

[~117H7302]

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To impose sanctions with respect to designated critical cyber threat actors,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PFLUGER introduced the following bill; which was referred to the
Committee on _____

A BILL

To impose sanctions with respect to designated critical cyber
threat actors, 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 “Cyber Deterrence and
5 Response Act of 2025”.

6 **SEC. 2. ACTIONS TO ADDRESS STATE-SPONSORED CYBER**
7 **ACTIVITIES AGAINST THE UNITED STATES.**

8 (a) DESIGNATION AS A CRITICAL CYBER THREAT
9 ACTOR.—

1 (1) IN GENERAL.—The President, acting
2 through the National Cyber Director, and in coordi-
3 nation with the heads of other relevant Federal de-
4 partments and agencies, shall designate pursuant to
5 the National Attribution Framework under para-
6 graph (2) as a critical cyber threat actor—

7 (A) each foreign person and each agency
8 or instrumentality of a foreign state that the
9 President determines to be knowingly respon-
10 sible for or complicit in, or have engaged in, di-
11 rectly or indirectly, state-sponsored cyber activi-
12 ties originating from, or directed by persons lo-
13 cated, in whole or in substantial part, outside
14 the United States that are reasonably likely to
15 result in, or have contributed to, a significant
16 threat to the national security, foreign policy, or
17 economic health or financial stability of the
18 United States and that have the purpose or ef-
19 fect of—

20 (i) causing a significant disruption to
21 the availability of a computer or network
22 of computers;

23 (ii) harming, or otherwise significantly
24 compromising the provision of service by, a
25 computer or network of computers that

1 support one or more entities in a critical
2 infrastructure sector;

3 (iii) significantly compromising the
4 provision of services by one or more enti-
5 ties in a critical infrastructure sector;

6 (iv) causing a significant misappro-
7 priation of funds or economic resources,
8 trade secrets, personal identifiers, health
9 or financial information for commercial or
10 competitive advantage or private financial
11 gain;

12 (v) destabilizing the financial sector of
13 the United States by tampering with, alter-
14 ing, or causing a misappropriation of data;

15 (vi) causing a significant disruption to
16 the energy sector of the United States by
17 tampering with or altering data or equip-
18 ment necessary for the operation of the en-
19 ergy sector in the United States; or

20 (vii) interfering with or undermining
21 election processes or government institu-
22 tions by tampering with, altering, or caus-
23 ing misappropriation of data;

24 (B) each foreign person that the President
25 has determined to have knowingly, significantly,

1 and materially assisted, sponsored, or provided
2 financial, material, or technological support for,
3 or goods or services to or in support of, any ac-
4 tivities described in subparagraph (A) by a for-
5 eign person or agency or instrumentality of a
6 foreign state designated as a critical cyber
7 threat actor under subparagraph (A);

8 (C) each agency or instrumentality of a
9 foreign state that the President has determined
10 to have significantly and materially assisted,
11 sponsored, or provided financial, material, or
12 technological support for, or goods or services
13 to or in support of, any activities described in
14 subparagraph (A) by a foreign person or agency
15 or instrumentality of a foreign state designated
16 as a critical cyber threat actor under subpara-
17 graph (A); and

18 (D) any person determined by the Presi-
19 dent to be responsible for or complicit in, or to
20 have engaged in, the receipt or use for commer-
21 cial or competitive advantage or private finan-
22 cial gain, or by a commercial entity, outside the
23 United States of data or information, including
24 trade secrets, misappropriated through cyber-
25 enabled means, knowing they have been mis-

1 appropriated, where the misappropriation of
2 such trade secrets is reasonably likely to result
3 in, or has materially contributed to, a signifi-
4 cant threat to the national security, foreign pol-
5 icy, or economic health or financial stability of
6 the United States or personal safety of Amer-
7 ican citizens.

8 (2) NATIONAL ATTRIBUTION FRAMEWORK.—

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Director, in consultation with
11 the Secretary of Homeland Security, the Secretary
12 of Defense, the Director of National Intelligence, the
13 Secretary of State, the Attorney General, and the
14 head of any other Federal agency the Director deter-
15 mines appropriate, shall submit to the appropriate
16 congressional committees a framework, to be known
17 as the “National Attribution Framework” to carry
18 out the following:

19 (A) Establish a uniform, criteria-based
20 process for evaluating and determining attribu-
21 tion of state-sponsored cyber activities.

22 (B) Define technical, operational, and stra-
23 tegic evidentiary standards, including thresholds
24 for reliability, corroboration, and technical

1 verification, that must be satisfied for such an
2 attribution determination.

3 (C) Require assessments based on the
4 quality of available evidence to assign a con-
5 fidence level with respect to such an attribution
6 determination.

7 (D) Provide for the consideration of pri-
8 vate sector threat intelligence if such intel-
9 ligence satisfies such evidentiary standards.

10 (E) Establish procedures for coordination
11 with allied and partner countries, including re-
12 garding processes for information sharing, vali-
13 dation of evidence, and efforts to develop con-
14 sistent public attribution statements to enhance
15 international consensus relating to determining
16 attribution of state-sponsored cyber activities.

17 (F) Establish timelines and reporting
18 thresholds to ensure that attribution determina-
19 tions are conducted promptly after the detection
20 of any state-sponsored cyber activity.

21 (G) Ensure the National Attribution
22 Framework is consistent with the National
23 Cyber Incident Response Plan under section
24 2210 of the Homeland Security Act of 2002 (6
25 U.S.C. 660) and other relevant policies gov-

1 erning cyber attribution and response processes
2 of the following:

3 (i) The Department of Homeland Se-
4 curity.

5 (ii) The Office of the National Cyber
6 Director.

7 (iii) The Department of Defense.

8 (iv) The Department of State.

9 (v) Any other appropriate Federal de-
10 partment or agency.

11 (H) Ensure attribution determinations ac-
12 count for exemptions, waivers, and removals de-
13 scribed in subsection (g), including mandatory
14 exemptions for United States intelligence activi-
15 ties and case-by-case waivers granted in the na-
16 tional interest of the United States, for law en-
17 forcement purposes, or for humanitarian rea-
18 sons.

19 (I) Establish procedures for the designa-
20 tion of a foreign person and each agency or in-
21 strumentality of a foreign state as a critical
22 cyber threat actor under paragraph (1) to pro-
23 vide for a reassignment of such designation if
24 the original designee is subject to an exception
25 described in subsection (g)(4) to the next oper-

1 ationally responsible foreign person and each
2 agency or instrumentality of a foreign state ma-
3 terially involved in the state-sponsored cyber ac-
4 tivity at issue.

5 (3) TRANSMISSION TO CONGRESS.—Not later
6 than seven calendar days after designating a foreign
7 person or agency or instrumentality of a foreign
8 state as a critical cyber threat actor under para-
9 graph (1), the President shall transmit to the appro-
10 prium congressional committees in classified or un-
11 classified form a report identifying the designee.

12 (b) NON-TRAVEL-RELATED SANCTIONS.—

13 (1) IN GENERAL.—The President shall impose
14 one or more of the applicable sanctions described in
15 paragraph (2) with respect to each foreign person
16 and each agency or instrumentality of a foreign
17 state designated as a critical cyber threat actor
18 under subsection (a).

19 (2) SANCTIONS DESCRIBED.—The sanctions de-
20 scribed in this paragraph are the following:

21 (A) The President may provide for the
22 withdrawal, limitation, or suspension of non-hu-
23 manitarian United States development assist-
24 ance under chapter 1 of part I of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2151 et
2 seq.).

3 (B) The President may provide for the
4 withdrawal, limitation, or suspension of United
5 States security assistance under part II of the
6 Foreign Assistance Act of 1961 (22 U.S.C.
7 2301 et seq.).

8 (C) The President may direct the United
9 States executive director to each international
10 financial institution to use the voice and vote of
11 the United States to oppose any loan from the
12 international financial institution that would
13 benefit the designated foreign person or the
14 designated agency or instrumentality of a for-
15 eign state.

16 (D) The President may direct the United
17 States International Development Finance Cor-
18 poration, or any other United States Govern-
19 ment agency not to approve the issuance of any
20 (or a specified number of) guarantees, insur-
21 ance, extensions of credit, or participation in
22 the extension of credit.

23 (E) The President may, pursuant to such
24 regulations or guidelines as the President may
25 prescribe, prohibit any United States person

1 from purchasing or selling any publicly traded
2 securities, or any publicly traded securities that
3 are derivative of such securities or are designed
4 to provide investment exposure to such securi-
5 ties or investing in or purchasing significant
6 amounts of equity or debt instruments of the
7 designated foreign person.

8 (F) The President may, pursuant to proce-
9 dures the President shall prescribe, which shall
10 include the opportunity to appeal actions under
11 this subparagraph, prohibit any United States
12 agency or instrumentality from procuring, or
13 entering into any contract for the procurement
14 of, any goods, technology, or services, or classes
15 of goods, technology, or services, from the des-
16 ignated foreign person or the designated agency
17 or instrumentality of a foreign state.

18 (G) The President may terminate—

19 (i) sales to that country under the
20 Arms Export Control Act (22 U.S.C. 2751
21 et seq.) of any defense articles, defense
22 services, or design and construction serv-
23 ices; and

24 (ii) sales to that country of any item
25 on the United States Munitions List main-

1 tained pursuant to part 121 of title 22,
2 Code of Federal Regulations.

3 (H) The President may prohibit the entity
4 and, when acting for or on the entity's behalf,
5 its successors, assigns, directors, officers, em-
6 ployees, representatives, or agents, from directly
7 or indirectly participating in transactions in-
8 volving any commodity, software, or technology
9 subject to United States jurisdiction under the
10 Export Administration Regulations ("EAR") or
11 any other activity subject to the EAR, includ-
12 ing—

13 (i) applying for, obtaining, or using
14 any license, license exception, or export
15 control document;

16 (ii) carrying out negotiations con-
17 cerning, ordering, buying, receiving, using,
18 selling, delivering, storing, disposing of,
19 forwarding, transporting, financing, or
20 servicing in any way any item exported or
21 to be exported from the United States that
22 is subject to the EAR; and

23 (iii) benefitting in any way from any
24 transaction involving any item exported or

1 to be exported from the United States that
2 is subject to the EAR.

3 (I) The President may prohibit any person,
4 whether a United States or non-United States
5 person, from engaging in the following activi-
6 ties, either directly or indirectly, with the entity:

7 (i) Exporting or reexporting to or on
8 behalf of the entity any item subject to the
9 EAR.

10 (ii) Facilitating the acquisition or at-
11 tempted acquisition by the entity of the
12 ownership, possession, or control of any
13 item subject to the EAR that has been or
14 will be exported from the United States,
15 including financing or other support activi-
16 ties related to a transaction whereby the
17 entity acquires or attempts to acquire such
18 ownership, possession or control.

19 (iii) Acquiring from or facilitating the
20 acquisition or attempted acquisition from
21 the entity or any item subject to the EAR
22 that has been exported from the United
23 States.

24 (iv) Obtaining from the entity in the
25 United States any item subject to the EAR

1 with knowledge or reason to know that the
2 item will be, or is intended to be, exported
3 from the United States.

4 (v) Engaging in any transaction to
5 service any item subject to the EAR that
6 has been or will be exported from the
7 United States and which is owned, pos-
8 sessed, or controlled by the entity if such
9 service involves the use of any item subject
10 to the EAR that has been or will be ex-
11 ported from the United States (for pur-
12 poses of this paragraph “service” means
13 installation, maintenance, repair, modifica-
14 tion, or testing).

15 (J)(i) The President may exercise all of
16 the powers granted to the President under the
17 International Emergency Economic Powers Act
18 (50 U.S.C. 1701 et seq.) (except that the re-
19 quirements of section 202 of such Act (50
20 U.S.C. 1701) shall not apply) to the extent nec-
21 essary to block and prohibit all transactions in
22 property and interests in property of the des-
23 ignated foreign person if such property and in-
24 terests in property are in the United States,
25 come within the United States, or are or come

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

3 (ii) The penalties provided for in sub-
4 sections (b) and (c) of section 206 of the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1705) shall apply to a person that vio-
7 lates, attempts to violate, conspires to violate,
8 or causes a violation of regulations prescribed
9 under clause (i) to the same extent that such
10 penalties apply to a person that commits an un-
11 lawful act described in subsection (a) of such
12 section 206.

13 (K) The President may, pursuant to such
14 regulations as the President may prescribe, pro-
15 hibit any transfers of credit or payments be-
16 tween one or more financial institutions or by,
17 through, or to any financial institution, to the
18 extent that such transfers or payments are sub-
19 ject to the jurisdiction of the United States and
20 involve any interest of the designated foreign
21 person.

22 (c) TRAVEL-RELATED SANCTIONS.—

23 (1) ALIENS INELIGIBLE FOR VISAS, ADMISSION,
24 OR PAROLE.—An alien who is designated as a crit-
25 ical cyber threat actor under subsection (a) is—

1 (A) inadmissible to the United States;

2 (B) ineligible to receive a visa or other doc-
3 umentation to enter the United States; and

4 (C) otherwise ineligible to be admitted or
5 paroled into the United States or to receive any
6 other benefit under the Immigration and Na-
7 tionality Act (8 U.S.C. 1101 et seq.).

8 (2) CURRENT VISAS REVOKED.—The issuing
9 consular officer, the Secretary of State, or the Sec-
10 retary of Homeland Security (or a designee of either
11 such Secretaries) shall revoke any visa or other
12 entry documentation issued to the foreign person
13 designated as a critical cyber threat actor under sub-
14 section (a) regardless of when issued. A revocation
15 under this clause shall take effect immediately and
16 shall automatically cancel any other valid visa or
17 entry documentation that is in the possession of
18 such foreign person.

19 (d) ADDITIONAL SANCTIONS WITH RESPECT TO
20 FOREIGN COUNTRIES.—

21 (1) IN GENERAL.—The President may impose
22 any of the sanctions described in paragraph (2) with
23 respect to the government of each country that the
24 President has determined aided, abetted, or directed
25 a foreign person or agency or instrumentality of a

1 foreign state designated as a critical cyber threat
2 actor under subsection (a).

3 (2) SANCTIONS DESCRIBED.—The sanctions re-
4 ferred to in paragraph (1) are the following:

5 (A) The President may provide for the
6 withdrawal, limitation, or suspension of non-hu-
7 manitarian or non-trade-related assistance
8 United States development assistance under
9 chapter 1 of part I of the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2151 et seq.).

11 (B) The President may provide for the
12 withdrawal, limitation, or suspension of United
13 States security assistance under part II of the
14 Foreign Assistance Act of 1961 (22 U.S.C.
15 2301 et seq.).

16 (C) The President may instruct the United
17 States Executive Director to each appropriate
18 international financial institution to oppose, and
19 vote against the extension by such institution of
20 any loan or financial assistance to the govern-
21 ment of the country.

22 (D) No item on the United States Muni-
23 tions List (maintained pursuant to part 121 of
24 title 22, Code of Federal Regulations) or the
25 Commerce Control List set forth in Supplement

1 No. 1 to part 774 of title 15, Code of Federal
2 Regulations, may be exported to the govern-
3 ment of the country or any entity under its in-
4 fluence, control, or ownership.

5 (E)(i) No intrusion software or IP network
6 communications surveillance systems or related
7 items that are subject to the Export Adminis-
8 tration Regulations, whether or not enumerated
9 on the Commerce Control List, may be ex-
10 ported, reexported, or transferred, directly or
11 indirectly, to the government of the country or
12 any entity under its influence, control, or own-
13 ership.

14 (ii) For purposes of this subparagraph, the
15 terms “intrusion software” and “IP network
16 communications” mean any—

17 (I) systems, equipment, or compo-
18 nents specially designed for the generation,
19 operation or delivery of, or communication
20 with, with intrusion software;

21 (II) software specially designed or
22 modified for the development or production
23 of such systems, equipment or components;

24 (III) software specially designed for
25 the generation, operation or delivery of, or

1 communication with, intrusion software;
2 technology required for the development of
3 intrusion software; and

4 (IV) internet protocol network com-
5 munications surveillance systems or equip-
6 ment and test, inspection, production
7 equipment, specially designed components
8 therefor, and development and production
9 software and technology therefor.

10 (e) IMPLEMENTATION.—The President may exercise
11 all authorities provided under sections 203 and 205 of the
12 International Emergency Economic Powers Act (50
13 U.S.C. 1702 and 1704) to carry out this section.

14 (f) COORDINATION.—To the extent practicable—

15 (1) actions taken by the President pursuant to
16 this section should be coordinated with United
17 States allies and partners; and

18 (2) the Secretary of State should work with
19 United States allies and partners, on a voluntary
20 basis, to lead an international diplomatic initiative
21 to—

22 (A) deter critical cyber threat actors and
23 state-sponsored cyber activities; and

1 (B) provide mutual support to such allies
2 and partners participating in such initiative to
3 respond to such state-sponsored cyber activities.

4 (g) EXEMPTIONS, WAIVERS, AND REMOVALS OF
5 SANCTIONS AND DESIGNATIONS.—

6 (1) MANDATORY EXEMPTIONS.—Activities sub-
7 ject to the reporting requirements of title V of the
8 National Security Act of 1947 (50 U.S.C. 413 et
9 seq.), and any authorized intelligence activities of
10 the United States, shall be exempt from the imposi-
11 tion of sanctions under this section.

12 (2) WAIVER.—The President may waive, on a
13 case-by-case basis, the imposition of sanctions de-
14 scribed in this section for a period of not more than
15 one year, and may renew such waiver for additional
16 periods of not more than one year, if the President
17 transmits to the appropriate congressional commit-
18 tees a written determination that such waiver meets
19 one or more of the following requirements:

20 (A) Such waiver is in the national interests
21 of the United States.

22 (B) Such waiver will further the enforce-
23 ment of this Act or is for an important law en-
24 forcement purpose.

1 (C) Such waiver is for an important hu-
2 manitarian purpose.

3 (3) REMOVALS OF SANCTIONS AND DESIGNA-
4 TIONS.—The President may prescribe rules and reg-
5 ulations for the removal of sanctions under sub-
6 sections (b), (c), and (d) and the removal of designa-
7 tions under subsection (a) if the President deter-
8 mines that a foreign person, agency or instrumen-
9 tality of a foreign state, or government of a country
10 subject to such sanctions or such designations, as
11 the case may be, has verifiably ceased its participa-
12 tion in any of the conduct with respect to which
13 such foreign person, agency or instrumentality of a
14 foreign state, or government was subject to such
15 sanctions or designation, as the case may be, under
16 this section, and has given assurances that such for-
17 eign person, agency or instrumentality of a foreign
18 state, or government, as the case may be, will no
19 longer participate in such conduct.

20 (4) EXCEPTION TO COMPLY WITH UNITED NA-
21 TIONS HEADQUARTERS AGREEMENT.—Sanctions
22 under subsection (c) shall not apply to a foreign per-
23 son if admitting such foreign person into the United
24 States is necessary to permit the United States to
25 comply with the Agreement regarding the Head-

1 quarters of the United Nations, signed at Lake Suc-
2 cess June 26, 1947, and entered into force Novem-
3 ber 21, 1947, between the United Nations and the
4 United States, or other applicable international obli-
5 gations.

6 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion may be construed to limit the authority of the Presi-
8 dent under the International Emergency Economic Powers
9 Act (50 U.S.C. 1701 et seq.) or any other provision of
10 law to impose sanctions to address critical cyber threat
11 actors and malicious state-sponsored cyber activities.

12 (i) DEFINITIONS.—In this section:

13 (1) ADMITTED; ALIEN.—The terms “admitted”
14 and “alien” have the meanings given such terms in
15 section 101 of the Immigration and Nationality Act
16 (8 U.S.C. 1101).

17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Affairs, the
21 Committee on Financial Services, the Com-
22 mittee on the Judiciary, the Committee on
23 Oversight and Reform, and the Committee on
24 Homeland Security of the House of Representa-
25 tives; and

1 (B) the Committee on Foreign Relations,
2 the Committee on Banking, Housing, and
3 Urban Affairs, the Committee on the Judiciary,
4 and the Committee on Homeland Security and
5 Governmental Affairs of the Senate.

6 (3) AGENCY OR INSTRUMENTALITY OF A FOR-
7 EIGN STATE.—The term “agency or instrumentality
8 of a foreign state” has the meaning given such term
9 in section 1603(b) of title 28, United States Code.

10 (4) CRITICAL INFRASTRUCTURE SECTOR.—The
11 term “critical infrastructure sector” means any of
12 the designated critical infrastructure sectors identi-
13 fied in the Presidential Policy Directive entitled
14 “Critical Infrastructure Security and Resilience”,
15 numbered 21, and dated February 12, 2013.

16 (5) DIRECTOR.—The term “Director” means
17 the National Cyber Director.

18 (6) FOREIGN PERSON.—The term “foreign per-
19 son” means a person that is not a United States
20 person.

21 (7) FOREIGN STATE.—The term “foreign state”
22 has the meaning given such term in section 1603(a)
23 of title 28, United States Code.

24 (8) KNOWINGLY.—The term “knowingly”, with
25 respect to conduct, a circumstance, or a result,

1 means that a person has actual knowledge, or should
2 have known, of the conduct, the circumstance, or the
3 result.

4 (9) MISAPPROPRIATION.—The term “misappro-
5 priation” means taking or obtaining by improper
6 means, without permission or consent, or under false
7 pretenses.

8 (10) STATE-SPONSORED CYBER ACTIVITIES.—
9 The term “state-sponsored cyber activities” means
10 any malicious cyber-enabled activities that—

11 (A) are carried out by a government of a
12 foreign country or an agency or instrumentality
13 of a foreign state; or

14 (B) are carried out by a foreign person
15 that is aided, abetted, or directed by a govern-
16 ment of a foreign country or an agency or in-
17 strumentality of a foreign state.

18 (11) UNITED STATES PERSON.—The term
19 “United States person” means—

20 (A) a United States citizen or an alien law-
21 fully admitted for permanent residence to the
22 United States; or

23 (B) an entity organized under the laws of
24 the United States or of any jurisdiction within

- 1 the United States, including a foreign branch of
- 2 such an entity.