

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. WILSON OF SOUTH CAROLINA**

Add at the end of title XVII the following new subtitle:

**1 Subtitle \_\_\_\_\_—Mobilizing and En-**  
**2 hancing Georgia’s Options for**  
**3 Building Accountability, Resil-**  
**4 ience, and Independence**  
**5 (MEGOBARI)**

**6 SEC. \_\_\_\_ 1. DEFINITIONS.**

**7** In this subtitle:

**8** (1) The term “appropriate congressional com-  
**9** mittees” means—

**10** (A) the Committee on Foreign Relations of  
**11** the Senate;

**12** (B) the Committee on Appropriations of  
**13** the Senate;

**14** (C) the Committee on Foreign Affairs of  
**15** the House of Representatives; and

**16** (D) the Committee on Appropriations of  
**17** the House of Representatives.

**18** (2) The term “NATO” means the North Atlan-  
**19** tic Treaty Organization.

1           (3) The term “Secretary” means the Secretary  
2       of State.

3 **SEC. \_\_\_\_ 2. SENSE OF CONGRESS.**

4       It is the sense of Congress that—

5           (1) the progress made by the people of Georgia  
6       in forging an innovative and productive society since  
7       the country’s independence from the Soviet Union  
8       should be applauded;

9           (2) the consolidation of democracy in Georgia is  
10      critical for regional stability and United States na-  
11      tional interests;

12          (3) Georgia has seen significant democratic  
13      backsliding in recent years, as evidenced by numer-  
14      ous independent assessments and measures;

15          (4) the current Georgian government is increas-  
16      ingly hostile towards independent domestic civil soci-  
17      ety and its chief Euro-Atlantic partners while in-  
18      creasingly embracing enhanced ties with the Russian  
19      Federation, the People’s Republic of China, and  
20      other anti-Western authoritarian regimes;

21          (5) the United States has an interest in pro-  
22      tecting and securing democracy in Georgia; and

23          (6) the Secretary should suspend the United  
24      States-Georgia Strategic Partnership Commission,  
25      established through the United States-Georgia Char-

1       ter on Strategic Partnership on January 9, 2009,  
2       until after the Government of Georgia takes meas-  
3       ures—

4               (A) to represent the democratic wishes of  
5       the citizens of Georgia; and

6               (B) to uphold its constitutional obligation  
7       to advance the country towards membership in  
8       the European Union and NATO.

9   **SEC. \_\_\_\_ 3. STATEMENT OF POLICY.**

10   It is the policy of the United States—

11           (1) to support the constitutionally stated aspi-  
12   rations of Georgia to become a member of the Euro-  
13   pean Union and NATO, which is made clear under  
14   Article 78 of the Constitution of Georgia and is sup-  
15   ported by the overwhelming majority of the citizens  
16   of Georgia;

17           (2) to continue supporting the capacity of the  
18   Government of Georgia to protect its sovereignty  
19   and territorial integrity from further Russian ag-  
20   gression or encroachment within its internationally  
21   recognized borders;

22           (3) to call on all political parties and elected  
23   Members of the Parliament of Georgia to continue  
24   working on addressing the reform plan outlined by  
25   the European Commission to resume Georgia's re-

1       cently granted candidate status through an inclusive  
2       and transparent consultation process that involves  
3       opposition parties and civil society organizations,  
4       which the people of Georgia have freely elected to  
5       pursue;

6               (4) to reevaluate its relationship with the Gov-  
7       ernment of Georgia and review all forms of foreign  
8       and security assistance made available to the Gov-  
9       ernment if it takes the required steps—

10              (A) to reorient itself toward its European  
11       Union accession agenda; and

12              (B) to advance policy or legislation reflect-  
13       ing the express wishes of the Georgian people;

14              (5) to emphasize the importance of contributing  
15       to international efforts—

16              (A) to combat Russian aggression, includ-  
17       ing through sanctions on trade with Russia and  
18       the implementation and enforcement of world-  
19       wide sanctions on Russia; and

20              (B) to reduce, rather than increase, trade  
21       ties between Georgia and Russia;

22              (6) to continue supporting the ongoing develop-  
23       ment of democratic values in Georgia, including free  
24       and fair elections, freedom of association, an inde-  
25       pendent and accountable judiciary, an independent

1 media, public-sector transparency and accountability,  
2 the rule of law, countering malign influence, and  
3 anti-corruption efforts and to impose swift consequences on individuals who are directly responsible  
4 for leading or have directly and knowingly engaged  
5 in leading actions of policies that significantly undermine those standards;  
6  
7

8 (7) to continue to support the Georgian people  
9 and civil society organizations that reflect the aspirations of the Georgian people for democracy and a  
10 future with the people of Europe;  
11

12 (8) to continue supporting the right of the  
13 Georgian people to freely engage in peaceful protest, determine their future, and make independent and  
14 sovereign choices on foreign and security policy, including regarding Georgia's relationship with other  
15 countries and international organizations, without  
16 interference, intimidation, or coercion by other countries or those acting on their behalf;  
17  
18

19 (9) to call on all political parties, elected Members of the Parliament of Georgia, and officers of  
20 the Ministry of Internal Affairs of Georgia to respect the freedoms of peaceful assembly, association, and  
21 expression, including for the press, and the rule of  
22  
23  
24

1 law, and encourage a vibrant and inclusive civil soci-  
2 ety;

3 (10) to call on the Government of Georgia to  
4 release all persons detained or imprisoned on politi-  
5 cally motivated grounds and drop any pending  
6 charges against them;

7 (11) to call on the Government of Georgia to  
8 thoroughly investigate all allegations emerging from  
9 the recent national elections, which took place on  
10 October 2024, make a determination whether the  
11 elections should be judged as illegitimate and hold  
12 those responsible for interference in the elections;  
13 and

14 (12) to continue impressing upon the Govern-  
15 ment of Georgia that the United States is committed  
16 to sustaining and deepening bilateral relations and  
17 supporting Georgia's Euro-Atlantic aspirations.

18 **SEC. \_\_\_\_ 4. REPORTS AND BRIEFINGS.**

19 (a) REPORT ON RUSSIAN INTELLIGENCE ASSETS IN  
20 GEORGIA.—Not later than 180 days after the date of the  
21 enactment of this Act, the Secretary of State, in coordina-  
22 tion with the Director of National Intelligence and the  
23 Secretary of Defense, shall submit to the appropriate com-  
24 mittees of Congress a classified report, prepared con-  
25 sistent with the protection of sources and methods, exam-

1 ining the penetration of Russian intelligence elements and  
2 their assets in Georgia, that includes an annex examining  
3 Chinese influence and the potential intersection of Rus-  
4 sian-Chinese cooperation in Georgia.

5 (b) 5-YEAR UNITED STATES STRATEGY FOR BILAT-  
6 ERAL RELATIONS WITH GEORGIA.—

7 (1) IN GENERAL.—Not later than 90 days after  
8 the date of the enactment of this Act, the Secretary  
9 of State, in coordination with the heads of other rel-  
10 evant Federal departments and agencies, shall sub-  
11 mit to the appropriate congressional committees a  
12 detailed strategy that—

13 (A) outlines specific objectives for enhanc-  
14 ing bilateral ties which reflect the current do-  
15 mestic political environment in Georgia;

16 (B) includes a determination of the tools,  
17 resources, and funding that should be available  
18 to achieve the objectives outlined pursuant to  
19 paragraph (1) and an assessment whether  
20 Georgia should remain the second-highest re-  
21 cipient of United States funding in the Europe  
22 and Eurasia region;

23 (C) includes a determination of the extent  
24 to which the United States should continue to  
25 invest in its partnership with Georgia;

1 (D) includes a plan for how the United  
2 States can continue to support civil society and  
3 independent media organizations in Georgia;  
4 and

5 (E) includes a determination whether the  
6 Government of Georgia remains committed to  
7 expanding trade ties with the United States and  
8 Europe and whether the United States Govern-  
9 ment should continue to invest in Georgian  
10 projects.

11 (2) FORM.—The report required by paragraph  
12 (1) shall be submitted in unclassified form, with a  
13 classified annex.

14 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-  
15 FINED.—In this section, the term “appropriate commit-  
16 tees of Congress” means—

17 (1) the Committee on Foreign Relations of the  
18 Senate, the Select Committee on Intelligence of the  
19 Senate, and the Committee on Armed Services of the  
20 Senate; and

21 (2) the Committee on Foreign Affairs of the  
22 House of Representatives, the Permanent Select  
23 Committee on Intelligence of the House of Rep-  
24 resentatives, and the Committee on Armed Services  
25 of the House of Representatives.

1 **SEC. \_\_\_\_ 5. SANCTIONS.**

2 (a) DEFINITIONS.—In this section:

3 (1) The terms “admission”, “admitted”, and  
4 “alien” have the meanings given such terms in sec-  
5 tion 101 of the Immigration and Nationality Act (8  
6 U.S.C. 1101).

7 (2) The term “appropriate committees of Con-  
8 gress” means—

9 (A) the Committee on Foreign Relations of  
10 the Senate;

11 (B) the Committee on Banking, Housing,  
12 and Urban Affairs of the Senate;

13 (C) the Committee on the Judiciary of the  
14 Senate;

15 (D) the Committee on Foreign Affairs of  
16 the House of Representatives;

17 (E) the Committee on the Judiciary of the  
18 House of Representatives; and

19 (F) the Committee on Financial Services  
20 of the House of Representatives.

21 (3) The term “foreign person” means any indi-  
22 vidual or entity that is not a United States person.

23 (4) The term “immediate family members” has  
24 the meaning given the term “immediate relatives” in  
25 section 201(b)(2)(A)(i) of the Immigration and Na-  
26 tionality Act (8 U.S.C. 1201(b)(2)(A)(i)).

1           (5) The term “knowingly”, with respect to con-  
2       duct, a circumstance, or a result, means that a per-  
3       son has actual knowledge, or should have known, of  
4       the conduct, the circumstance, or the result.

5           (6) The term “United States person” means—

6               (A) a United States citizen or an alien law-  
7       fully admitted for permanent residence to the  
8       United States;

9               (B) an entity organized under the laws of  
10      the United States or any jurisdiction within the  
11      United States, including a foreign branch of  
12      such an entity; or

13              (C) any person within the United States.

14       (b) INADMISSIBILITY OF OFFICIALS OF GOVERN-  
15   MENT OF GEORGIA AND CERTAIN OTHER INDIVIDUALS  
16   INVOLVED IN BLOCKING EURO-ATLANTIC INTEGRA-  
17   TION.—

18           (1) IN GENERAL.—Not later than 90 days after  
19      the date of the enactment of this Act, the President  
20      shall determine whether each of the following foreign  
21      persons has knowingly engaged in significant acts of  
22      corruption, or acts of violence or intimidation in re-  
23      lation to the blocking of Euro-Atlantic integration in  
24      Georgia:

1           (A) Any individual who, on or after Janu-  
2           ary 1, 2014, has served as a member of the  
3           Parliament of the Government of Georgia or as  
4           a current or former senior official of a Georgian  
5           political party.

6           (B) Any individual who is serving as an of-  
7           ficial in a leadership position working on behalf  
8           of the Government of Georgia, including law en-  
9           forcement, intelligence, judicial, or local or mu-  
10          nicipal government.

11          (C) An immediate family member of an of-  
12          ficial described in subparagraph (A) or a person  
13          described in subparagraph (B) who benefitted  
14          from the conduct of such official or person.

15          (2) SANCTIONS.—The President shall impose  
16          the sanctions described in subsection (d)(2) with re-  
17          spect to each foreign person with respect to which  
18          the President has made an affirmative decision  
19          under paragraph (1).

20          (3) BRIEFING.—Not later than 90 days after  
21          the date of the enactment of this Act, the Secretary  
22          shall brief the appropriate committees of Congress  
23          with respect to—

1 (A) any foreign person with respect to  
2 which the President has made an affirmative  
3 determination under paragraph (1); and

4 (B) the specific facts that justify each such  
5 affirmative determination.

6 (4) WAIVER.—The President may waive imposi-  
7 tion of sanctions under this subsection on a case-by-  
8 case basis if the President determines and reports to  
9 the appropriate committees of Congress that—

10 (A) such waiver would serve national secu-  
11 rity interests; or

12 (B) the circumstances which caused the in-  
13 dividual to be ineligible have sufficiently  
14 changed.

15 (c) IMPOSITION OF SANCTIONS WITH RESPECT TO  
16 UNDERMINING PEACE, SECURITY, STABILITY, SOV-  
17 EREIGNTY OR TERRITORIAL INTEGRITY OF GEORGIA.—

18 (1) IN GENERAL.—The President may impose  
19 the sanctions described in subsection (d)(1) and  
20 shall impose the sanctions described in subsection  
21 (d)(2) with respect to each foreign person the Presi-  
22 dent determines, on or after the date of the enact-  
23 ment of this Act—

24 (A) is responsible for, complicit in, or has  
25 directly or indirectly engaged in or attempted to

1 engage in, actions or policies, including order-  
2 ing, controlling, or otherwise directing acts that  
3 are intended to undermine the peace, security,  
4 stability, sovereignty, or territorial integrity of  
5 Georgia;

6 (B) is or has been a leader or official of an  
7 entity that has, or whose members have, en-  
8 gaged in any activity described in subparagraph  
9 (A); or

10 (C) is an immediate family member of a  
11 person subject to sanctions for conduct de-  
12 scribed in subparagraph (A) or (B) and bene-  
13 fitted from the conduct of such person.

14 (2) BRIEF AND WRITTEN NOTIFICATION.—Not  
15 later than 10 days after imposing sanctions on a for-  
16 eign person or persons pursuant to this subsection,  
17 the President shall brief and provide written notifi-  
18 cation to the appropriate committees of Congress re-  
19 garding the imposition of such sanctions, which shall  
20 describe—

21 (A) the foreign person or persons subject  
22 to the imposition of such sanctions;

23 (B) the activity justifying the imposition of  
24 such sanctions; and

1 (C) the specific sanctions imposed on such  
2 foreign person or persons.

3 (3) WAIVER.—The President may waive the ap-  
4 plication of sanctions under this subsection with re-  
5 spect to a foreign person for renewable periods not  
6 to exceed 180 days if, not later than 15 days before  
7 the date on which such waiver is to take effect, the  
8 President submits to the appropriate committees of  
9 Congress a written determination and justification  
10 that the waiver is in the national security interests  
11 of the United States.

12 (d) SANCTIONS DESCRIBED.—The sanctions de-  
13 scribed in this subsection are the following with respect  
14 to a foreign person described in subsection (b) or (c), as  
15 applicable:

16 (1) BLOCKING OF PROPERTY.—Notwith-  
17 standing the requirements under section 202 of the  
18 International Emergency Economic Powers Act (50  
19 U.S.C. 1701), the President shall exercise all au-  
20 thorities granted under the International Emergency  
21 Economic Powers Act (50 U.S.C. 1701 et seq.) to  
22 the extent necessary to block and prohibit all trans-  
23 actions in property and interests in property of the  
24 foreign person if such property and interests in  
25 property are in the United States, come within the

1 United States, or are or come within the possession  
2 or control of a United States person.

3 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
4 PAROLE.—

5 (A) VISAS, ADMISSION, OR PAROLE.—A  
6 foreign person that is an alien shall be—

7 (i) inadmissible to the United States;

8 (ii) ineligible to receive a visa or other  
9 documentation to enter the United States;  
10 and

11 (iii) otherwise ineligible to be admitted  
12 or paroled into the United States or to re-  
13 ceive any other benefit under the Immigra-  
14 tion and Nationality Act (8 U.S.C. 1101 et  
15 seq.).

16 (B) CURRENT VISAS REVOKED.—The for-  
17 eign person shall be subject to the following:

18 (i) Revocation of any visa or other  
19 entry documentation regardless of when  
20 the visa or other entry documentation is or  
21 was issued.

22 (ii) A revocation under clause (i) shall  
23 take effect immediately and automatically  
24 cancel any other valid visa or entry docu-

1                   mentation that is in the foreign person's  
2                   possession.

3       (e) IMPLEMENTATION; PENALTIES.—

4           (1) IMPLEMENTATION.—The President may ex-  
5       ercise all authorities provided under sections 203  
6       and 205 of the International Emergency Economic  
7       Powers Act (50 U.S.C. 1702 and 1704) to carry out  
8       this section.

9           (2) PENALTIES.—A person that violates, at-  
10      tempts to violate, conspires to violate, or causes a  
11      violation of subsection (d)(2)(A) or any regulation,  
12      license, or order issued under that subsection shall  
13      be subject to the penalties set forth in subsections  
14      (b) and (c) of section 206 of the International Eco-  
15      nomic Powers Act (50 U.S.C. 1705) to the same ex-  
16      tent as a person that commits an unlawful act de-  
17      scribed in subsection (a) of that section.

18          (3) RULE OF CONSTRUCTION.—Nothing in this  
19      Act, or any amendment made by this Act, may be  
20      construed to limit the authority of the President to  
21      designate or sanction persons pursuant to an appli-  
22      cable Executive order or otherwise pursuant to the  
23      International Emergency Economic Powers Act (50  
24      U.S.C. 1701 et seq.).

25      (f) RULEMAKING.—

1           (1) IN GENERAL.—Not later than 120 days  
2       after the date of the enactment of this Act, the  
3       President shall prescribe such regulations as are  
4       necessary for the implementation of this section.

5           (2) NOTIFICATION TO CONGRESS.—Not later  
6       than 10 days before prescribing regulations pursu-  
7       ant to paragraph (1), the President shall notify the  
8       appropriate committees of Congress of the proposed  
9       regulations and the provisions of this section that  
10      the regulations are implementing.

11      (g) SANCTIONS WITH RESPECT TO BROADER COR-  
12      RUPTION IN GEORGIA.—

13           (1) DETERMINATION.—The President shall de-  
14      termine whether there are foreign persons who, on  
15      or after the date of the enactment of this Act, have  
16      engaged in significant corruption in Georgia or acts  
17      that are intended to undermine the peace, security,  
18      stability, sovereignty, or territorial integrity of Geor-  
19      gia for the purposes of potential imposition of sanc-  
20      tions pursuant to powers granted to the President  
21      under the International Emergency Economic Pow-  
22      ers Act (50 U.S.C. 1701 et seq.).

23           (2) REPORT.—

24           (A) IN GENERAL.—Not later than 180  
25      days after the date of the enactment of this

1 Act, the President shall submit a report to the  
2 appropriate committees of Congress that—

3 (i) identifies all foreign persons the  
4 President has determined, pursuant to this  
5 subsection, have engaged in significant cor-  
6 ruption in Georgia or committed acts that  
7 are intended to undermine the peace, secu-  
8 rity, stability, sovereignty, or territorial in-  
9 tegrity of Georgia;

10 (ii) the dates on which sanctions were  
11 imposed; and

12 (iii) the reasons for imposing such  
13 sanctions.

14 (B) FORM.—The report required under  
15 subparagraph (A) shall be provided in unclassi-  
16 fied form, but may include a classified annex.

17 (h) TERMINATION OF SANCTIONS.—Any sanctions  
18 imposed on a foreign person pursuant to this section shall  
19 terminate on the earlier of—

20 (1) the date on which the President certifies to  
21 the appropriate committees of Congress that the for-  
22 eign person is no longer engaging in the activities  
23 that led to the imposition of such sanction; or

24 (2) the sunset date described in section  
25 **\_\_\_\_\_7**].

1 (i) EXCEPTIONS.—

2 (1) DEFINITIONS.—In this section:

3 (A) The term “agricultural commodity”  
4 has the meaning given such term in section 102  
5 of the Agricultural Trade Act of 1978 (7  
6 U.S.C. 5602).

7 (B) The term “good” means any article,  
8 natural or man-made substance, material, sup-  
9 ply, or manufactured product, including inspec-  
10 tion and test equipment and excluding technical  
11 data.

12 (C) The term “medical device” has the  
13 meaning given the term “device” in section 201  
14 of the Federal Food, Drug, and Cosmetic Act  
15 (21 U.S.C. 321).

16 (D) The term “medicine” has the meaning  
17 given the term “drug” in section 201 of the  
18 Federal Food, Drug, and Cosmetic Act (21  
19 U.S.C. 321).

20 (2) EXCEPTIONS.—

21 (A) EXCEPTION RELATING TO INTEL-  
22 LIGENCE ACTIVITIES.—Sanctions under this  
23 section shall not apply to—

24 (i) any activity subject to the report-  
25 ing requirements under title V of the Na-

1            tional Security Act of 1947 (50 U.S.C.  
2            3091 et seq.); or

3            (ii) any authorized intelligence activi-  
4            ties of the United States.

5            (B) EXCEPTION TO COMPLY WITH INTER-  
6            NATIONAL OBLIGATIONS.—Sanctions under this  
7            section shall not apply with respect to a foreign  
8            person if admitting or paroling the person into  
9            the United States is necessary to permit the  
10           United States to comply with the Agreement re-  
11           garding the Headquarters of the United Na-  
12           tions, signed at Lake Success June 26, 1947,  
13           and entered into force November 21, 1947, be-  
14           tween the United Nations and the United  
15           States, or other applicable international obliga-  
16           tions.

17           (C) HUMANITARIAN ASSISTANCE.—Sanc-  
18           tions under this section shall not apply to—

19           (i) the conduct or facilitation of a  
20           transaction for the provision of agricultural  
21           commodities, food, medicine, medical de-  
22           vices, or humanitarian assistance, or for  
23           humanitarian purposes; or

1 (ii) transactions that are necessary  
2 for, or related to, the activities described in  
3 paragraph (1).

4 (j) EXCEPTION RELATING TO IMPORTATION OF  
5 GOODS.—The requirement to block and prohibit all trans-  
6 actions in all property and interests in property under this  
7 section shall not include the authority or a requirement  
8 to impose sanctions on the importation of goods.

9 **SEC. \_\_\_\_ 6. ADDITIONAL ASSISTANCE WITH RESPECT TO**  
10 **GEORGIA.**

11 (a) IN GENERAL.—Upon submission to Congress of  
12 the certification described in subsection (c)—

13 (1) the Secretary of State, in consultation with  
14 other heads of other relevant Federal departments  
15 and agencies, should seek to further enhance people-  
16 to-people contacts and academic exchanges between  
17 the United States and Georgia; and

18 (2) the President, in consultation with the Sec-  
19 retary of Defense, should maintain, and as appro-  
20 priate, expand military co-operation with Georgia,  
21 including by providing further security and defense  
22 equipment ideally suited for territorial defense  
23 against Russian aggression and related training,  
24 maintenance, and operations support elements.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that, after the submission of the certification de-  
3 scribed in subsection (c) should the Georgian government  
4 take steps to re-align itself with its Euro-Atlantic agenda,  
5 including significant changes to the foreign influence law,  
6 the President should take steps to improve the bilateral  
7 relationship between the United States and Georgia, in-  
8 cluding actions to bolster Georgia’s ability to deter threats  
9 from Russia and other malign actors.

10 (c) CERTIFICATION DESCRIBED.—The certification  
11 described in this subsection is a certification submitted to  
12 Congress by the President that Georgia has shown signifi-  
13 cant and sustained progress towards reinvigorating its de-  
14 mocracy and advancing its Euro-Atlantic integration.

15 **SEC. \_\_\_\_ 7. AUDIT.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that, with the increased presence of the Chinese  
18 Communist Party, the Iranian regime, and Russia in the  
19 Republic of Georgia, it is important to have a firm ac-  
20 counting of United States military equipment in Georgia  
21 in order to prevent theft of such equipment.

22 (b) AUDIT.—The Secretary of Defense shall conduct  
23 an audit of—

24 (1) United States military equipment provided  
25 to the Government of the Republic of Georgia; and

1 (2) the military-to-military relationship with the  
2 Government of the Republic of Georgia.

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 90 days after  
5 the date of the enactment of this Act, the Secretary  
6 of Defense shall submit to the appropriate congres-  
7 sional committees a report that contains the results  
8 of the audit.

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
10 TEES DEFINED.—In this subsection, the term “ap-  
11 propriate congressional committees” means—

12 (A) the Committee on Armed Services and  
13 the Committee on Foreign Affairs of the House  
14 of Representatives; and

15 (B) the Committee on Armed Services and  
16 the Committee on Foreign Relations of the Sen-  
17 ate.

18 **SEC. \_\_\_\_ 8. SUNSET.**

19 This subtitle shall cease to have any force or effect  
20 beginning on the date that is 5 years after the date of  
21 the enactment of this Act.

