

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**

**H. R. 7900**

To authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. RISCH (for himself and Mr. WHITEHOUSE) to the amendment (No. 5499) proposed by Mr. REED

Viz:

- 1 At the end of title XII, add the following:
- 2 **Subtitle G—Additional Measures in**
- 3 **Response to Invasion of Ukraine**
- 4 **by the Russian Federation**

5 **SEC. 1280. SHORT TITLE.**

- 6 This subtitle may be cited as the “Russian Elites,
- 7 Proxies, and Oligarchs Act of 2022” or the “REPO Act
- 8 of 2022”.

1 **PART I—CONFISCATION AND REPURPOSING OF**  
2 **RUSSIAN ASSETS**

3 **SEC. 1281. FINDINGS; SENSE OF CONGRESS.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) On February 24, 2022, the Government of  
7 the Russian Federation violated the sovereignty and  
8 territorial integrity of Ukraine by again engaging in  
9 a premeditated and illegal invasion of Ukraine.

10 (2) The international community has con-  
11 demned the illegal invasion of Ukraine by the Rus-  
12 sian Federation, as well as the commission of war  
13 crimes by the Russian Federation, including through  
14 the deliberate targeting of civilians and civilian in-  
15 frastructure and the commission of sexual violence.

16 (3) The leaders of the Group of Seven (G7)  
17 have called the Russian Federation’s “unprovoked  
18 and completely unjustified attack on the democratic  
19 state of Ukraine” a “serious violation of inter-  
20 national law and a grave breach of the United Na-  
21 tions Charter and all commitments Russia entered  
22 in the Helsinki Final Act and the Charter of Paris  
23 and its commitments in the Budapest Memo-  
24 randum”.

25 (4) The United Nations General Assembly  
26 adopted a resolution, by a vote of 141 to 5, that de-

1       manded that the Russian Federation “immediately  
2       cease its use of force against Ukraine and imme-  
3       diately, completely, and unconditionally withdraw all  
4       of its military forces from the territory of Ukraine  
5       within its internationally recognized borders”.

6           (5) On March 16, 2022, the International  
7       Court of Justice issued provisional measures order-  
8       ing the Russian Federation to “immediately suspend  
9       the military operations that it commenced on 24  
10      February 2022 in the territory of Ukraine”.

11          (6) Under international law, a country that is  
12      responsible for an internationally wrongful act is  
13      under an obligation to make restitution by reestab-  
14      lishing the situation that existed before the wrongful  
15      act was committed. The Russian Federation bears  
16      such responsibility to provide restitution to Ukraine.

17          (7) As of April 21, 2022, the World Bank esti-  
18      mated that the invasion of Ukraine by the Russian  
19      Federation had led to at least \$60,000,000,000 in  
20      damage to the physical infrastructure of Ukraine.

21          (8) According the President of Ukraine,  
22      Volodymyr Zelenskyy, as of May 3, 2022, it could  
23      cost an estimated \$600,000,000,000 to rebuild  
24      Ukraine as a result of the illegal invasion by the  
25      Russian Federation.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the extreme illegal actions taken by the Russian  
3 Federation present a unique situation, justifying the es-  
4 tablishment of a legal authority. In this case, that author-  
5 ity is the authority of the United States Government or  
6 other countries to confiscate sovereign assets of the Rus-  
7 sian Federation for the purpose of assisting Ukraine.

8 **SEC. 1282. SENSE OF CONGRESS REGARDING IMPORTANCE**  
9 **OF THE RUSSIAN FEDERATION PROVIDING**  
10 **DUE REPARATIONS TO UKRAINE.**

11 It is the sense of Congress that—

12 (1) the Russian Federation bears responsibility  
13 for the financial burden of the reconstruction of  
14 Ukraine and for countless other costs associated  
15 with the illegal invasion of Ukraine by the Russian  
16 Federation that began on February 24, 2022;

17 (2) the full cost of the Russian Federation's un-  
18 lawful war against Ukraine and the amount of  
19 money the Russian Federation must pay Ukraine  
20 should be assessed by a bona fide independent, inter-  
21 national arbitral body or claims commission;

22 (3) the Russian Federation should participate  
23 in any international process to assess the full cost of  
24 the Russian Federation's unlawful war on Ukraine,  
25 and if it fails to do so, the United States should ex-

1 plore other avenues for providing reparations to  
2 Ukraine, including confiscation and repurposing of  
3 frozen assets;

4 (4) the Secretary of State should lead robust  
5 engagement on all bilateral and multilateral aspects  
6 of the United States response to the efforts of the  
7 Russian Federation to undermine the sovereignty  
8 and territorial integrity of Ukraine, including on any  
9 policy coordination and alignment regarding the dis-  
10 position of sovereign assets of the Russian Federa-  
11 tion in the context of restitution;

12 (5) the confiscation and repurposing of sov-  
13 ereign assets of the Russian Federation by the  
14 United States is in the vital national security inter-  
15 ests of the United States and consistent with United  
16 States and international law; and

17 (6) the United States should work with inter-  
18 national allies and partners on the confiscation and  
19 repurposing of sovereign assets of the Russian Fed-  
20 eration as part of a coordinated, multilateral effort,  
21 including with G7 countries and other countries in  
22 which assets of the Central Bank of the Russian  
23 Federation are located.

1 **SEC. 1283. AUTHORITY TO PROVIDE ADDITIONAL ASSIST-**  
2 **ANCE TO UKRAINE USING ASSETS CON-**  
3 **FISCATED FROM THE CENTRAL BANK OF THE**  
4 **RUSSIAN FEDERATION AND OTHER SOV-**  
5 **EREIGN ASSETS OF THE RUSSIAN FEDERA-**  
6 **TION.**

7 (a) **REPORTING ON RUSSIAN CENTRAL BANK AS-**  
8 **SETS.—**

9 (1) **NOTICE REQUIRED.—**Not later than 90  
10 days after the date of the enactment of this Act, the  
11 President shall, by means of such instructions or  
12 regulations as the President may prescribe, require  
13 any United States financial institution at which as-  
14 sets of the Central Bank of the Russian Federation  
15 are located, and that knows or should know of such  
16 assets, to provide notice of such assets, including rel-  
17 evant information required under section  
18 501.603(b)(ii) of title 31, Code of Federal Regula-  
19 tions, to the Secretary of the Treasury not later  
20 than 10 days after detection of such assets.

21 (2) **REPORT REQUIRED.—**

22 (A) **IN GENERAL.—**Not later than 180  
23 days after the date of the enactment of this  
24 Act, and annually thereafter for 3 years, the  
25 President shall submit to the appropriate con-  
26 gressional committees a report detailing the sta-



1           (2) LIQUIDATION AND DEPOSIT.—The Presi-  
2           dent shall—

3                   (A) deposit any funds confiscated under  
4           paragraph (1) into the Ukraine Support Fund  
5           established under subsection (c);

6                   (B) liquidate or sell any other property  
7           confiscated under paragraph (1) and deposit  
8           the funds resulting from such liquidation or  
9           sale into the Ukraine Support Fund established  
10          under subsection (c); and

11                  (C) make all such funds available for the  
12          purposes described in subsection (d).

13           (3) METHOD OF CONFISCATION.—The Presi-  
14          dent shall confiscate funds and other property under  
15          paragraph (1) through instructions or licenses or in  
16          such other manner as the President determines ap-  
17          propriate.

18           (4) VESTING.—All right, title, and interest in  
19          funds and other property confiscated under para-  
20          graph (1) shall vest in the Government of the United  
21          States.

22           (5) NOTIFICATION REQUIREMENT.—The Sec-  
23          retary of State shall notify the appropriate congres-  
24          sional committees not later than 14 days after any



1       confiscation of funds or other property under this  
2       subsection.

3       (c) ESTABLISHMENT OF THE UKRAINE SUPPORT  
4 FUND.—

5           (1) IN GENERAL.—The President shall establish  
6       a non-interest-bearing account, to be known as the  
7       “Ukraine Support Fund”, to consist of the funds de-  
8       posited into the account under subsection (b).

9           (2) USE OF FUNDS.—The funds in the account  
10       established under paragraph (1) shall be available to  
11       be used only as specified in subsection (d).

12       (d) USE OF CONFISCATED PROPERTY.—

13           (1) IN GENERAL.—Funds in the Ukraine Sup-  
14       port Fund shall be available to the Secretary of  
15       State, in consultation with the Administrator of the  
16       United States Agency for International Develop-  
17       ment, for the purpose of restoring Ukraine to its  
18       status before the unlawful invasion by the Russian  
19       Federation that began on February 24, 2022, in-  
20       cluding through provision of such funds to the Gov-  
21       ernment of Ukraine for the following purposes:

22           (A) Reconstruction and rebuilding efforts  
23       in Ukraine.

24           (B) To provide humanitarian assistance to  
25       the people of Ukraine.

1           (C) To provide security assistance to  
2           Ukraine.

3           (D) For other purposes the Secretary de-  
4           termines directly and effectively support the re-  
5           covery of Ukraine and the welfare of the people  
6           of Ukraine.

7           (2) NOTIFICATION.—

8           (A) IN GENERAL.—The Secretary of State  
9           shall notify the appropriate congressional com-  
10          mittees not fewer than 15 days before providing  
11          any funds from the Ukraine Support Fund to  
12          the Government of Ukraine or to any other per-  
13          son for the purposes described in paragraph  
14          (1).

15          (B) ELEMENTS.—A notification under sub-  
16          paragraph (A) with respect to the provision of  
17          funds to the Government of Ukraine shall speci-  
18          fy—

19                 (i) the amount of funds to be pro-  
20                 vided;

21                 (ii) the purpose for which such funds  
22                 are provided; and

23                 (iii) the recipient.

1 (e) DEPOSIT OF ADDITIONAL PROCEEDS OF OTHER  
2 SEIZED RUSSIAN ASSETS INTO UKRAINE SUPPORT  
3 FUND.—

4 (1) IN GENERAL.—In addition to the funds re-  
5 quired to be deposited into the Ukraine Support  
6 Fund under subsection (b), the President may de-  
7 posit into the Fund for use by the Secretary of State  
8 other funds that are the proceeds of the liquidation  
9 of sovereign assets of the Russian Federation or pri-  
10 vate assets seized from Russian persons in response  
11 to the premeditated and illegal invasion of Ukraine  
12 by the Russian Federation that began on February  
13 24, 2022.

14 (2) NOTIFICATION.—The Secretary of State  
15 shall notify the appropriate congressional committees  
16 not fewer than 5 days after a deposit into the  
17 Ukraine Support Fund is made under subsection  
18 (a).

19 (f) JUDICIAL REVIEW.—

20 (1) IN GENERAL.—The confiscation of funds  
21 and other property under subsection (b)(1) shall not  
22 be subject to judicial review.

23 (2) RULE OF CONSTRUCTION.—Nothing in this  
24 subsection shall be construed to limit any private in-

1 individual or entity from asserting due process claims  
2 in United States courts.

3 (g) EXCEPTION FOR UNITED STATES OBLIGATIONS  
4 UNDER VIENNA CONVENTIONS.—The authorities pro-  
5 vided by this section may not be exercised in a manner  
6 inconsistent with the obligations of the United States  
7 under—

8 (1) the Convention on Diplomatic Relations,  
9 done at Vienna April 18, 1961, and entered into  
10 force April 24, 1964 (23 UST 3227);

11 (2) the Convention on Consular Relations, done  
12 at Vienna April 24, 1963, and entered into force on  
13 March 19, 1967 (21 UST 77);

14 (3) the Agreement Regarding the Headquarters  
15 of the United Nations, signed at Lake Success June  
16 26, 1947, and entered into force November 21, 1947  
17 (TIAS 1676); or

18 (4) any other relevant international agreement.

19 (h) SUNSET.—The authority to confiscate, liquidate,  
20 and transfer funds and other property under this section  
21 shall terminate on the earlier of—

22 (1) the date that is 5 years after the date of the  
23 enactment of this Act; or

24 (2) the date on which the President determines  
25 and certifies to the appropriate congressional com-



1 **SEC. 1285. ASSESSMENT BY SECRETARY OF STATE AND AD-**  
2 **MINISTRATOR OF UNITED STATES AGENCY**  
3 **FOR INTERNATIONAL DEVELOPMENT ON RE-**  
4 **CONSTRUCTION AND REBUILDING NEEDS OF**  
5 **UKRAINE.**

6 (a) **IN GENERAL.**—Not later than 180 days after the  
7 date of the enactment of this Act, the Secretary of State,  
8 in consultation with the Administrator of the United  
9 States Agency for International Development, shall submit  
10 to the appropriate congressional committees an assess-  
11 ment of the most pressing needs of Ukraine for recon-  
12 struction, rebuilding, security assistance, and humani-  
13 tarian aid.

14 (b) **ELEMENTS.**—The assessment required by sub-  
15 section (a) shall include the following:

16 (1) An estimate of the rebuilding and recon-  
17 struction needs of Ukraine, as of the date of the as-  
18 sessment, resulting from the unlawful invasion of  
19 Ukraine by the Russian Federation, including—

20 (A) a description of the sources and meth-  
21 ods for the estimate; and

22 (B) an identification of the locations or re-  
23 gions in Ukraine with the most pressing needs.

24 (2) An estimate of the humanitarian needs, as  
25 of the date of the assessment, of the people of  
26 Ukraine, including Ukrainians residing inside in the

1 internationally recognized borders of Ukraine or out-  
2 side those borders, resulting from the unlawful inva-  
3 sion of Ukraine by the Russian Federation.

4 (3) An assessment of the extent to which the  
5 needs described in paragraphs (1) and (2) have been  
6 met or funded, by any source, as of the date of the  
7 assessment.

8 (4) An identification of which such needs  
9 should be prioritized, including any assessment or  
10 request by the Government of Ukraine with respect  
11 to the prioritization of such needs.

12 **SEC. 1286. EXCEPTION RELATING TO IMPORTATION OF**  
13 **GOODS.**

14 (a) **IN GENERAL.**—The authorities and requirements  
15 under this title shall not include the authority or a require-  
16 ment to impose sanctions on the importation of goods.

17 (b) **GOOD DEFINED.**—In this section, the term  
18 “good” means any article, natural or manmade substance,  
19 material, supply, or manufactured product, including in-  
20 spection and test equipment, and excluding technical data.

21 **SEC. 1287. DEFINITIONS.**

22 In this subtitle:

23 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
24 **TEES.**—The term “appropriate congressional com-  
25 mittees” means the Committee on Foreign Relations

1 of the Senate and the Committee on Foreign Affairs  
2 of the House of Representatives.

3 (2) FINANCIAL INSTITUTION.—The term “fi-  
4 nancial institution” means a financial institution  
5 specified in subparagraph (A), (B), (C), (D), (E),  
6 (F), (G), (H), (I), (J), (M), or (Z) of section  
7 5312(a)(2) of title 31, United States Code.

8 (3) RUSSIAN PERSON.—The term “Russian per-  
9 son” means—

10 (A) an individual who is a citizen or na-  
11 tional of the Russian Federation; or

12 (B) an entity organized under the laws of  
13 the Russian Federation.

14 (4) UNITED STATES FINANCIAL INSTITUTION.—  
15 The term “United States financial institution”  
16 means a financial institution organized under the  
17 laws of the United States or of any jurisdiction with-  
18 in the United States, including a foreign branch of  
19 such an institution.



1                   **PART II—MULTILATERAL SANCTIONS**

2                                   **COORDINATION**

3   **SEC. 1291. STATEMENT OF POLICY REGARDING COORDINA-**  
4                                   **TION OF MULTILATERAL SANCTIONS WITH**  
5                                   **RESPECT TO THE RUSSIAN FEDERATION.**

6           (a) **IN GENERAL.**—In response to the Russian Fed-  
7   eration's unprovoked and illegal invasion of Ukraine, it is  
8   the policy of the United States that—

9                   (1) the United States, along with the European  
10    Union, the United Kingdom, and other willing allies  
11    and partners of the United States, should lead a co-  
12    ordinated international sanctions regime to freeze  
13    sovereign assets of the Russian Federation and as-  
14    sets of Russian oligarchs, with the aim of identifying  
15    Russian oligarchs who have assisted or facilitated  
16    the regime of Vladimir Putin or the Russian Federa-  
17    tion's violation of Ukraine's sovereignty and terri-  
18    torial integrity;

19                   (2) the head of the Office of Sanctions Coordi-  
20    nation of the Department of State should engage in  
21    interagency and multilateral coordination with agen-  
22    cies of the European Union, the United Kingdom,  
23    and other allies and partners of the United States  
24    to ensure the ongoing implementation and enforce-  
25    ment of sanctions with respect to the Russian Fed-  
26    eration in response to its invasion of Ukraine;

1           (3) the Secretary of State, in consultation with  
2           the Secretary of the Treasury, should, to the extent  
3           practical and consistent with relevant United States  
4           law, lead and coordinate with the European Union  
5           and the United Kingdom with respect to enforce-  
6           ment of sanctions imposed with respect to the Rus-  
7           sian Federation;

8           (4) the United States should provide relevant  
9           technical assistance, implementation guidance, and  
10          support relating to enforcement and implementation  
11          of sanctions imposed with respect to the Russian  
12          Federation;

13          (5) where appropriate, the head of the Office of  
14          Sanctions Coordination, in coordination with the Bu-  
15          reau of Economic and Business Affairs and the Bu-  
16          reau of European and Eurasian Affairs of the De-  
17          partment of State and the Department of the Treas-  
18          ury, should seek private sector input regarding sanc-  
19          tions policy with respect to the Russian Federation  
20          and the implementation of and compliance with  
21          sanctions imposed with respect to the Russian Fed-  
22          eration; and

23          (6) the Secretary of State, in coordination with  
24          the Secretary of the Treasury, should continue ro-  
25          bust diplomatic engagement with allies and partners

1 of the United States, including the United Kingdom  
2 and the European Union, to encourage such allies  
3 and partners to impose sanctions with respect to the  
4 Russian Federation.

5 (b) EXTENSION OF HIRING AUTHORITIES FOR OF-  
6 FICE OF SANCTIONS COORDINATION.—Section 1 of the  
7 State Department Basic Authorities Act of 1956 (22  
8 U.S.C. 2651a) is amended—

9 (1) by redesignating subsection (h) (as added  
10 by section 361 of division FF of the Consolidated  
11 Appropriations Act, 2021 (Public Law 116–260;  
12 134 Stat. 3131)) as subsection (k); and

13 (2) in paragraph (4)(B) of subsection (k), as  
14 redesignated by paragraph (1), by striking “the date  
15 that is two years after the date of the enactment of  
16 this subsection” and inserting “December 31,  
17 2024”.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—There is authorized to be  
20 appropriated to the Office of Sanctions Coordination  
21 of the Department of State \$15,000,000 for each of  
22 fiscal years 2023, 2024, and 2025 to carry out this  
23 section.

24 (2) SUPPLEMENT NOT SUPPLANT.—The  
25 amounts authorized to be appropriated by paragraph

1 (1) shall supplement and not supplant other  
2 amounts authorized to be appropriated for the Office  
3 of Sanctions Coordination.

4 **SEC. 1292. ASSESSMENT OF IMPACT OF UKRAINE-RELATED**  
5 **SANCTIONS ON THE ECONOMY OF THE RUS-**  
6 **SIAN FEDERATION.**

7 (a) **REPORT AND BRIEFINGS.**—At the times specified  
8 in subsection (b), the President shall submit a report and  
9 provide a briefing to the appropriate congressional com-  
10 mittees on the impact on the economy of the Russian Fed-  
11 eration of sanctions imposed by the United States and  
12 other countries with respect to the Russian Federation in  
13 response to the unlawful invasion of Ukraine by the Rus-  
14 sian Federation.

15 (b) **TIMING.**—The President shall—

16 (1) submit a report and provide a briefing de-  
17 scribed in subsection (a) to the appropriate congres-  
18 sional committees not later than 90 days after the  
19 date of the enactment of this Act; and

20 (2) submit to the appropriate congressional  
21 committees a report described in subsection (a)  
22 every 180 days thereafter until December 31, 2024.

23 (c) **ELEMENTS.**—Each report required by this section  
24 shall include—

25 (1) an assessment of—

1 (A) the impacts of the sanctions described  
2 in subsection (a), disaggregated by major eco-  
3 nomic sector, including the energy, aerospace  
4 and defense, shipping, banking, and financial  
5 sectors;

6 (B) the macroeconomic impact of those  
7 sanctions on Russian, European, and global  
8 economy market trends, including shifts in  
9 global markets as a result of those sanctions;  
10 and

11 (C) efforts by other countries or actors and  
12 offshore financial providers to facilitate sanc-  
13 tions evasion by the Russian Federation or take  
14 advantage of gaps in international markets re-  
15 sulting from the international sanctions regime  
16 in place with respect to the Russian Federation;  
17 and

18 (2) recommendations for further sanctions en-  
19 forcement measures based on trends described in  
20 paragraph (1)(B).

1 **SEC. 1293. INFORMATION ON VOTING PRACTICES IN THE**  
2 **UNITED NATIONS WITH RESPECT TO THE IN-**  
3 **VASION OF UKRAINE BY THE RUSSIAN FED-**  
4 **ERATION.**

5 Section 406(b) of the Foreign Relations Authoriza-  
6 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C.  
7 2414a(b)), is amended—

8 (1) in paragraph (4), by striking “Assembly  
9 on” and all that follows through “opposed by the  
10 United States” and inserting the following: “Assem-  
11 bly on—”

12 “(A) resolutions specifically related to  
13 Israel that are opposed by the United States;  
14 and

15 “(B) resolutions specifically related to the  
16 invasion of Ukraine by the Russian Federa-  
17 tion.”;

18 (2) in paragraph (5), by striking “; and” and  
19 inserting a semicolon;

20 (3) by redesignating paragraph (6) as para-  
21 graph (7); and

22 (4) by inserting after paragraph (5) the fol-  
23 lowing:

24 “(6) an analysis and discussion, prepared in  
25 consultation with the Secretary of State, of the ex-  
26 tent to which member countries supported United

1 States policy objectives in the Security Council and  
2 the General Assembly with respect to the invasion of  
3 Ukraine by the Russian Federation; and”.