

AMENDMENT TO H.R. 9087
OFFERED BY MR. DAVIDSON OF OHIO

At the appropriate place, insert the following:

1 **SEC. __. MODIFICATION TO REQUIREMENTS OF SECTION**
2 **104(f) OF THE FOREIGN ASSISTANCE ACT OF**
3 **1961.**

4 Section 104(f) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151b(f)) is amended by adding at the end
6 the following:

7 “(4)(A) An individual who is a Federal employee and
8 knowingly violates any of the requirements of this sub-
9 section—

10 “(i) shall be terminated from Federal employ-
11 ment and may not be receive any Federal employ-
12 ment in the future; and

13 “(ii) shall be fiscally liable for an amount equal
14 to the amount of funds illegally allocated to the ac-
15 tivity that was in violation of such requirements in
16 order to provide restitution to the Federal Govern-
17 ment.

18 “(B) A grantee, sub-grantee, contractor or other re-
19 cipient of Federal funds who violates any of the require-

1 ments of this subsection may not receive any Federal
2 funds in the future.

3 “(C) The Secretary of State—

4 “(i) shall make final determinations of viola-
5 tions of the requirements of this subsection and the
6 penalties imposed under subparagraphs (A) and (B),
7 and such final determinations shall not be subject to
8 review or reversal except by a Federal court of com-
9 petent jurisdiction; and

10 “(ii) shall submit to Congress a report not later
11 than 60 days after making a determination of a vio-
12 lation of the requirements of this subsection, which
13 shall include—

14 “(I) a description of the nature of the vio-
15 lation;

16 “(II) who carried out or was involved in
17 the violation; and

18 “(III) what will be done to ensure the vio-
19 lation is not repeated.

20 “(D) Any final determination of the Secretary of
21 State under subparagraph (C)(i) shall be subject to the
22 procedures under chapter 8 of title 5, United States Code
23 (commonly known as the ‘Congressional Review Act’).”.

