

119TH CONGRESS
2D SESSION

H. R. 7084

AN ACT

To amend title 46, United States Code, with respect to the types of vessels that may enter or operate in navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Defending American
3 Property Abroad Act of 2026”.

4 **SEC. 2. CONDITION FOR ENTRY INTO PORTS IN THE**
5 **UNITED STATES.**

6 Section 70022 of title 46, United States Code, is
7 amended—

8 (1) in subsection (a)(2)(A)—

9 (A) in clause (i)—

10 (i) by striking “subsection (b)(1)” and
11 inserting “subsection (b)(1)(A)”; and

12 (ii) in subclause (II) by striking “; or”
13 and inserting a semicolon;

14 (B) in clause (ii)—

15 (i) by striking “subsection (b)(2)” and
16 inserting “subsection (b)(1)(B)”; and

17 (ii) by striking the period at the end
18 and inserting “; or”; and

19 (C) by adding at the end the following:

20 “(iii) vessel described in subsection
21 (b)(1) in the case of—

22 “(I) an emergency being experi-
23 enced by a vessel or an individual on
24 the vessel; or

25 “(II) a vessel authorized by the
26 owner, as described in subsection

1 (b)(1)(C)(ii), to transit the facilities
2 described in subsection (b)(1)(C).”;
3 and

4 (2) in subsection (b)—

5 (A) in paragraph (2) by striking the period
6 at the end and inserting “; or”;

7 (B) by redesignating paragraphs (1) and
8 (2) as subparagraphs (A) and (B) (and by mov-
9 ing the margins of such subparagraphs accord-
10 ingly);

11 (C) by striking “A vessel referred” and in-
12 serting the following:

13 “(1) IN GENERAL.—A vessel referred”; and

14 (D) by adding at the end the following:

15 “(C) a vessel that has transited a port,
16 harbor, or marine terminal, that at the time of
17 such transit—

18 “(i) was located within the territory of
19 a Western Hemisphere country that has in
20 effect a free trade agreement with the
21 United States;

22 “(ii) was accessible only through land
23 that is owned, held, or controlled, directly
24 or indirectly, by a United States person;
25 and

1 “(iii) was designated by the President
2 under paragraph (2), and has not had such
3 designation removed under paragraph (3).

4 “(2) DESIGNATION.—The President may des-
5 ignate a port, harbor, or marine terminal under this
6 subsection if an agency or official of the government
7 of the Western Hemisphere foreign trade partner
8 has—

9 “(A) nationalized, or expropriated the port,
10 harbor, or marine terminal, owned, held, or con-
11 trolled, directly or indirectly, by a United States
12 person; or

13 “(B) taken any other action that has the
14 effect of expropriating or nationalizing that
15 port, harbor, or marine terminal, or land pro-
16 viding the exclusive access to that port, harbor,
17 or marine terminal, as described in paragraph
18 (1)(C)(ii), as long as the matter is not the sub-
19 ject of a currently pending arbitration under a
20 free trade agreement described in paragraph
21 (1)(C)(i).

22 “(3) REMOVAL OF DESIGNATION.—The Presi-
23 dent shall remove the designation of a port, harbor,
24 or marine terminal made under paragraph (2) if the
25 President determines that—

1 “(A) the conditions set forth in paragraph
2 (2) are no longer met;

3 “(B) the Western Hemisphere country has
4 restored ownership of the property of the
5 United States person and terminated any meas-
6 ures that had the effect of seizing ownership or
7 possession of that property;

8 “(C) the Western Hemisphere country has
9 provided adequate and effective compensation
10 for such property in convertible foreign ex-
11 change or other mutually acceptable compensa-
12 tion equivalent to the full value thereof, as re-
13 quired by international law; or

14 “(D) the dispute has otherwise been re-
15 solved to the satisfaction of the President.”.

Passed the House of Representatives March 27,
2026.

Attest:

Clerk.

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