

and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

**(c) Waiver**

The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and a justification for the waiver.

**(d) Regulatory authority**

The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(Pub. L. 113–95, § 9, Apr. 3, 2014, 128 Stat. 1094.)

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(1)(A), (3)(B), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

**§ 8909. Repealed. Pub. L. 113–291, div. A, title XII, § 1245(e), Dec. 19, 2014, 128 Stat. 3568**

Section, Pub. L. 113–95, § 10, Apr. 3, 2014, 128 Stat. 1096, related to annual report on military and security developments involving the Russian Federation and was superseded by Pub. L. 113–291, div. A, title XII, § 1245, Dec. 19, 2014, 128 Stat. 3566, which is not classified to the Code.

**CHAPTER 96A—UKRAINE FREEDOM SUPPORT**

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**§ 8921. Definitions**

In this chapter:

**(1) Account; correspondent account; payable-through account**

The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31.

**(2) Appropriate congressional committees**

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

**(3) Defense article; defense service; training**

The terms “defense article”, “defense service”, and “training” have the meanings given those terms in section 2794 of this title.

**(4) Financial institution**

The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31.

**(5) Foreign financial institution**

The term “foreign financial institution” has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

**(6) Foreign person**

The term “foreign person” means any individual or entity that is not a United States citizen, a permanent resident alien, or an entity organized under the laws of the United States or any jurisdiction within the United States.

**(7) Knowingly**

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

**(8) Russian person**

The term “Russian person” means—

(A) an individual who is a citizen or national of the Russian Federation; or

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

**(9) Special Russian crude oil project**

The term “special Russian crude oil project” means a project intended to extract crude oil from—

(A) the exclusive economic zone of the Russian Federation in waters more than 500 feet deep;

(B) Russian Arctic offshore locations; or

(C) shale formations located in the Russian Federation.

(Pub. L. 113–272, § 2, Dec. 18, 2014, 128 Stat. 2952.)

SHORT TITLE

Pub. L. 113–272, § 1(a), Dec. 18, 2014, 128 Stat. 2952, provided that: “This Act [enacting this chapter] may be cited as the ‘Ukraine Freedom Support Act of 2014’.”

**§ 8922. Statement of policy regarding Ukraine**

It is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and territorial integrity to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and

Eastern Europe, the Caucasus, and Central Asia. That policy shall be carried into effect, among other things, through a comprehensive effort, in coordination with allies and partners of the United States where appropriate, that includes economic sanctions, diplomacy, assistance for the people of Ukraine, and the provision of military capabilities to the Government of Ukraine that will enhance the ability of that Government to defend itself and to restore its sovereignty and territorial integrity in the face of unlawful actions by the Government of the Russian Federation.

(Pub. L. 113–272, § 3, Dec. 18, 2014, 128 Stat. 2953.)

**§ 8923. Sanctions relating to the defense and energy sectors of the Russian Federation**

**(a) Sanctions relating to the defense sector**

**(1) Rosoboronexport**

Except as provided in subsection (d), not later than 30 days after December 18, 2014, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to Rosoboronexport.

**(2) Russian producers, transferors, or brokers of defense articles**

Except as provided in subsection (d), on and after the date that is 45 days after December 18, 2014, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person the President determines—

(A) is an entity—

(i) owned or controlled by the Government of the Russian Federation or owned or controlled by nationals of the Russian Federation; and

(ii) that—

(I) knowingly manufactures or sells defense articles transferred into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country;

(II) transfers defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(III) brokers or otherwise assists in the transfer of defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(B) knowingly, on or after December 18, 2014, assists, sponsors, or provides financial, material, or technological support for, or goods or services to or in support of, an entity described in subparagraph (A) with respect to an activity described in clause (ii) of that subparagraph.

**(3) Specified country defined**

**(A) In general**

In this subsection, the term “specified country” means—

(i) Ukraine, Georgia, and Moldova; and

(ii) any other country designated by the President as a country of significant concern for purposes of this subsection, such as Poland, Lithuania, Latvia, Estonia, and the Central Asia republics.

**(B) Notice to Congress**

The President shall notify the appropriate congressional committees in writing not later than 15 days before—

(i) designating a country as a country of significant concern under subparagraph (A)(ii); or

(ii) terminating a designation under that subparagraph, including the termination of any such designation pursuant to subsection (h).

**(b) Sanctions related to the energy sector**

**(1) Development of special Russian crude oil projects**

Except as provided in subsection (d), on and after the date that is 45 days after December 18, 2014, the President may impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person if the President determines that the foreign person knowingly makes a significant investment in a special Russian crude oil project.

**(2) Authorization for extension of licensing limitations on certain equipment**

The President, through the Bureau of Industry and Security of the Department of Commerce or the Office of Foreign Assets Control of the Department of the Treasury, as appropriate, may impose additional licensing requirements for or other restrictions on the export or reexport of items for use in the energy sector of the Russian Federation, including equipment used for tertiary oil recovery.

**(3) Contingent sanction relating to Gazprom**

If the President determines that Gazprom is withholding significant natural gas supplies from member countries of the North Atlantic Treaty Organization, or further withholds significant natural gas supplies from countries such as Ukraine, Georgia, or Moldova, the President shall, not later than 45 days after making that determination, impose the sanction described in subsection (c)(7) and at least one additional sanction described in subsection (c) with respect to Gazprom.

**(c) Sanctions described**

The sanctions the President may impose with respect to a foreign person under subsection (a) or (b) are the following:

**(1) Export-Import Bank assistance**

The President may direct the Export-Import Bank of the United States not to approve the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the foreign person.

**(2) Procurement sanction**

The President may prohibit the head of any executive agency (as defined in section 133 of title 41) from entering into any contract for the procurement of any goods or services from the foreign person.