

117TH CONGRESS  
2D SESSION

# H. R. 7185

To prohibit Federal procurement from companies operating in the Russian Federation, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2022

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To prohibit Federal procurement from companies operating in the Russian Federation, 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 “Federal Contracting  
5 for Peace and Security Act”.

6 **SEC. 2. PURPOSE.**

7 It is the policy of the Federal Government not to con-  
8 duct business with companies that undermine United  
9 States national security interests and international law by  
10 continuing to operate in the Russian Federation during

1 its ongoing war of aggression against Ukraine and the  
2 peaceful citizens of Ukraine and the resulting global hu-  
3 manitarian and refugee crisis.

4 **SEC. 3. PROHIBITION ON PROCUREMENT.**

5 (a) PROHIBITION.—The head of an executive agency  
6 may not enter into, continue, extend, or renew a covered  
7 contract to procure any product or service from a company  
8 conducting business operations in territory internationally  
9 recognized as the Russian Federation during the covered  
10 period of aggression.

11 (b) EXISTING COVERED CONTRACTS.—The head of  
12 an executive agency shall terminate any covered contract  
13 and initiate termination proceedings on or before the day  
14 that is 30 days after the date of the enactment of this  
15 Act.

16 (c) EXEMPTION.—The prohibition under subsection  
17 (a) and the requirement under subsection (b) shall not  
18 apply to the procurement of products or services for—

19 (1) the benefit, either directly or through the  
20 efforts of regional allies, of the country of Ukraine;  
21 or

22 (2) humanitarian purposes to meet basic human  
23 needs.

24 (d) NATIONAL INTEREST WAIVER.—

1           (1) IN GENERAL.—The head of an executive  
2           agency is authorized to waive the prohibition under  
3           subsection (a) and the requirement under subsection  
4           (b) with respect to a covered contract if the head of  
5           the agency certifies in writing to the President that  
6           such waiver is in the national interest of the United  
7           States, and includes in such certification a justifica-  
8           tion for the waiver and description of the product or  
9           service to which the waiver applies. The authority in  
10          this paragraph may not be delegated.

11          (2) CONGRESSIONAL NOTIFICATION.—The head  
12          of an executive agency shall, not later than 7 days  
13          before issuing a waiver described in paragraph (1),  
14          submit to the appropriate congressional committees  
15          the certification described in such paragraph.

16          (e) DEFINITIONS.—In this section:

17               (1) APPROPRIATE CONGRESSIONAL COMMIT-  
18               TEES.—The term “appropriate congressional com-  
19               mittees” means the Committee on Homeland Secu-  
20               rity and Governmental Affairs of the Senate and the  
21               Committee on Oversight and Reform of the House  
22               of Representatives.

23               (2) BUSINESS OPERATIONS.—The term “busi-  
24               ness operations” means engaging in commerce in  
25               any form, including acquiring, developing, selling,

1 leasing, or operating equipment, facilities, personnel,  
2 products, services, personal property, real property,  
3 or any other apparatus of business or commerce.

4 (3) COVERED CONTRACT.—The term “covered  
5 contract” means a prime contract or a prime con-  
6 tract that includes a subcontract at any tier to pro-  
7 cure any product or service from a company (includ-  
8 ing any parent, subsidiary, successor entity, or bene-  
9 ficial owner of such company) conducting business  
10 operations in territory internationally recognized as  
11 the Russian Federation during the covered period of  
12 aggression.

13 (4) COVERED PERIOD OF AGGRESSION.—The  
14 term “covered period of aggression” means the pe-  
15 riod of time beginning February 21, 2022, and end-  
16 ing on a date that is determined jointly by the Sec-  
17 retary of State and the Secretary of the Treasury  
18 based on steps taken by the Russian Federation to  
19 restore the safety, sovereignty, and condition of the  
20 country of Ukraine.

21 (5) EXECUTIVE AGENCY.—The term “executive  
22 agency” has the meaning given the term in section  
23 133 of title 41, United States Code.

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