

118TH CONGRESS
1ST SESSION

S. 1905

To expand the categories of forfeited property available to remediate harms to Ukraine from Russian aggression, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2023

Mr. MANCHIN (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. ROUNDS, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To expand the categories of forfeited property available to remediate harms to Ukraine from Russian aggression, 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 “Transferring Illicit As-
5 sets to Ukraine Act of 2023”.

1 **SEC. 2. EXPANSION OF FORFEITED PROPERTY AVAILABLE**
2 **TO REMEDIATE HARMS TO UKRAINE FROM**
3 **RUSSIAN AGGRESSION.**

4 (a) IN GENERAL.—Subsection (c) of section 1708 of
5 the Additional Ukraine Supplemental Appropriations Act,
6 2023 (division M of Public Law 117–328) is amended—

7 (1) in paragraph (2), by striking “which prop-
8 erty belonged” and all that follows and inserting the
9 following: “which property—

10 “(A) belonged to, was possessed by, or was
11 controlled by a person subject to sanctions im-
12 posed by the United States with respect to the
13 Russian Federation under any provision of law;

14 “(B) was involved in an act in violation
15 of—

16 “(i) any sanction described in sub-
17 paragraph (A); or

18 “(ii) any restriction on the export, re-
19 export, or in-country transfer of items im-
20 posed by the United States under the Ex-
21 port Administration Regulations, or any
22 restriction on the export, reexport, or re-
23 transfer of defense articles under the
24 International Traffic in Arms Regulations
25 under subchapter M of chapter I of title

1 22, Code of Federal Regulations, with re-
2 spect to—

3 “(I) the Russian Federation,
4 Belarus, the Crimea, or the so-called
5 Donetsk and Luhansk People’s Re-
6 public regions of Ukraine;

7 “(II) any person in any such
8 country or region on a restricted par-
9 ties list; or

10 “(III) any person located in any
11 other country that has been added to
12 a restricted parties list in connection
13 with the malign conduct of the Rus-
14 sian Federation in Ukraine, including
15 the annexation of the Crimea region
16 of Ukraine in March 2014 and the in-
17 vasion beginning in February 2022 of
18 Ukraine, as substantially enabled by
19 Belarus; or

20 “(C) was involved in any related con-
21 spiracy, scheme, or other Federal offense aris-
22 ing from the actions of, or doing business with
23 or acting on behalf of, the Russian Federation,
24 Belarus, or the Crimea, or the so-called

1 Donetsk and Luhansk People’s Republic re-
2 gions of Ukraine.”; and

3 (2) by adding at the end the following:

4 “(3) The term ‘Export Administration Regula-
5 tions’ has the meaning given that term in section
6 1742 of the Export Control Reform Act of 2018 (50
7 U.S.C. 4801).

8 “(4) The term ‘restricted parties list’ means
9 any of the following lists maintained by the Bureau
10 of Industry and Security:

11 “(A) The Entity List set forth in Supple-
12 ment No. 4 to part 744 of the Export Adminis-
13 tration Regulations.

14 “(B) The Denied Persons List maintained
15 pursuant to section 764.3(a)(2) of the Export
16 Administration Regulations.

17 “(C) The Unverified List set forth in Sup-
18 plement No. 6 to part 744 of the Export Ad-
19 ministration Regulations.”.

20 (b) SEMIANNUAL REPORTS.—Such section is further
21 amended—

22 (1) by redesignating subsections (c) and (d) as
23 subsections (d) and (e), respectively; and

24 (2) by inserting after subsection (b) the fol-
25 lowing:

1 “(c) Not later than 180 days after the date of the
2 enactment of the Transferring Illicit Assets to Ukraine
3 Act of 2023, and every 180 days thereafter, the Attorney
4 General, in consultation with the Secretary of the Treas-
5 ury and the Secretary of State, shall submit to the appro-
6 priate congressional committees a report on—

7 “(1) transfers made under subsection (a) dur-
8 ing the 180 days preceding submission of the report;
9 and

10 “(2) progress made in remediating the harms of
11 Russian aggression towards Ukraine as a result of
12 such transfers.”.

13 (c) PLAN REQUIRED.—

14 (1) IN GENERAL.—Not later than 30 days after
15 the date of the enactment of this Act, the Attorney
16 General, in consultation with the Secretary of the
17 Treasury and the Secretary of State, shall submit to
18 the appropriate congressional committees a plan for
19 using the authority provided by section 1708 of the
20 Additional Ukraine Supplemental Appropriations
21 Act, 2023, as amended by this section.

22 (2) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES DEFINED.—In this section, the term “appro-
24 priate congressional committees” has the meaning
25 given that term by section 1708 of the Additional

- 1 Ukraine Supplemental Appropriations Act, 2023, as
- 2 amended by this section.

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