

1 (4) to call on Bosnia and Herzegovina to imple-
2 ment the rulings of the European Court of Human
3 Rights;

4 (5) to support the robust use of targeted sanc-
5 tions against persons who undermine the Dayton
6 Peace Agreement, as well as the democratic institu-
7 tions and Constitution of Bosnia and Herzegovina,
8 to support peace and stability in that country;

9 (6) to urge the European Union to join the
10 United States and United Kingdom in sanctioning
11 Milorad Dodik, a member of the Presidency of Bos-
12 nia and Herzegovina, for his actions that undermine
13 the stability and territorial integrity of Bosnia and
14 Herzegovina;

15 (7) to expose and condemn the Government of
16 Russia for its role in fueling instability in Bosnia
17 and Herzegovina and undermining the Dayton Peace
18 Agreement, the role of the Office of the High Rep-
19 resentative, and the European Union Force in BiH's
20 Operation Althea;

21 (8) to work with other regional states, including
22 Serbia and Croatia, to support the territorial integ-
23 rity and stability of Bosnia and Herzegovina; and

24 (9) to encourage the United States to use its
25 voice and vote at the United Nations, the Peace Im-

1 plementation Council and its Steering Board, and
2 other relevant international bodies to support the
3 Office of the High Representative.

4 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
5 **EIGN PERSONS UNDERMINING THE DAYTON**
6 **PEACE AGREEMENT OR THREATENING THE**
7 **SECURITY OF BOSNIA AND HERZEGOVINA.**

8 (a) IMPOSITION OF SANCTIONS.—

9 (1) LIST REQUIRED.—Not later than 30 days
10 after the date of the enactment of this Act, and
11 every 90 days thereafter, the President shall submit
12 to the appropriate congressional committees a list of
13 foreign persons that are determined—

14 (A) to be responsible for or complicit in, or
15 to have directly or indirectly engaged in, any
16 action or policy that threatens the peace, secu-
17 rity, stability, or territorial integrity of Bosnia
18 and Herzegovina, including actions that seek to
19 undermine the authority of Bosnia and
20 Herzegovina’s state-level institutions, such as
21 forming illegal parallel institutions or actions
22 that threaten the Office of the High Represent-
23 ative;

24 (B) to be responsible for or complicit in, or
25 to have directly or indirectly engaged in, any

1 action or policy that undermines democratic
2 processes or institutions in Bosnia and
3 Herzegovina;

4 (C) to be responsible for or complicit in, or
5 to have directly or indirectly engaged in, or to
6 have attempted, a violation of, or an act that
7 has obstructed or threatened the implementa-
8 tion of, the Dayton Peace Agreement or the
9 Conclusions of the Peace Implementation Con-
10 ference Council held in London in December
11 1995, including the decisions or conclusions of
12 the Office of the High Representative, the
13 Peace Implementation Council, or its Steering
14 Board;

15 (D) to be a member, official, or senior
16 leader of an illegal parallel institution or any
17 other institution that engages in activities de-
18 scribed in subparagraph (A), (B) or (C), as de-
19 termined by the Secretary of State;

20 (E) to be responsible for or complicit in, or
21 to have directly or indirectly engaged in, or at-
22 tempted to engage in, corruption related to
23 Bosnia and Herzegovina, including corruption
24 by, on behalf of, or otherwise related to the gov-
25 ernment in Bosnia and Herzegovina, or a cur-

1 rent or former government official at any level
2 of government in Bosnia and Herzegovina, such
3 as the misappropriation of public assets, expro-
4 piation of private assets for personal gain or
5 political purposes, corruption related to govern-
6 ment contracts or the extraction of natural re-
7 sources or bribery;

8 (F) to be an adult family member of any
9 foreign person described in subparagraph (A),
10 (B), (C), (D), or (E), unless the President de-
11 termines that the adult family member—

12 (i) has condemned the activity or ac-
13 tivities of the foreign person described in
14 any such subparagraph; and

15 (ii) has taken tangible steps to oppose
16 the activity or activities;

17 (G) to have knowingly facilitated a signifi-
18 cant transaction or transactions for or on be-
19 half of a foreign person described in subpara-
20 graph (A), (B), (C), (D), or (E);

21 (H) to be owned or controlled by, or to
22 have acted or purported to act for or on behalf
23 of, directly or indirectly, a foreign person de-
24 scribed in subparagraph (A), (B), (C), (D), or
25 (E); or

1 (I) to have knowingly materially assisted,
2 sponsored, or provided financial, material, or
3 technological support for, or goods or services
4 to or in support of, a foreign person described
5 in subparagraph (A), (B), (C), (D), or (E).

6 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
7 mission of each list required by paragraph (1), the
8 President shall impose the sanctions described in
9 subsection (c) with respect to each foreign person
10 identified on the list.

11 (b) ADDITIONAL MEASURE RELATING TO FACILITA-
12 TION OF TRANSACTIONS.—The Secretary of the Treasury
13 may, in consultation with the Secretary of State, prohibit
14 or impose strict conditions on the opening or maintaining
15 in the United States of a correspondent account or pay-
16 able-through account by a foreign financial institution
17 that the President determines has, on or after the date
18 of the enactment of this Act, knowingly conducted or fa-
19 cilitated a significant transaction or transactions on behalf
20 of a foreign person on the list required by subsection
21 (a)(1).

22 (c) SANCTIONS DESCRIBED.—The sanctions de-
23 scribed in this subsection are the following:

24 (1) PROPERTY BLOCKING.—Notwithstanding
25 the requirements of section 202 of the International

1 Emergency Economic Powers Act (50 U.S.C. 1701),
2 the President may exercise of all powers granted to
3 the President by that Act to the extent necessary to
4 block and prohibit all transactions in all property
5 and interests in property of the foreign person if
6 such property and interests in property are in the
7 United States, come within the United States, or are
8 or come within the possession or control of a United
9 States person.

10 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
11 SION, OR PAROLE.—

12 (A) IN GENERAL.—An alien on the list re-
13 quired by subsection (a)(1) is—

14 (i) inadmissible to the United States;

15 (ii) ineligible for a visa or travel to the
16 United States; and

17 (iii) otherwise ineligible to be admitted
18 or paroled into the United States or to re-
19 ceive any other benefit under the Immigra-
20 tion and Nationality Act (8 U.S.C. 1101 et
21 seq.).

22 (B) CURRENT VISAS REVOKED.—

23 (i) IN GENERAL.—The visa or other
24 documentation issued to an alien on the
25 list required by subsection (a)(1) shall be

1 revoked, regardless of when such visa or
2 other documentation is or was issued.

3 (ii) EFFECT OF REVOCATION.—A visa
4 or other entry documentation revoked
5 under clause (i) shall, in accordance with
6 section 221(i) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1201(i)), no longer
8 be valid for travel to the United States.

9 (d) EXCEPTIONS.—

10 (1) EXCEPTION FOR INTELLIGENCE, LAW EN-
11 FORCEMENT, AND NATIONAL SECURITY ACTIVI-
12 TIES.—Sanctions under this section shall not apply
13 to any authorized intelligence, law enforcement, or
14 national security activities of the United States.

15 (2) EXCEPTION TO COMPLY WITH UNITED NA-
16 TIONS HEADQUARTERS AGREEMENT.—Sanctions
17 under subsection (c)(2) shall not apply with respect
18 to the admission of an alien to the United States if
19 the admission of the alien is necessary to permit the
20 United States to comply with the Agreement regard-
21 ing the Headquarters of the United Nations, signed
22 at Lake Success June 26, 1947, and entered into
23 force November 21, 1947, between the United Na-
24 tions and the United States, the Convention on Con-
25 sular Relations, done at Vienna April 24, 1963, and

1 entered into force March 19, 1967, or other applica-
2 ble international obligations.

3 (3) EXCEPTION RELATING TO THE PROVISION
4 OF HUMANITARIAN ASSISTANCE.—Sanctions under
5 this section may not be imposed with respect to
6 transactions or the facilitation of transactions for—

7 (A) the sale of agricultural commodities,
8 food, medicine, or medical devices;

9 (B) the provision of humanitarian assist-
10 ance;

11 (C) financial transactions relating to hu-
12 manitarian assistance or for humanitarian pur-
13 poses; and

14 (D) transporting goods or services that are
15 necessary to carry out operations relating to
16 humanitarian assistance or humanitarian pur-
17 poses.

18 (e) WAIVER.—The President may, on a case-by-case
19 basis and for periods not to exceed 180 days each, waive
20 the application of sanctions or restrictions imposed with
21 respect to a foreign person under this section if the Presi-
22 dent certifies to the appropriate congressional committees
23 not later than 15 days before such waiver is to take effect
24 that the waiver is vital to the national security interests
25 of the United States.

1 (f) REGULATIONS.—

2 (1) IN GENERAL.—The President shall, not
3 later than 180 days after the date of the enactment
4 of this Act, prescribe regulations as necessary for
5 the implementation of this Act.

6 (2) NOTIFICATION TO CONGRESS.—Not later
7 than 10 days before the prescription of regulations
8 under paragraph (1), the President shall notify the
9 appropriate congressional committees regarding the
10 proposed regulations and the provisions of this Act
11 that the regulations are implementing.

12 (g) IMPLEMENTATION.—The President may exercise
13 all authorities provided under sections 203 and 205 of the
14 International Emergency Economic Powers Act (50
15 U.S.C. 1702 and 1704) to carry out this Act.

16 (h) PENALTIES.—The penalties provided for in sub-
17 sections (b) and (c) of section 206 of the International
18 Emergency Economic Powers Act (50 U.S.C. 1705) shall
19 apply to a person that violates, attempts to violate, con-
20 spires to violate, or causes a violation of regulations pre-
21 scribed to carry out this Act to the same extent that such
22 penalties apply to a person that commits an unlawful act
23 described in subsection (a) of such section 206.

24 (i) TERMINATION OF SANCTIONS.—The President
25 may terminate the application of sanctions under this sec-

1 tion with respect to a foreign person if the President deter-
2 mines and reports to the appropriate congressional com-
3 mittees not later than 15 days before the termination of
4 the sanctions that—

5 (1) credible information exists that the foreign
6 person did not engage in the activity for which sanc-
7 tions were imposed;

8 (2) the foreign person has been prosecuted and
9 sentenced appropriately for the activity for which
10 sanctions were imposed; or

11 (3) the foreign person has credibly dem-
12 onstrated a significant change in behavior, has paid
13 an appropriate consequence for the activity for
14 which sanctions were imposed, and has credibly com-
15 mitted to not engage in an activity described in sub-
16 section (a)(1) in the future.

17 **SEC. 4. CODIFICATION OF SANCTIONS RELATING TO THE**
18 **WESTERN BALKANS.**

19 (a) **IN GENERAL.**—Each sanction imposed through
20 Executive orders described in subsection (b), including
21 each sanction imposed with respect to a person under such
22 an Executive order, as of the date of the enactment of
23 this Act, shall remain in effect, except as provided in sub-
24 section (c).

1 (b) EXECUTIVE ORDERS SPECIFIED.—The Executive
2 orders specified in this subsection are—

3 (1) Executive Order 13219 (50 U.S.C. 1701
4 note; relating to blocking property of persons who
5 threaten international stabilization efforts in the
6 Western Balkans), as in effect on the date of the en-
7 actment of this Act; and

8 (2) Executive Order 14033 (50 U.S.C. 1701
9 note; relating to blocking property and suspending
10 entry into the United States of certain persons con-
11 tributing to the destabilizing situation in the West-
12 ern Balkans), as in effect on such date of enact-
13 ment.

14 (c) TERMINATION OF SANCTIONS.—The President
15 may terminate the application of a sanction described in
16 subsection (a) with respect to a person if the President
17 certifies to the appropriate congressional committees
18 that—

19 (1) such person—

20 (A) is not engaging in the activity that was
21 the basis for such sanctions; or

22 (B) has taken significant verifiable steps
23 toward stopping such activity; and

1 (2) the President has received reliable assur-
2 ances that such person will not knowingly engage in
3 activity subject to such sanctions in the future.

4 **SEC. 5. CONSIDERATION OF CERTAIN INFORMATION IN IM-**
5 **POSING SANCTIONS.**

6 (a) IN GENERAL.—Not later than 60 days after re-
7 ceiving a request from the chairman and ranking member
8 of one of the appropriate congressional committees with
9 respect to whether a person, foreign person, or foreign fi-
10 nancial institution, as the case may be, meets the criteria
11 of a person described in section 3 or a person described
12 in Executive Order 13219 or Executive Order 14033 as
13 provided for in section 4(b), or any Executive order issued
14 pursuant to this Act or under the Balkans regulatory re-
15 gime, the President shall—

16 (1) determine if the person, foreign person, or
17 foreign financial institution, as the case may be,
18 meets such criteria; and

19 (2) submit a classified or unclassified report to
20 such chairman and ranking member with respect to
21 such determination that includes a statement of
22 whether or not the President imposed or intends to
23 impose sanctions with respect to such person, for-
24 eign person, or foreign financial institution.

1 (b) SUNSET.—This section shall terminate on the
2 date that is 5 years after the date of enactment of this
3 Act.

4 **SEC. 6. DEFINITIONS.**

5 In this Act:

6 (1) ADMITTED; ALIEN.—The terms “admitted”
7 and “alien” have the meanings given those terms in
8 section 101 of the Immigration and Nationality Act
9 (8 U.S.C. 1101).

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Affairs and
14 the Committee on Financial Services of the
15 House of Representatives; and

16 (B) the Committee on Foreign Relations
17 and the Committee on Banking, Housing, and
18 Urban Affairs of the Senate.

19 (3) CORRESPONDENT ACCOUNT; PAYABLE-
20 THROUGH ACCOUNT.—The terms “correspondent ac-
21 count” and “payable-through account” have the
22 meanings given those terms in section 5318A of title
23 31, United States Code.

24 (4) DAYTON PEACE AGREEMENT.—The term
25 “Dayton Peace Agreement”, also known as the

1 “Dayton Accords”, means the General Framework
2 Agreement for Peace in Bosnia and Herzegovina,
3 initialed by the parties in Dayton, Ohio, on Novem-
4 ber 21, 1995, and signed in Paris on December 14,
5 1995.

6 (5) FOREIGN FINANCIAL INSTITUTION.—The
7 term “foreign financial institution” has the meaning
8 of that term as determined by the Secretary of the
9 Treasury by regulation.

10 (6) FOREIGN PERSON.—The term “foreign per-
11 son” means a person that is not a United States
12 person.

13 (7) ILLEGAL PARALLEL INSTITUTION.—The
14 term “illegal parallel institution” means an agency,
15 structure, or instrumentality at the Republika
16 Srpska entity level that disrupts the authority of the
17 state-level institutions of Bosnia and Herzegovina
18 and undermines its constitutional order.

19 (8) KNOWINGLY.—The term “knowingly”, with
20 respect to conduct, a circumstance, or a result,
21 means that a person has actual knowledge, or should
22 have known, of the conduct, the circumstance, or the
23 result.

24 (9) PERSON.—The term “person” means an in-
25 dividual or entity.

1 (10) UNITED STATES PERSON.—The term
2 “United States person” means—

3 (A) a United States citizen or an alien law-
4 fully admitted to the United States for perma-
5 nent residence;

6 (B) an entity organized under the laws of
7 the United States or any jurisdiction within the
8 United States, including a foreign branch of
9 such an entity; or

10 (C) any person in the United States.

