

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.

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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

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## 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)—

1 (i) in the matter preceding subpara-  
2 graph (A), by striking “subsection (a)”  
3 and inserting “subsection (a)(1)”; and

4 (ii) in subparagraph (B)(i), by insert-  
5 ing “or an immediate family member of  
6 the person”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) in the subparagraph heading,  
10 by striking “HUMAN RIGHTS VIOLA-  
11 TIONS” and inserting “SERIOUS  
12 HUMAN RIGHTS ABUSE OR VIOLA-  
13 TIONS OF INTERNATIONALLY RECOG-  
14 NIZED HUMAN RIGHTS”; and

15 (II) by striking “described in  
16 paragraph (1) or (2) of subsection  
17 (a)” and inserting “described in sub-  
18 section (a)(1) relating to serious  
19 human rights abuse or any violation  
20 of internationally recognized human  
21 rights”; and

22 (ii) in subparagraph (B), in the mat-  
23 ter preceding clause (i), by striking “de-  
24 scribed in paragraph (3) or (4) of sub-  
25 section (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.

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