficking in persons and
23 forced or coerced labor, including sex work and child
24 labor; and

1 (6) the use of elemental mercury and cyanide in
2 ASM operations, including the technical aims and
3 scope of such usage and its impact on human health
4 and the environment, including flora, fauna, water
5 resources, soil, and air quality.

6 (d) FOREIGN ASSISTANCE.—The Strategy shall de-
7 scribe—

8 (1) existing foreign assistance programs that
9 address elements of the Strategy; and

10 (2) additional foreign assistance resources need-
11 ed to fully implement the Strategy.

12 (e) BEST PRACTICES.—The Strategy shall, to the ex-
13 tent practicable, avoid duplication of effort in the develop-
14 ment of due diligence and responsible sourcing standards,
15 including through the use of existing widely adopted in-
16 dustry standards.

17 (f) SUBMISSION.—Not later than 180 days after the
18 date of the enactment of this Act, the President shall sub-
19 mit the Strategy to the appropriate congressional commit-
20 tees.

21 (g) SEMIANNUAL BRIEFINGS.—Not later than 180
22 days after submission of the Strategy, and semiannually
23 thereafter for the following 3 years, the Secretary, or the
24 Secretary's designee, shall provide a briefing to the appro-
25 priate congressional committees regarding—

1 (1) the implementation of the strategy, includ-
2 ing efforts to leverage international support and de-
3 velop a public-private partnership to build respon-
4 sible gold value chains with other governments;

5 (2) revisions to the Strategy that are needed to
6 better align the Strategy to new or emerging chal-
7 lenges in combating illicit gold mining; and

8 (3) recommendations from the Strategy that
9 can be applied to combat illicit gold mining on a
10 global scale.

11 **SEC. 5. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN**
12 **VENEZUELA.**

13 Not later than 90 days after the date of the enact-
14 ment of this Act, the Secretary, or the Secretary's des-
15 ignee, in coordination with the Director of National Intel-
16 ligence, or the Director's designee, shall provide a classi-
17 fied briefing to the appropriate congressional committees,
18 the Select Committee on Intelligence of the Senate, and
19 the Permanent Select Committee on Intelligence of the
20 House of Representatives that describes—

21 (1) the activities related to illicit gold mining,
22 including the illicit mining, trafficking, and commer-
23 cialization of gold, inside Venezuelan territory ear-
24 ried out by illicit actors, including defectors from the
25 Revolutionary Armed Forces of Colombia (FARC)

1 and members of the National Liberation Army
2 (ELN); and

3 ~~(2) Venezuela's illicit gold trade with foreign~~
4 ~~governments, including the Government of the Re-~~
5 ~~public of Turkey and the Government of the Islamic~~
6 ~~Republic of Iran.~~

7 **SEC. 6. INVESTIGATION OF THE ILLICIT GOLD TRADE IN**
8 **VENEZUELA.**

9 The Secretary, in coordination with the Secretary of
10 the Treasury, the Attorney General, and allied and part-
11 ner governments in the Western Hemisphere, shall—

12 ~~(1) lead a coordinated international effort to~~
13 ~~carry out financial investigations to identify and~~
14 ~~track assets taken from the people and institutions~~
15 ~~in Venezuela that are linked to money laundering~~
16 ~~and illicit activities, including mining-related activi-~~
17 ~~ties, by sharing financial investigations intelligence,~~
18 ~~as appropriate and as permitted by law; and~~

19 ~~(2) provide technical assistance to help eligible~~
20 ~~governments in Latin America establish legislative~~
21 ~~and regulatory frameworks capable of imposing and~~
22 ~~effectively implementing targeted sanctions on—~~

23 ~~(A) officials of the Maduro regime who are~~
24 ~~directly engaged in the illicit mining, traf-~~
25 ~~ficking, and commercialization of gold; and~~

1 ~~(B) foreign persons engaged in the laun-~~
2 ~~dering of illicit gold assets linked to designated~~
3 ~~terrorist and drug trafficking organizations.~~

4 **SEC. 7. LEVERAGING INTERNATIONAL SUPPORT.**

5 In implementing the Strategy pursuant to section 4,
6 the President should direct United States representatives
7 accredited to relevant multilateral institutions and devel-
8 opment banks and United States ambassadors in the
9 Western Hemisphere to use the influence of the United
10 States to foster international cooperation to achieve the
11 objectives of this Act, including—

12 ~~(1) marshaling resources and political support;~~
13 and

14 ~~(2) encouraging the development of policies and~~
15 ~~consultation with key stakeholders to accomplish~~
16 ~~such objectives and provisions.~~

17 **SEC. 8. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPON-**
18 **SIBLE GOLD VALUE CHAINS.**

19 ~~(a) IN GENERAL.—~~The Secretary shall coordinate
20 with the Governments of Colombia, of Ecuador, of Peru,
21 and of other democratically elected governments in the re-
22 gion determined by the Secretary to establish a public-pri-
23 vate partnership to support programming in participating
24 countries that will—

1 (1) support the ASM gold mining sector's for-
2 malization and compliance with the existing environ-
3 mental and labor standards in participating coun-
4 tries;

5 (2) increase awareness of access to financing
6 for ASM gold miners who are taking significant
7 steps to formalize their operations and comply with
8 the existing labor and environmental standards in
9 participating countries;

10 (3) enhance the traceability and support the es-
11 tablishment of a certification process for ASM gold;

12 (4) support a public relations campaign to pro-
13 mote responsibly sourced gold;

14 (5) include representatives of local civil society
15 to work towards soliciting the free and informed
16 consent of those living on lands with mining poten-
17 tial;

18 (6) facilitate contact between vendors of respon-
19 sibly sourced gold and United States companies; and

20 (7) promote policies and practices in partici-
21 pating countries that are conducive to the formaliza-
22 tion of ASM gold mining and promoting adherence
23 of ASM to internationally recognized best practices
24 and standards.

1 **SEC. 9. RULE OF CONSTRUCTION REGARDING NOT AU-**
2 **THORIZING THE USE OF MILITARY FORCE.**

3 Nothing in this Act may be construed as authorizing
4 the use of military force or the introduction of United
5 States forces into hostilities.

6 **SEC. 10. CONSIDERATION OF CERTAIN TRANSACTIONS IN-**
7 **VOLVING PRECIOUS METALS FOR PURPOSES**
8 **OF IDENTIFYING PRIMARY MONEY LAUN-**
9 **DERING CONCERNS.**

10 Section 5318A(e)(2) of title 31, United States Code,
11 is amended—

12 (1) in subparagraph (A)—

13 (A) by redesignating clauses (iii) through
14 (vii) as clauses (iv) through (viii), respectively;
15 and

16 (B) by inserting after clause (ii) the fol-
17 lowing:

18 “(iii) the extent to which the jurisdic-
19 tion or financial institutions operating in
20 that jurisdiction facilitate transactions in-
21 volving the mining, sale, or trade of pre-
22 cious metals subject to any sanctions im-
23 posed by the United States;” and

24 (2) in subparagraph (B)—

25 (A) by redesignating clauses (ii) and (iii)
26 as clauses (iii) and (iv), respectively; and

1 (B) by inserting after clause (i) the fol-
2 lowing:

“(ii) the extent to which such financial institutions are used to facilitate transactions involving the mining, sale, or trade of precious metals and are subject to any sanctions imposed by the United States;”.

8 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

9 (a) *SHORT TITLE.*—*This Act may be cited as the*
10 *“United States Legal Gold and Mining Partnership Act”.*

11 (b) *TABLE OF CONTENTS.*—*The table of contents for*
12 *this Act is as follows:*

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- Sec. 9. Rule of construction regarding not authorizing the use of military force.*
- Sec. 10. Consideration of certain transactions involving precious metals for purposes of identifying primary money laundering concerns.*

13 **SEC. 2. FINDINGS.**

14 *Congress makes the following findings:*

15 (1) *The illicit mining, trafficking, and commer-*
16 *cialization of gold in the Western Hemisphere—*

17 (A) negatively affects the region's economic
18 and social dynamics;

1 *(B) strengthens transnational criminal or-*
2 *ganizations and other international illicit actors;*
3 *and*

4 (C) has a deleterious impact on the environ-
5 ment, indigenous peoples, and food security.

(2) *A lack of economic opportunities and the weak rule of law promote illicit activities, such as illicit gold mining, which increases the vulnerability of individuals in mining areas, including indigenous communities, which have been subjected to trafficking in persons, other human rights abuses, and population displacement in relation to mining activity, particularly in the artisanal and small-scale mining sector.*

(3) *Illicit gold mining in Latin America often involves and benefits transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups that extort miners and enter into illicit partnerships with them in order to gain revenue from the illicit activity.*

21 (4) *Illicit gold supply chains are international*
22 *in nature and frequently involve—*

23 (A) the smuggling of gold and supplies, such
24 as mercury;

25 (B) trade-based money laundering; and

1 (C) other cross-border flows of illicit assets.

2 (5) In Latin America, mineral traders and ex-
3 porters, local processors, and shell companies linked to
4 transnational criminal networks and illegally armed
5 groups all play a key role in the trafficking, laun-
6 dering, and commercialization of illicit gold from the
7 region.

8 (6) According to a report on illegally mined gold
9 in Latin America by the Global Initiative Against
10 Transnational Organized Crime—

11 (A) more than 70 percent of the gold mined
12 in several Latin American countries, such as Co-
13 lombia, Ecuador, and Peru, is mined through il-
14 licit means; and

15 (B) about 80 percent of the gold mined in
16 Venezuela is mined through illicit means and a
17 large percentage of such gold is sold—

18 (i) to Mibiturven, a joint venture oper-
19 ated by authorities in Venezuela and com-
20 posed of Minerven, a gold processor that has
21 been designated by the Office of Foreign As-
22 sets Control of the Department of the Treas-
23 ury, pursuant to Executive Order 13850
24 (relating to blocking property of additional
25 persons contributing to the situation in

1 Venezuela), and Marilyns Proje Yatirim,
2 S.A., which is a Turkish company; or

3 (ii) through other trafficking and com-
4 mercialization networks from which au-
5 thorities in Venezuela benefit financially.

6 (7) *Illegal armed groups and foreign terrorist or-*
7 *ganizations, such as the Ejército de Liberación*
8 *Nacional (National Liberation Army—ELN), work*
9 *with transnational criminal organizations in Ven-*
10 *ezuela that participate in the illicit mining, traf-*
11 *ficking, and commercialization of gold.*

12 (8) *Transnational criminal organizations based*
13 *in Venezuela, such as El Tren de Aragua, have ex-*
14 *panded their role in the illicit mining, trafficking,*
15 *and commercialization of gold to increase their crimi-*
16 *nal profits.*

17 (9) *Nicaragua's gold exports during 2023 were*
18 *valued at an estimated \$1,240,000,000, of which—*

19 (A) *gold valued at an estimated 637,000,000*
20 *was shipped to the United States;*

21 (B) *gold valued at an estimated*
22 *\$353,000,000 was shipped to Canada;*

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24 *\$244,000,000 was shipped to Switzerland; and*

1 (D) gold valued at an estimated \$6,560,000
2 was shipped to Italy.

3 (10) U.S. Customs and Border Protection has
4 recognized that illegal logging is the world's most
5 profitable natural resource crime and that profits
6 from illegal logging finance illegal mining.

7 **SEC. 3. DEFINITIONS.**

8 *In this Act:*

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional commit-
11 tees” means—

12 (A) the Committee on Foreign Relations of
13 the Senate;

14 (B) the Committee on the Judiciary of the
15 Senate;

16 (C) the Committee on Banking, Housing,
17 and Urban Affairs of the Senate;

18 (D) the Select Committee on Intelligence of
19 the Senate;

20 (E) the Committee on Foreign Affairs of the
21 House of Representatives;

22 (F) the Committee on the Judiciary of the
23 House of Representatives;

24 (G) the Committee on Financial Services of
25 the House of Representatives; and

1 (H) the Permanent Select Committee on In-
2 telligence of the House of Representatives.

3 (2) ARTISANAL AND SMALL-SCALE MINING;
4 ASM.—The terms “artisanal and small-scale mining”
5 and “ASM” refer to a form of mining common in the
6 developing world that—

7 (A) typically employs rudimentary, simple,
8 and low-cost extractive technologies and manual
9 labor-intensive techniques;

10 (B) is frequently subject to limited regula-
11 tion; and

12 (C) often features harsh and dangerous
13 working conditions.

14 (3) KEY STAKEHOLDERS.—The term “key stake-
15 holders” means private sector organizations, industry
16 representatives, and civil society groups that represent
17 communities in areas affected by illicit mining and
18 trafficking of gold, including indigenous groups, that
19 are committed to the implementation of the Legal
20 Gold and Mining Partnership Strategy.

21 (4) LEGAL GOLD AND MINING PARTNERSHIP
22 STRATEGY; STRATEGY.—The terms “Legal Gold and
23 Mining Partnership Strategy” and “Strategy” mean
24 the strategy developed pursuant to section 4.

1 (5) *RELEVANT FEDERAL DEPARTMENTS AND*
2 *AGENCIES.*—*The term “relevant Federal departments*
3 *and agencies” means the Department of State and all*
4 *other Federal departments and agencies designated by*
5 *the President as having significant domestic or for-*
6 *foreign affairs equities in countering illicit mining.*

7 (6) *SECRETARY.*—*The term “Secretary” means*
8 *the Secretary of State.*

9 **SEC. 4. LEGAL GOLD AND MINING PARTNERSHIP STRAT-**
10 **EGY.**

11 (a) *STRATEGY REQUIRED.*—*The Secretary, in coordi-*
12 *nation with the heads of relevant Federal departments and*
13 *agencies, shall develop a comprehensive, multi-year strat-*
14 *egy, which shall be known as the Legal Gold and Mining*
15 *Partnership Strategy, to combat illicit gold mining in the*
16 *Western Hemisphere.*

17 (b) *ELEMENTS.*—*The Strategy shall include policies,*
18 *programs, and initiatives—*

19 (1) *to interrupt the linkages between gold min-*
20 *ing, including ASM, and illicit actors that profit*
21 *from illicit mining in the Western Hemisphere;*

22 (2) *to deter ASM in environmentally protected*
23 *areas, such as national parks and conservation zones,*
24 *to prevent mining-related contamination of critical*
25 *natural resources, such as water resources, soil, trop-*

1 ical forests, and other flora and fauna, and aerosol
2 contamination linked to detrimental health impacts;
3 (3) to counter the financing and enrichment of
4 actors involved in the illicit mining, trafficking, and
5 commercialization of gold, and the abetting of their
6 activities by—

7 (A) promoting the exercise of due diligence
8 and the use of responsible sourcing methods in
9 the purchase and trade of ASM;

10 (B) preventing and prohibiting foreign per-
11 sons who control commodity trading chains
12 linked to illicit actors from enjoying the benefits
13 of access to the territory, markets or financial
14 system of the United States, and halting any
15 such ongoing activity by such foreign persons;

16 (C) combating related impunity afforded to
17 illicit actors by addressing corruption in govern-
18 ment institutions and interrupting linkages be-
19 tween corrupt officials and illicit actors that ex-
20 ploit ASM miners;

21 (D) supporting the capacity of financial in-
22 telligence units, customs agencies, and other gov-
23 ernment institutions focused on anti-money
24 laundering initiatives and combating the financ-
25 ing of criminal activities and terrorism to exer-

1 *cise oversight consistent with the threats posed by*
2 *illicit gold mining; and*

3 *(E) working with the governments and ap-*
4 *propriate institutions of countries that host gold*
5 *refineries or processing centers to deter the im-*
6 *portation of illicit gold and implement greater*
7 *due diligence practices;*

8 *(4) to build the capacity of foreign civilian law*
9 *enforcement institutions in the Western Hemisphere*
10 *to effectively counter—*

11 *(A) linkages between illicit gold mining, il-*
12 *licit actors, money laundering, and other finan-*
13 *cial crimes, including trade-based money laun-*
14 *dering;*

15 *(B) linkages between illicit gold mining, il-*
16 *licit actors, trafficking in persons, and forced or*
17 *coerced labor, including sex work and child*
18 *labor;*

19 *(C) linkages between illicit gold mining, il-*
20 *licit actors, and the illegal timber trade;*

21 *(D) the cross-border trafficking of illicit*
22 *gold, and the mercury, cyanide, explosives, and*
23 *other hazardous materials used in illicit gold*
24 *mining, particularly those originating in China*

1 *or trafficked by transnational criminal organiza-*
2 *tions; and*

3 *(E) surveillance and investigation of illicit*
4 *and related activities that are related to or are*
5 *indicators of illicit gold mining activities;*

6 *(5) to ensure the successful implementation of the*
7 *existing Memoranda of Understanding signed with*
8 *the Governments of Peru and of Colombia in 2017*
9 *and 2018, respectively, to expand bilateral coopera-*
10 *tion to combat illicit gold mining;*

11 *(6) to work with governments in the Western*
12 *Hemisphere, bolster the effectiveness of anti-money*
13 *laundering efforts to combat the financing of illicit*
14 *actors in Latin America and the Caribbean and*
15 *counter the laundering of proceeds related to illicit*
16 *gold mining by—*

17 *(A) fostering international and regional co-*
18 *operation and facilitating intelligence sharing,*
19 *as appropriate, to identify and disrupt financial*
20 *flows related to the illicit gold mining, traf-*
21 *ficking, and commercialization of gold and other*
22 *minerals and illicit metals; and*

23 *(B) supporting the formulation of strategies*
24 *to ensure the compliance of reporting institutions*

1 *involved in the mining sector and to promote*
2 *transparency in mining-sector transactions;*
3 *(7) to support foreign government efforts—*
4 *(A) to facilitate licensing and formalization*
5 *processes for ASM miners;*
6 *(B) to develop mechanisms to support regu-*
7 *lated cultural artisanal mining and artisanal*
8 *mining as a job growth area; and*
9 *(C) to implement existing environmental*
10 *standards;*
11 *(8) to engage the mining industry and relevant*
12 *trade or industry associations to encourage the build-*
13 *ing of technical expertise in best practices and access*
14 *to new technologies;*
15 *(9) to support the establishment of gold com-*
16 *modity supply chain due diligence, responsible*
17 *sourcing, tracing and tracking capacities, and stand-*
18 *ards-compliant commodity certification systems in*
19 *countries in Latin America and the Caribbean, in-*
20 *cluding efforts recommended in the OECD Due Dili-*
21 *gence Guidance for Responsible Supply Chains of*
22 *Minerals from Conflict-Affected and High Risk Areas,*
23 *Third Edition (2016);*

1 (10) *to engage with civil society to reduce the*
2 *negative environmental impacts of ASM, particu-*
3 *larly—*

4 (A) *the use of mercury in preliminary re-*
5 *fining;*

6 (B) *the destruction of tropical forests;*

7 (C) *the construction of illegal and unregu-*
8 *lated dams and the resulting valley floods;*

9 (D) *the pollution of water resources and*
10 *soil; and*

11 (E) *the release of dust, which can contain*
12 *toxic chemicals and heavy metals that can cause*
13 *severe health problems;*

14 (11) *to aid and encourage ASM miners—*

15 (A) *to formalize their business activities, in-*
16 *cluding through skills training, technical and*
17 *business assistance, and access to financing,*
18 *loans, and credit;*

19 (B) *to utilize mercury-free gold refining*
20 *technologies and mining methods that minimize*
21 *deforestation, air pollution, and water and soil*
22 *contamination;*

23 (C) *to reduce the costs associated with for-*
24 *malization and compliance with mining regula-*
25 *tions; and*

1 (D) to fully break away from the influence
2 of illicit actors who leverage the control of terri-
3 tory and use violence to extort miners and push
4 them into illicit arrangements;

5 (12) to interrupt the illicit gold trade in Nica-
6 ragua, including through the use of targeted United
7 States measures against the government led by Presi-
8 dent Daniel Ortega and Vice-President Rosario
9 Murillo and their collaborators pursuant to Executive
10 Order 14088 (relating to taking additional steps to
11 address the national emergency with respect to the sit-
12 uation in Nicaragua), which was issued on October
13 24, 2022;

14 (13) to assist local journalists with investiga-
15 tions of illicit mining, trafficking, and commer-
16 cialization of gold and its supplies in the Western
17 Hemisphere;

18 (14) to promote responsible sourcing and due
19 diligence at all levels of gold supply chains, including
20 through the use of existing widely-adopted, industry-
21 standard responsible sourcing and due diligence
22 standards;

23 (15) to engage the private sector to develop in-
24 dustry-led global processing initiatives that aim to re-
25 direct illicit gold flows away from bad actors; and

1 (16) to prevent the intentional misinvoicing of
2 the origins of gold shipments at transshipment points.

3 (c) *ASSESSMENT OF CHALLENGES.*—The Strategy
4 shall include an assessment of the challenges posed by, and
5 policy recommendations to address—

6 (1) linkages between ASM sector production and
7 trade, particularly relating to gold, to the activities of
8 illicit actors, including linkages that help to finance
9 or enrich such illicit actors or abet their activities;

10 (2) linkages between illicit or grey market trade,
11 and markets in gold and other metals or minerals
12 and legal trade and commerce in such commodities,
13 notably with respect to activities that abet the entry
14 of such commodities into legal commerce, including—

15 (A) illicit cross-border trafficking, including
16 with respect to goods, persons and illegal nar-
17 cotics;

18 (B) money-laundering;

19 (C) the financing of illicit actors or their
20 activities; and

21 (D) the extralegal entry into the United
22 States of—

23 (i) metals or minerals, whether of legal
24 foreign origin or not; and

1 (ii) the proceeds of such metals or min-
2 erals;

(3) *linkages between the illicit mining, trafficking, and commercialization of gold, diamonds, and precious metals and stones, and the financial and political activities of authorities in Venezuela;*

7 (4) *factors that—*

(A) produce linkages between ASM miners and illicit actors, prompting some ASM miners to utilize mining practices that are environmentally damaging and unsustainable, notably mining or related ore processing practices that—

(i) involve the use of elemental mercury; or

(ii) result in labor, health, environmental, and safety code infractions and workplace hazards; and

(B) lead some ASM miners to operate in the extralegal or poorly regulated informal sector, and often prevent such miners from improving the socioeconomic status of themselves and their families and communities, or hinder their ability to formalize their operations, enhance their technical and business capacities, and access finance of fair market prices for their output;

1 (5) *mining-related trafficking in persons and*
2 *forced or coerced labor, including sex work and child*
3 *labor; and*

4 (6) *the use of elemental mercury and cyanide in*
5 *ASM operations, including the technical aims and*
6 *scope of such usage and its impact on human health*
7 *and the environment, including flora, fauna, water*
8 *resources, soil, and air quality.*

9 (d) *FOREIGN ASSISTANCE.—The Strategy shall de-*
10 *scribe—*

11 (1) *existing foreign assistance programs that ad-*
12 *dress elements of the Strategy; and*

13 (2) *additional foreign assistance resources needed*
14 *to fully implement the Strategy.*

15 (e) *BEST PRACTICES.—The Strategy shall, to the ex-*
16 *tent practicable, avoid duplication of effort in the develop-*
17 *ment of due diligence and responsible sourcing standards,*
18 *including through the use of existing widely-adopted indus-*
19 *try standards.*

20 (f) *SUBMISSION.—Not later than 180 days after the*
21 *date of the enactment of this Act, the President shall submit*
22 *the Strategy to the appropriate congressional committees.*

23 (g) *SEMIANNUAL BRIEFINGS.—Not later than 180*
24 *days after submission of the Strategy, and semiannually*
25 *thereafter for the following 3 years, the Secretary, or the*

1 *Secretary's designee, shall provide a briefing to the appro-*
2 *priate congressional committees regarding—*

3 *(1) the implementation of the strategy, including*
4 *efforts to leverage international support and develop*
5 *a public-private partnership to build responsible gold*
6 *value chains with other governments;*

7 *(2) revisions to the Strategy that are needed to*
8 *better align the Strategy to new or emerging chal-*
9 *lenges in combating illicit gold mining; and*

10 *(3) recommendations from the Strategy that can*
11 *be applied to combat illicit gold mining on a global*
12 *scale.*

13 **SEC. 5. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN**
14 **VENEZUELA.**

15 *Not later than 90 days after the date of the enactment*
16 *of this Act, the Secretary, or the Secretary's designee, in*
17 *coordination with the Director of National Intelligence, or*
18 *the Director's designee, shall provide a classified briefing*
19 *to the appropriate congressional committees, the Select*
20 *Committee on Intelligence of the Senate, and the Permanent*
21 *Select Committee on Intelligence of the House of Represent-*
22 *atives that describes—*

23 *(1) the activities related to illicit gold mining,*
24 *including the illicit mining, trafficking, and commer-*
25 *cialization of gold, inside Venezuelan territory carried*

1 *out by illicit actors, including defectors from the Rev-*
2 *olutionary Armed Forces of Colombia (FARC) and*
3 *members of the National Liberation Army (ELN);*
4 *and*

5 *(2) Venezuela's illicit gold trade with foreign*
6 *governments, including the Government of the Repub-*
7 *lic of Turkey and the Government of the Islamic Re-*
8 *public of Iran.*

9 **SEC. 6. INVESTIGATION OF THE ILLICIT GOLD TRADE IN**
10 **VENEZUELA.**

11 *The Secretary, in coordination with the Secretary of*
12 *the Treasury, the Attorney General, and allied and partner*
13 *governments in the Western Hemisphere, shall—*

14 *(1) lead a coordinated international effort to*
15 *carry out financial investigations to identify and*
16 *track assets taken from the people and institutions in*
17 *Venezuela that are linked to money laundering and*
18 *illicit activities, including mining-related activities,*
19 *by sharing financial investigations intelligence, as*
20 *appropriate and as permitted by law; and*

21 *(2) provide technical assistance to help eligible*
22 *governments in Latin America establish legislative*
23 *and regulatory frameworks capable of imposing and*
24 *effectively implementing targeted sanctions on—*

1 (A) *authorities in Venezuela who are di-*
2 *rectly engaged in the illicit mining, trafficking,*
3 *and commercialization of gold; and*

4 (B) *foreign persons engaged in the laun-*
5 *dering of illicit gold assets linked to designated*
6 *terrorist and drug trafficking organizations.*

7 **SEC. 7. LEVERAGING INTERNATIONAL SUPPORT.**

8 *In implementing the Strategy pursuant to section 4,*
9 *the President should direct United States representatives*
10 *accredited to relevant multilateral institutions and develop-*
11 *ment banks and United States ambassadors in the Western*
12 *Hemisphere to use the influence of the United States to fos-*
13 *ter international cooperation to achieve the objectives of this*
14 *Act, including—*

15 (1) *marshaling resources and political support;*

16 *and*

17 (2) *encouraging the development of policies and*
18 *consultation with key stakeholders to accomplish such*
19 *objectives and provisions.*

20 **SEC. 8. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPON-**
21 **SIBLE GOLD VALUE CHAINS.**

22 (a) *IN GENERAL.—The Secretary shall coordinate with*
23 *the Governments of Colombia, of Ecuador, of Peru, and of*
24 *other democratically-elected governments in the region de-*
25 *termined by the Secretary to establish a public-private*

1 *partnership to support programming in participating*
2 *countries that will—*

3 (1) *support the ASM gold mining sector's for-*
4 *malization and compliance with the existing environ-*
5 *mental and labor standards in participating coun-*
6 *tries;*

7 (2) *increase awareness of access to financing for*
8 *ASM gold miners who are taking significant steps to*
9 *formalize their operations and comply with the exist-*
10 *ing labor and environmental standards in partici-*
11 *pating countries;*

12 (3) *enhance the traceability and support the es-*
13 *tablishment of a certification process for ASM gold;*

14 (4) *support a public relations campaign to pro-*
15 *mote responsibly-sourced gold;*

16 (5) *include representatives of local civil society*
17 *to work towards soliciting the free and informed con-*
18 *sent of those living on lands with mining potential;*

19 (6) *facilitate contact between vendors of respon-*
20 *sibly-sourced gold and United States companies; and*

21 (7) *promote policies and practices in partici-*
22 *pating countries that are conducive to the formaliza-*
23 *tion of ASM gold mining and promoting adherence of*
24 *ASM to internationally-recognized best practices and*
25 *standards.*

1 **SEC. 9. RULE OF CONSTRUCTION REGARDING NOT AU-**
2 **THORIZING THE USE OF MILITARY FORCE.**

3 *Nothing in this Act may be construed as authorizing*
4 *the use of military force or the introduction of United States*
5 *forces into hostilities.*

6 **SEC. 10. CONSIDERATION OF CERTAIN TRANSACTIONS IN-**
7 **VOLVING PRECIOUS METALS FOR PURPOSES**
8 **OF IDENTIFYING PRIMARY MONEY LAUN-**
9 **DERING CONCERNS.**

10 *Section 5318A(c)(2) of title 31, United States Code,*
11 *is amended—*

12 *(1) in subparagraph (A)—*

13 *(A) by redesignating clauses (iii) through*
14 *(vii) as clauses (iv) through (viii), respectively;*
15 *and*

16 *(B) by inserting after clause (ii) the fol-*
17 *lowing:*

18 *“(iii) the extent to which the jurisdic-*
19 *tion or financial institutions operating in*
20 *that jurisdiction facilitate transactions in-*
21 *volving the mining, sale, or trade of pre-*
22 *cious metals subject to any sanctions im-*
23 *posed by the United States;”;* and

24 *(2) in subparagraph (B)—*

25 *(A) by redesignating clauses (ii) and (iii)*
26 *as clauses (iii) and (iv), respectively; and*

1 *(B) by inserting after clause (i) the fol-*
2 *lowing:*

3 *“(ii) the extent to which such financial*
4 *institutions are used to facilitate trans-*
5 *actions involving the mining, sale, or trade*
6 *of precious metals and are subject to any*
7 *sanctions imposed by the United States;”.*