

## HR 8038

### 21st Century Peace through Strength Act

**Congress:** 118 (2023–2025, Ended)

**Chamber:** House

**Policy Area:** International Affairs

**Introduced:** Apr 17, 2024

**Current Status:** Pursuant to the provisions of H. Res. 1160, H.R. 8038 is laid on the table.

**Latest Action:** Pursuant to the provisions of H. Res. 1160, H.R. 8038 is laid on the table. (Apr 23, 2024)

**Official Text:** <https://www.congress.gov/bill/118th-congress/house-bill/8038>

### Sponsor

**Name:** Rep. McCaul, Michael T. [R-TX-10]

**Party:** Republican • **State:** TX • **Chamber:** House

### Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Del. Radewagen, Aumua Amata Coleman [R-AS-At Large]	R · AS		Apr 18, 2024
Rep. Green, Mark E. [R-TN-7]	R · TN		Apr 18, 2024
Rep. Hill, J. French [R-AR-2]	R · AR		Apr 18, 2024
Rep. Kean, Thomas H. [R-NJ-7]	R · NJ		Apr 18, 2024
Rep. Lawler, Michael [R-NY-17]	R · NY		Apr 18, 2024
Rep. Salazar, Maria Elvira [R-FL-27]	R · FL		Apr 18, 2024
Rep. Wilson, Joe [R-SC-2]	R · SC		Apr 18, 2024
Rep. Crenshaw, Dan [R-TX-2]	R · TX		Apr 19, 2024
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Apr 19, 2024
Rep. Lamborn, Doug [R-CO-5]	R · CO		Apr 19, 2024

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Apr 17, 2024
Budget Committee	House	Referred To	Apr 17, 2024
Energy and Commerce Committee	House	Referred To	Apr 17, 2024
Financial Services Committee	House	Referred To	Apr 17, 2024
Foreign Affairs Committee	House	Referred To	Apr 17, 2024
Judiciary Committee	House	Referred To	Apr 17, 2024
Rules Committee	House	Referred To	Apr 17, 2024
Transportation and Infrastructure Committee	House	Referred To	Apr 17, 2024
Ways and Means Committee	House	Referred To	Apr 17, 2024

## Subjects & Policy Tags

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### Policy Area:

International Affairs

### Related Bills

Bill	Relationship	Last Action
118 HR 6322	Related bill	<b>Dec 12, 2024:</b> Placed on the Union Calendar, Calendar No. 704.
118 HR 815	Related bill	<b>Apr 24, 2024:</b> Became Public Law No: 118-50.
118 HRES 1160	Procedurally related	<b>Apr 19, 2024:</b> Motion to reconsider laid on the table Agreed to without objection.
118 HR 4681	Related bill	<b>Apr 17, 2024:</b> Received in the Senate and Read twice and referred to the Committee on Foreign Relations.
118 HR 5917	Related bill	<b>Apr 17, 2024:</b> Received in the Senate and Read twice and referred to the Committee on Foreign Relations.
118 HR 6245	Related bill	<b>Apr 17, 2024:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
118 HR 6603	Related bill	<b>Apr 17, 2024:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
118 HR 5923	Related bill	<b>Apr 16, 2024:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
118 HR 3152	Related bill	<b>Sep 13, 2023:</b> Received in the Senate and Read twice and referred to the Committee on Foreign Relations.

## **21st Century Peace Through Strength Act**

### **Highlights:**

This bill establishes law on various foreign policy matters. For example, the bill

- requires the President to impose property-blocking sanctions on foreign persons (i.e., individuals and entities) associated with transnational criminal organizations that traffic fentanyl;
- authorizes the President to seize and transfer certain Russian sovereign assets to fund Ukrainian war compensation or reconstruction;
- prohibits entities in the United States from distributing, updating, or maintaining a website or application operated by ByteDance, Ltd., TikTok, or certain other entities;
- prohibits data brokers from providing personally identifiable sensitive data of U.S. persons to foreign adversary countries;
- imposes property-, docking-, and visa-blocking sanctions on foreign persons operating ports, ships, and refineries supporting Iranian petroleum exports;
- imposes property- and visa-blocking sanctions on foreign persons supporting Iranian missile programs and on certain Iranian leaders;
- imposes property-blocking sanctions on foreign states providing material support to Hamas or Palestinian Islamic Jihad; requires the United States to regulate exports of certain foreign-produced items related to Iran;
- extends the authority of the President to impose sanctions on foreign persons using human shields;
- imposes property- and visa-blocking sanctions on foreign persons involved in the trafficking of captagon;
- requires U.S. financial institutions to close certain accounts related to Iranian leaders and the Department of the Treasury to seek the closure of such accounts in foreign financial institutions; and
- prohibits U.S. financial institutions from opening or maintaining certain accounts with Chinese financial institutions that support Iranian petroleum exports.

### **Full Summary:**

#### **DIVISION A--FEND OFF FENTANYL ACT**

##### *Fentanyl Eradication and Narcotics Deterrence Off Fentanyl or the FEND Off Fentanyl Act*

#### **TITLE I--SANCTIONS MATTERS**

##### **Subtitle A--Sanctions in Response to National Emergency Relating to Fentanyl Trafficking**

(Sec. 3101) This section expresses that the policy of the United States is to apply economic and other financial sanctions to those who engage in the international trafficking of fentanyl, fentanyl precursors, or other related opioids.

(Sec. 3102) This section provides statutory authority for the President to exercise national emergency authorities to impose sanctions on those engaged in international fentanyl trafficking and requires the President to report to Congress on actions taken related to such sanctions or the declaration of a related national emergency.

(Sec. 3103) The President shall impose property-blocking sanctions on foreign persons (i.e., individuals and entities) associated with transnational criminal organizations that traffic fentanyl.

(Sec. 3104) This section applies civil and criminal penalties for violations associated with presidential emergency economic powers to international trafficking of fentanyl; it also provides for a waiver for sanctions if the President determines it is in U.S. national security interests and exceptions for intelligence activities, law enforcement, international obligations, and humanitarian assistance.

(Sec. 3105) This section requires any forfeited property from the imposition of sanctions on certain transnational criminal organizations to be deposited in the Department of the Treasury Forfeiture Fund.

#### Subtitle B--Other Matters

(Sec. 3111) This section establishes a 10-year statute of limitations on violations of sanctions imposed under the International Emergency Economic Powers Act or the Trading With The Enemy Act.

(Sec. 3112) Treasury's Office of Foreign Assets Control must provide a classified report and briefing to Congress on its staffing.

(Sec. 3113) This section requires Treasury to provide a classified report and briefing to Congress on efforts to target drug transportation routes and modalities.

(Sec. 3114) This section requires Treasury to provide a classified report and briefing to Congress on Chinese actions with respect to persons involved in the trafficking of fentanyl.

### TITLE II--ANTI-MONEY LAUNDERING MATTERS

(Sec. 3201) This section authorizes Treasury, to address money laundering in connection with illicit opioid trafficking, to (1) prohibit or impose conditions on transmittals of funds by domestic financial institutions, or (2) require such institutions to take special measures for certain accounts or transactions.

(Sec. 3202) This section requires Treasury's Financial Crimes Enforcement Network to issue guidance or instructions to U.S. financial institutions for filing reports on suspicious transactions related to suspected fentanyl trafficking by transnational criminal organizations.

(Sec. 3203) Treasury must report to Congress (in its first update to a currently required strategy on combating the financing of terrorism) on trade-based money laundering originating in Mexico or China and involving Burma.

### TITLE III--EXCEPTION RELATING TO IMPORTATION OF GOODS

(Sec. 3301) This section excepts the importation of goods from any authorization or requirement for imposing sanctions under this division.

### DIVISION B--REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT

#### TITLE I

*Rebuilding Economic Prosperity and Opportunity for Ukrainians Act or the REPO for Ukrainians Act*

#### TITLE II--REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

(Sec. 103) This section prohibits the release of any Russian sovereign asset (funds of the Russian Central Bank, the Russian National Wealth Fund, or the Russian Ministry of Finance, as well as any other funds or property owned by the

Russian government) until the President certifies to Congress that certain conditions are met regarding compensation for Ukraine. A release may be prohibited by a joint resolution of disapproval enacted into law.

(Sec. 104) This section requires financial institutions to notify Treasury of any Russian sovereign assets located at the institution. The President must report to Congress where Russian sovereign assets are located and may seize, confiscate, transfer, or vest any Russian (or Belarusian, if Belarus has engaged in an act of war against Ukraine) sovereign assets and transfer them to a Ukraine Support Fund. The Ukraine Support Fund shall fund war compensation or reconstruction in Ukraine.

(Sec. 105) The President shall coordinate with the G7, the European Union, Australia, and other partners and allies regarding the disposition of immobilized Russian or Belarusian assets to establish an international mechanism for assisting Ukraine, which may include the establishment of an international Ukraine Compensation Fund to which seized assets transferred to the Ukraine Support Fund may be transferred.

#### DIVISION C--OTHER MATTERS

(Sec. 1) This section requires the President to impose sanctions on foreign persons (1) currently subject to certain European Union or United Kingdom sanctions, and (2) who meet the criteria for imposition of certain U.S. sanctions. The President must identify to Congress each foreign person who meets these criteria.

#### DIVISION D--PROTECTING AMERICANS FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS ACT

##### *Protecting Americans from Foreign Adversary Controlled Applications Act*

(Sec. 2) This section prohibits entities from distributing, maintaining, or updating a website, desktop application, mobile application, or augmented or immersive technology that is operated, directly or indirectly, by ByteDance, Ltd., TikTok, or by an entity that (1) is owned or controlled by a foreign adversary, and (2) the President determines poses a threat to national security. The prohibition comes into effect 270 days after enactment for ByteDance or TikTok, or 270 days after the presidential determination for any other foreign adversary application. The prohibition does not apply if the application is divested from foreign adversary control prior to the end of the 270-day period. Upon certain certifications, the President may extend the deadlines by up to 90 days one time.

(Sec. 3) This section grants the U.S. Court of Appeals for the District of Columbia Circuit exclusive jurisdiction over challenges to this division.

#### DIVISION E--PROTECTING AMERICANS' DATA FROM FOREIGN ADVERSARIES ACT OF 2024

##### *Protecting Americans' Data from Foreign Adversaries Act of 2024*

(Sec. 2) This section prohibits data brokers from selling, licensing, renting, trading, transferring, releasing, disclosing, providing access to, or otherwise making available personally identifiable sensitive data of U.S. individuals to (1) any foreign adversary country, or (2) any entity controlled by a foreign adversary.

#### DIVISION F--SHIP ACT

##### *Stop Harboring Iranian Petroleum Act or the SHIP Act*

(Sec. 3) This section requires the President to impose property- and visa-blocking sanctions on foreign persons operating ports, ships, and refineries supporting Iranian petroleum exports. The President may impose sanctions prohibiting

docking of vessels as well. Sanctions under this section shall not apply to transactions for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance. The President may waive the imposition of such sanctions for up to 180 days for national security interests.

(Sec. 4) The Energy Information Administration shall report annually on Iran's exports of petroleum and petroleum products.

(Sec. 5) This section requires the Department of State to provide a strategy and briefing to Congress on the role of China in the evasion of U.S.-imposed sanctions with respect to Iranian-origin petroleum products.

## DIVISION G--FIGHT CRIME ACT

### *Fight and Combat Rampant Iranian Missile Exports Act or the Fight CRIME Act*

(Sec. 4) This section requires the Department of State to report to Congress on various topics, including (1) a diplomatic strategy to renew international restrictions on certain missile-related activities set forth in Annex B of U.N. Security Council Resolution 2231, which concerns restrictions on arms transfers to and from Iran; (2) the identities of foreign persons engaging in restricted activity under Annex B; and (3) an analysis of the foreign and domestic supply chains that facilitate Iran's missile or drone programs.

(Sec. 5) This section requires the President to impose visa- and property-blocking sanctions on foreign persons (i.e., foreign individuals, entities, and states) that are knowingly involved with Iran or Iran-aligned entities in certain missile-related activities, such as (1) acquiring, possessing, developing, transporting, transferring, or deploying missiles or related items and technology that are covered by the Missile Technology Control Regime (MTCR), or (2) developing missile or drone technologies. (The MTCR is an informal political understanding among states that seek to limit missile proliferation.)

The President must also impose sanctions on (1) certain adult family members of those who are subject to the sanctions discussed above, and (2) foreign persons who knowingly provide significant support to or engage in a significant transaction with those subject to the sanctions.

## DIVISION H-MAHSA ACT

### *Mahsa Amini Human rights and Security Accountability Act or the MAHSA Act*

(Sec. 2) This section requires the President to impose property- and visa-blocking sanctions on certain foreign persons (individuals and entities) affiliated with Iran.

The President must periodically make determinations about whether certain existing sanctions apply to specified foreign persons and impose the applicable sanctions, including determinations concerning (1) the Supreme Leader of Iran and any official in the Office of the Supreme Leader of Iran, (2) the President of Iran and any official in the Office of the President of Iran, and (3) any entity overseen by the Office of the Supreme Leader of Iran which is complicit in supporting human rights abuses or terrorism.

## DIVISION I--HAMAS AND OTHER PALESTINIAN TERRORIST GROUPS INTERNATIONAL FINANCING PREVENTION ACT

### *Hamas and Other Palestinian Terrorist Groups International Financing Prevention Act*

(Sec. 3) This section imposes sanctions targeting Hamas, Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, and any affiliate or successor groups.

The President must impose property-blocking sanctions on foreign persons that knowingly (1) provide certain types of support (such as significant financial or technological support) for acts of terrorism, or (2) engage in a significant transaction with a senior member of the targeted groups or with a senior member of a foreign terrorist organization providing support to the targeted groups.

(Sec. 4) This section requires the President to impose measures on foreign states that (1) provide significant material and financial support for acts of international terrorism, (2) provide significant material support to the targeted groups, or (3) engage in significant transactions that materially contribute to the terrorist activities of the targeted groups. The President must bar these governments for one year from receiving U.S. assistance and exports of controlled munitions and other items. Treasury must instruct U.S. leadership of international financial institutions to oppose providing assistance to an identified government for one year. (Sec. 5) This section requires the President to periodically report to Congress on specified topics related to the targeted groups, such as the groups' assets and activities and a list of foreign states that conduct significant fundraising, financing, or money laundering activities for the groups.

## DIVISION J--NO TECHNOLOGY FOR TERROR ACT

### *No Technology for Terror Act*

(Sec. 2) This section requires the United States to regulate the export of certain foreign-produced items destined for Iran. Such foreign-produced items to be controlled are items that are direct products of or produced in a plant that is a direct product of U.S.-origin technology subject to the Export Administration Regulations and specified in a covered Export Control Classification Number. A license shall be required to export, re-export, or in-country transfer such controlled items.

## DIVISION K--STRENGTHENING TOOLS TO COUNTER THE USE OF HUMAN SHIELDS ACT

### *Strengthening Tools to Counter the Use of Human Shields Act*

(Sec. 3) This section extends the authority of the President to impose sanctions on foreign persons using human shields through 2030 and requires the President to impose such sanctions on each foreign person determined to be a member of Palestine Islamic Jihad who orders, controls, or otherwise directs the use of human shields. Currently, such sanctions are (1) required for users of human shields who are members of Hamas or Hezbollah or supporters of those groups, and (2) authorized for other users of human shields.

(Sec. 4) The Department of Defense must report to Congress on the implications of the use of human shields by Hamas, Hezbollah, and Palestine Islamic Jihad.

(Sec. 5) This section authorizes the President to impose property- and visa-blocking sanctions on foreign persons determined to have been responsible for or contributed to foreign cyber-enabled activities that pose a significant threat to the national security, foreign policy, or economic health of the United States.

(Sec. 6) This section requires the President to impose property- and visa-blocking sanctions on foreign persons determined to have ordered, directed, or taken material steps to carry out any use of violence or threatened to use violence against current or former U.S. government officials.

## DIVISION L--ILLICIT CAPTAGON TRAFFICKING SUPPRESSION ACT

### *Illicit Captagon Trafficking Suppression Act of 2023*

(Sec. 4) This section requires the President to impose sanctions on foreign persons determined to engage in activities or transactions to contribute to the illicit production and proliferation of captagon. *Captagon* is a marketing name for amphetamine-type stimulants. The bill requires sanctions on any foreign person the President determines (1) engages in activities or transactions contributing to the illicit production and international trafficking of captagon, or (2) knowingly receives property from those activities. The sanctions include blocking of property; ineligibility for U.S. visas, admission, or parole; and revocation of current visas.

(Sec. 5) The President must report to Congress on whether certain Syrian and Hezbollah leaders meet the criteria established in this division for imposing sanctions.

## DIVISION M--END FINANCING FOR HAMAS AND STATE SPONSORS OF TERRORISM ACT

### *End Financing for Hamas and State Sponsors of Terrorism Act*

(Sec. 2) This section requires Treasury to report to Congress on the major sources of funding to Hamas, with an evaluation of U.S. efforts to undermine Hamas's ability to finance armed hostilities against Israel.

(Sec. 3) Treasury shall develop a strategy, in coordination with allies and partners, to ensure that Hamas is incapable of financing armed hostilities against Israel.

## DIVISION N--HOLDING IRANIAN LEADERS ACCOUNTABLE ACT

### *Holding Iranian Leaders Accountable Act of 2024*

(Sec. 3) This section requires the President to report on the estimated total funds held in domestic and international financial institutions by certain Iranian leaders.

(Sec. 4) U.S. financial institutions must close reported accounts and Treasury shall seek the closure of such accounts in foreign financial institutions.

(Sec. 5) This section provides for certain exceptions and waivers, such as for transactions that would serve vital U.S. national interests.

## DIVISION O--IRAN-CHINA ENERGY SANCTIONS ACT OF 2023

### *Iran-China Energy Sanctions Act of 2023*

(Sec. 2) This section prohibits U.S. financial institutions from opening or maintaining certain accounts with foreign financial institutions that (1) are Chinese and engaged in the purchase of petroleum or petroleum products from Iran; or (2) engaged in the purchase of Iranian unmanned aerial vehicles (UAVs), UAV parts, or related systems.

## DIVISION P--BUDGETARY EFFECTS

(Sec. 1) This section exempts the budgetary effects of this division from (1) the Statutory Pay-As-You-Go Act of 2010 (PAYGO), (2) the Senate PAYGO rule, and (3) certain budget scorekeeping rules.

## Actions Timeline

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- **Apr 23, 2024:** Pursuant to the provisions of H. Res. 1160, H.R. 8038 is laid on the table.
- **Apr 20, 2024:** Considered under the provisions of rule H. Res. 1160. (consideration: CR H2561-2587; text: CR H2565-2585)
- **Apr 20, 2024:** Rule provides for consideration of H.R. 8034, H.R. 8035, H.R. 8036 and H.R. 8038. The resolution provides for consideration of H.R. 8034 under a closed rule and H.R. 8035, H.R. 8036, and H.R. 8038 under a structured rule. Provides for 30 minutes of general debate and one motion recommit on each bill. Rule also provides that upon disposition of the bills under consideration, the House will be considered to have taken from the Speaker's table H.R. 815 and to have concurred in the Senate amendment with an amendment inserting the texts of all bills as passed by the House, if passed.
- **Apr 20, 2024:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1160 and Rule XVIII.
- **Apr 20, 2024:** The Speaker designated the Honorable Virginia Foxx to act as Chairwoman of the Committee.
- **Apr 20, 2024:** GENERAL DEBATE - The Committee of the Whole proceeded with 30 minutes of general debate on H.R. 8038.
- **Apr 20, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1160, the Committee of the Whole proceeded with 10 minutes of debate on the Gimenez amendment No. 1.
- **Apr 20, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1160, the Committee of the Whole proceeded with 10 minutes of debate on the Nunn (IA) amendment No. 2.
- **Apr 20, 2024:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Nunn (IA) amendment No. 2, the Chair put the question on agreeing to the amendment and by voice vote, announced the ayes had prevailed. Mr. Meeks demanded a recorded vote, and the Chair postponed further proceedings until a time to be announced.
- **Apr 20, 2024:** Mr. McCaul moved that the committee rise.
- **Apr 20, 2024:** On motion that the committee rise Agreed to by voice vote.
- **Apr 20, 2024:** Committee of the Whole House on the state of the Union rises leaving H.R. 8038 as unfinished business.
- **Apr 20, 2024:** Considered as unfinished business. (consideration: CR H2615-2617)
- **Apr 20, 2024:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Apr 20, 2024:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 8038.
- **Apr 20, 2024:** The previous question was ordered pursuant to the rule.
- **Apr 20, 2024:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 20, 2024:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 360 - 58 (Roll no. 145).
- **Apr 20, 2024:** On passage Passed by the Yeas and Nays: 360 - 58 (Roll no. 145).
- **Apr 20, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 19, 2024:** Rules Committee Resolution H. Res. 1160 Reported to House. Rule provides for consideration of H.R. 8034, H.R. 8035, H.R. 8036 and H.R. 8038. The resolution provides for consideration of H.R. 8034 under a closed rule and H.R. 8035, H.R. 8036, and H.R. 8038 under a structured rule. Provides for 30 minutes of general debate and one motion recommit on each bill. Rule also provides that upon disposition of the bills under consideration, the House will be considered to have taken from the Speaker's table H.R. 815 and to have concurred in the Senate amendment with an amendment inserting the texts of all bills as passed by the House, if passed.
- **Apr 19, 2024:** Rule H. Res. 1160 passed House. (consideration: CR H2563-2587; text: CR H2565-2585)
- **Apr 17, 2024:** Introduced in House
- **Apr 17, 2024:** Referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Ways and Means, Armed Services, the Budget, Rules, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.