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2D SESSION

S. 3496

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2025

Mr. CORNYN (for himself, Mr. KAINE, Mr. CRUZ, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

FEBRUARY 10, 2026

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States Legal Gold and Mining Partnership Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Legal Gold and Mining Partnership Strategy.
Sec. 5. Classified briefing on illicit gold mining in Venezuela.
Sec. 6. Investigation of the illicit gold trade in Venezuela.
Sec. 7. Leveraging international support.
Sec. 8. Public-private partnership to build responsible gold value chains.
Sec. 9. Rule of construction regarding not authorizing the use of military force.
Sec. 10. Consideration of certain transactions involving precious metals for purposes of identifying primary money laundering concerns.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The illicit mining, trafficking, and commercialization of gold in the Western Hemisphere—

(A) negatively affects the region's economic and social dynamics;

(B) strengthens transnational criminal organizations and other international illicit actors; and

(C) has a deleterious impact on the environment, indigenous peoples, and food security.

(2) A lack of economic opportunities and the weak rule of law promote illicit activities, such as illicit gold mining, which increases the vulnerability of individuals in mining areas, including indigenous

communities, which have been subjected to trafficking in persons, other human rights abuses, and population displacement in relation to mining activity, particularly in the artisanal and small-scale mining sector.

(3) Illicit gold mining in Latin America often involves and benefits transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups that extort miners and enter into illicit partnerships with them in order to gain revenue from the illicit activity.

(4) Illicit gold supply chains are international in nature and frequently involve—

(A) the smuggling of gold and supplies, such as mercury;

(B) trade-based money laundering; and

(C) other cross-border flows of illicit assets.

(5) In Latin America, mineral traders and exporters, local processors, and shell companies linked to transnational criminal networks and illegally armed groups all play a key role in the trafficking, laundering, and commercialization of illicit gold from the region.

(6) According to a report on illegally mined gold in Latin America by the Global Initiative Against Transnational Organized Crime—

(A) more than 70 percent of the gold mined in several Latin American countries, such as Colombia, Ecuador, and Peru, is mined through illicit means; and

(B) about 80 percent of the gold mined in Venezuela is mined through illicit means and a large percentage of such gold is sold—

(i) to Mibiturven, a joint venture operated by the Maduro regime composed of Minerven, a gold processor that has been designated by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to Executive Order 13850 (relating to blocking property of additional persons contributing to the situation in Venezuela), and Marilyns Proje Yatirim, S.A., which is a Turkish company; or

(ii) through other trafficking and commercialization networks from which the Maduro regime benefits financially.

(7) Illegal armed groups and foreign terrorist organizations, such as the Ejército de Liberación

Nacional (National Liberation Army—ELN), work with transnational criminal organizations in Venezuela that participate in the illicit mining, trafficking, and commercialization of gold.

(8) Transnational criminal organizations based in Venezuela, such as El Tren de Aragua, have expanded their role in the illicit mining, trafficking, and commercialization of gold to increase their criminal profits.

(9) Nicaragua's gold exports during 2023 were valued at an estimated $1,240,000,000, of which—

(A) gold valued at an estimated 637,000,000 was shipped to the United States;

(B) gold valued at an estimated $353,000,000 was shipped to Canada;

(C) gold valued at an estimated $244,000,000 was shipped to Switzerland; and

(D) gold valued at an estimated $6,560,000 was shipped to Italy.

(10) U.S. Customs and Border Protection has recognized that illegal logging is the world's most profitable natural resource crime and that profits from illegal logging finance illegal mining.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on the Judiciary of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARTISANAL AND SMALL-SCALE MINING; ASM.—The terms ''artisanal and small-scale mining'' and ''ASM'' refer to a form of mining common in the developing world that—

(A) typically employs rudimentary, simple, and low-cost extractive technologies and manual labor-intensive techniques;

(B) is frequently subject to limited regulation; and

(C) often features harsh and dangerous working conditions.

(3) KEY STAKEHOLDERS.—The term ''key stakeholders'' means private sector organizations, industry representatives, and civil society groups that represent communities in areas affected by illicit mining and trafficking of gold, including indigenous groups, that are committed to the implementation of the Legal Gold and Mining Partnership Strategy.

(4) LEGAL GOLD AND MINING PARTNERSHIP STRATEGY; STRATEGY.—The terms ''Legal Gold and Mining Partnership Strategy'' and ''Strategy'' mean the strategy developed pursuant to section 4.

(5) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means the Department of State and all other Federal departments and agencies designated by the President as having significant domestic or foreign affairs equities in countering illicit mining.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 4. LEGAL GOLD AND MINING PARTNERSHIP STRATEGY.

(a) STRATEGY REQUIRED.—The Secretary, in coordination with the heads of relevant Federal departments and agencies, shall develop a comprehensive, multi-year strategy, which shall be known as the Legal Gold and Mining Partnership Strategy, to combat illicit gold mining in the Western Hemisphere.

(b) ELEMENTS.—The Strategy shall include policies, programs, and initiatives—

(1) to interrupt the linkages between gold mining, including ASM, and illicit actors that profit from illicit mining in the Western Hemisphere;

(2) to deter ASM in environmentally protected areas, such as national parks and conservation zones, to prevent mining-related contamination of critical natural resources, such as water resources, soil, tropical forests, and other flora and fauna, and aerosol contamination linked to detrimental health impacts;

(3) to counter the financing and enrichment of actors involved in the illicit mining, trafficking, and

commercialization of gold, and the abetting of their activities by—

(A) promoting the exercise of due diligence and the use of responsible sourcing methods in the purchase and trade of ASM;

(B) preventing and prohibiting foreign persons who control commodity trading chains linked to illicit actors from enjoying the benefits of access to the territory, markets or financial system of the United States, and halting any such ongoing activity by such foreign persons;

(C) combating related impunity afforded to illicit actors by addressing corruption in government institutions and interrupting linkages between corrupt officials and illicit actors that exploit ASM miners;

(D) supporting the capacity of financial intelligence units, customs agencies, and other government institutions focused on anti-money laundering initiatives and combating the financing of criminal activities and terrorism to exercise oversight consistent with the threats posed by illicit gold mining; and

(E) working with the governments and appropriate institutions of countries that host gold

refineries or processing centers to deter the importation of illicit gold and implement greater due diligence practices;

(4) to build the capacity of foreign civilian law enforcement institutions in the Western Hemisphere to effectively counter—

(A) linkages between illicit gold mining, illicit actors, money laundering, and other financial crimes, including trade-based money laundering;

(B) linkages between illicit gold mining, illicit actors, trafficking in persons, and forced or coerced labor, including sex work and child labor;

(C) linkages between illicit gold mining, illicit actors, and the illegal timber trade;

(D) the cross-border trafficking of illicit gold, and the mercury, cyanide, explosives, and other hazardous materials used in illicit gold mining, particularly those originating in China or trafficked by transnational criminal organizations; and

(E) surveillance and investigation of illicit and related activities that are related to or are indicators of illicit gold mining activities;

(5) to ensure the successful implementation of the existing Memoranda of Understanding signed with the Governments of Peru and of Colombia in 2017 and 2018, respectively, to expand bilateral cooperation to combat illicit gold mining;

(6) to work with governments in the Western Hemisphere, bolster the effectiveness of anti-money laundering efforts to combat the financing of illicit actors in Latin America and the Caribbean and counter the laundering of proceeds related to illicit gold mining by—

(A) fostering international and regional cooperation and facilitating intelligence sharing, as appropriate, to identify and disrupt financial flows related to the illicit gold mining, trafficking, and commercialization of gold and other minerals and illicit metals; and

(B) supporting the formulation of strategies to ensure the compliance of reporting institutions involved in the mining sector and to promote transparency in mining-sector transactions;

(7) to support foreign government efforts—

(A) to facilitate licensing and formalization processes for ASM miners;

(B) to develop mechanisms to support regulated cultural artisanal mining and artisanal mining as a job growth area; and

(C) to implement existing environmental standards;

(8) to engage the mining industry and relevant trade or industry associations to encourage the building of technical expertise in best practices and access to new technologies;

(9) to support the establishment of gold commodity supply chain due diligence, responsible sourcing, tracing and tracking capacities, and standards-compliant commodity certification systems in countries in Latin America and the Caribbean, including efforts recommended in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas, Third Edition (2016);

(10) to engage with civil society to reduce the negative environmental impacts of ASM, particularly—

(A) the use of mercury in preliminary refining;

(B) the destruction of tropical forests;

(C) the construction of illegal and unregulated dams and the resulting valley floods;

(D) the pollution of water resources and soil; and

(E) the release of dust, which can contain toxic chemicals and heavy metals that can cause severe health problems;

(11) to aid and encourage ASM miners—

(A) to formalize their business activities, including through skills training, technical and business assistance, and access to financing, loans, and credit;

(B) to utilize mercury-free gold refining technologies and mining methods that minimize deforestation, air pollution, and water and soil contamination;

(C) to reduce the costs associated with formalization and compliance with mining regulations; and

(D) to fully break away from the influence of illicit actors who leverage the control of territory and use violence to extort miners and push them into illicit arrangements;

(12) to interrupt the illicit gold trade in Nicaragua, including through the use of targeted United

States measures against the government led by President Daniel Ortega and Vice-President Rosario Murillo and their collaborators pursuant to Executive Order 14088 (relating to taking additional steps to address the national emergency with respect to the situation in Nicaragua), which was issued on October 24, 2022;

(13) to assist local journalists with investigations of illicit mining, trafficking, and commercialization of gold and its supplies in the Western Hemisphere;

(14) to promote responsible sourcing and due diligence at all levels of gold supply chains, including through the use of existing widely adopted, industry-standard responsible sourcing and due diligence standards; and

(15) to prevent the intentional misinvoicing of the origins of gold shipments at transshipment points.

(c) ASSESSMENT OF CHALLENGES.—The Strategy shall include an assessment of the challenges posed by, and policy recommendations to address—

(1) linkages between ASM sector production and trade, particularly relating to gold, to the activities of illicit actors, including linkages that help to

finance or enrich such illicit actors or abet their activities;

(2) linkages between illicit or grey market trade, and markets in gold and other metals or minerals and legal trade and commerce in such commodities, notably with respect to activities that abet the entry of such commodities into legal commerce, including—

(A) illicit cross-border trafficking, including with respect to goods, persons and illegal narcotics;

(B) money-laundering;

(C) the financing of illicit actors or their activities; and

(D) the extralegal entry into the United States of—

(i) metals or minerals, whether of legal foreign origin or not; and

(ii) the proceeds of such metals or minerals;

(3) linkages between the illicit mining, trafficking, and commercialization of gold, diamonds, and precious metals and stones, and the financial and political activities of the regime of Nicolás Maduro of Venezuela;

(4) factors that—

(A) produce linkages between ASM miners and illicit actors, prompting some ASM miners to utilize mining practices that are environmentally damaging and unsustainable, notably mining or related ore processing practices that—

(i) involve the use of elemental mercury; or

(ii) result in labor, health, environmental, and safety code infractions and workplace hazards; and

(B) lead some ASM miners to operate in the extralegal or poorly regulated informal sector, and often prevent such miners from improving the socioeconomic status of themselves and their families and communities, or hinder their ability to formalize their operations, enhance their technical and business capacities, and access finance of fair market prices for their output;

(5) mining-related trafficking in persons and forced or coerced labor, including sex work and child labor; and

~~(6) the use of elemental mercury and cyanide in ASM operations, including the technical aims and scope of such usage and its impact on human health and the environment, including flora, fauna, water resources, soil, and air quality.~~

~~(d) FOREIGN ASSISTANCE.—The Strategy shall describe—~~

~~(1) existing foreign assistance programs that address elements of the Strategy; and~~

~~(2) additional foreign assistance resources needed to fully implement the Strategy.~~

~~(e) BEST PRACTICES.—The Strategy shall, to the extent practicable, avoid duplication of effort in the development of due diligence and responsible sourcing standards, including through the use of existing widely adopted industry standards.~~

~~(f) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the President shall submit the Strategy to the appropriate congressional committees.~~

~~(g) SEMIANNUAL BRIEFINGS.—Not later than 180 days after submission of the Strategy, and semiannually thereafter for the following 3 years, the Secretary, or the Secretary's designee, shall provide a briefing to the appropriate congressional committees regarding—~~

(1) the implementation of the strategy, including efforts to leverage international support and develop a public-private partnership to build responsible gold value chains with other governments;

(2) revisions to the Strategy that are needed to better align the Strategy to new or emerging challenges in combating illicit gold mining; and

(3) recommendations from the Strategy that can be applied to combat illicit gold mining on a global scale.

SEC. 5. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN VENEZUELA.

Not later than 90 days after the date of the enactment of this Act, the Secretary, or the Secretary's designee, in coordination with the Director of National Intelligence, or the Director's designee, shall provide a classified briefing to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives that describes—

(1) the activities related to illicit gold mining, including the illicit mining, trafficking, and commercialization of gold, inside Venezuelan territory carried out by illicit actors, including defectors from the Revolutionary Armed Forces of Colombia (FARC)

and members of the National Liberation Army (ELN); and

(2) Venezuela's illicit gold trade with foreign governments, including the Government of the Republic of Turkey and the Government of the Islamic Republic of Iran.

SEC. 6. INVESTIGATION OF THE ILLICIT GOLD TRADE IN VENEZUELA.

The Secretary, in coordination with the Secretary of the Treasury, the Attorney General, and allied and partner governments in the Western Hemisphere, shall—

(1) lead a coordinated international effort to carry out financial investigations to identify and track assets taken from the people and institutions in Venezuela that are linked to money laundering and illicit activities, including mining-related activities, by sharing financial investigations intelligence, as appropriate and as permitted by law; and

(2) provide technical assistance to help eligible governments in Latin America establish legislative and regulatory frameworks capable of imposing and effectively implementing targeted sanctions on—

(A) officials of the Maduro regime who are directly engaged in the illicit mining, trafficking, and commercialization of gold; and

(B) foreign persons engaged in the laundering of illicit gold assets linked to designated terrorist and drug trafficking organizations.

SEC. 7. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the Strategy pursuant to section 4, the President should direct United States representatives accredited to relevant multilateral institutions and development banks and United States ambassadors in the Western Hemisphere to use the influence of the United States to foster international cooperation to achieve the objectives of this Act, including—

(1) marshaling resources and political support; and

(2) encouraging the development of policies and consultation with key stakeholders to accomplish such objectives and provisions.

SEC. 8. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPONSIBLE GOLD VALUE CHAINS.

(a) IN GENERAL.—The Secretary shall coordinate with the Governments of Colombia, of Ecuador, of Peru, and of other democratically elected governments in the region determined by the Secretary to establish a public-private partnership to support programming in participating countries that will—

(1) support the ASM gold mining sector's formalization and compliance with the existing environmental and labor standards in participating countries;

(2) increase awareness of access to financing for ASM gold miners who are taking significant steps to formalize their operations and comply with the existing labor and environmental standards in participating countries;

(3) enhance the traceability and support the establishment of a certification process for ASM gold;

(4) support a public relations campaign to promote responsibly sourced gold;

(5) include representatives of local civil society to work towards soliciting the free and informed consent of those living on lands with mining potential;

(6) facilitate contact between vendors of responsibly sourced gold and United States companies; and

(7) promote policies and practices in participating countries that are conducive to the formalization of ASM gold mining and promoting adherence of ASM to internationally recognized best practices and standards.

SEC. 9. RULE OF CONSTRUCTION REGARDING NOT AUTHORIZING THE USE OF MILITARY FORCE.

Nothing in this Act may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

SEC. 10. CONSIDERATION OF CERTAIN TRANSACTIONS INVOLVING PRECIOUS METALS FOR PURPOSES OF IDENTIFYING PRIMARY MONEY LAUNDERING CONCERNS.

Section 5318A(e)(2) of title 31, United States Code, is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (iii) through (vii) as clauses (iv) through (viii), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) the extent to which the jurisdiction or financial institutions operating in that jurisdiction facilitate transactions involving the mining, sale, or trade of precious metals subject to any sanctions imposed by the United States;"; and

(2) in subparagraph (B)—

(A) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

~~(B) by inserting after clause (i) the following:~~

~~"(ii) the extent to which such financial institutions are used to facilitate transactions involving the mining, sale, or trade of precious metals and are subject to any sanctions imposed by the United States;".~~

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "United States Legal Gold and Mining Partnership Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
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Sec. 9. Rule of construction regarding not authorizing the use of military force.
Sec. 10. Consideration of certain transactions involving precious metals for purposes of identifying primary money laundering concerns.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The illicit mining, trafficking, and commercialization of gold in the Western Hemisphere—

(A) negatively affects the region's economic and social dynamics;

(B) strengthens transnational criminal organizations and other international illicit actors; and

(C) has a deleterious impact on the environment, indigenous peoples, and food security.

(2) A lack of economic opportunities and the weak rule of law promote illicit activities, such as illicit gold mining, which increases the vulnerability of individuals in mining areas, including indigenous communities, which have been subjected to trafficking in persons, other human rights abuses, and population displacement in relation to mining activity, particularly in the artisanal and small-scale mining sector.

(3) Illicit gold mining in Latin America often involves and benefits transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups that extort miners and enter into illicit partnerships with them in order to gain revenue from the illicit activity.

(4) Illicit gold supply chains are international in nature and frequently involve—

(A) the smuggling of gold and supplies, such as mercury;

(B) trade-based money laundering; and

(C) other cross-border flows of illicit assets.

(5) In Latin America, mineral traders and exporters, local processors, and shell companies linked to transnational criminal networks and illegally armed groups all play a key role in the trafficking, laundering, and commercialization of illicit gold from the region.

(6) According to a report on illegally mined gold in Latin America by the Global Initiative Against Transnational Organized Crime—

(A) more than 70 percent of the gold mined in several Latin American countries, such as Colombia, Ecuador, and Peru, is mined through illicit means; and

(B) about 80 percent of the gold mined in Venezuela is mined through illicit means and a large percentage of such gold is sold—

(i) to Mibiturven, a joint venture operated by authorities in Venezuela and composed of Minerven, a gold processor that has been designated by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to Executive Order 13850 (relating to blocking property of additional persons contributing to the situation in

Venezuela), and Marilyns Proje Yatirim, S.A., which is a Turkish company; or

(ii) through other trafficking and commercialization networks from which authorities in Venezuela benefit financially.

(7) Illegal armed groups and foreign terrorist organizations, such as the Ejército de Liberación Nacional (National Liberation Army—ELN), work with transnational criminal organizations in Venezuela that participate in the illicit mining, trafficking, and commercialization of gold.

(8) Transnational criminal organizations based in Venezuela, such as El Tren de Aragua, have expanded their role in the illicit mining, trafficking, and commercialization of gold to increase their criminal profits.

(9) Nicaragua's gold exports during 2023 were valued at an estimated $1,240,000,000, of which—

(A) gold valued at an estimated 637,000,000 was shipped to the United States;

(B) gold valued at an estimated $353,000,000 was shipped to Canada;

(C) gold valued at an estimated $244,000,000 was shipped to Switzerland; and

(D) gold valued at an estimated $6,560,000 was shipped to Italy.

(10) U.S. Customs and Border Protection has recognized that illegal logging is the world's most profitable natural resource crime and that profits from illegal logging finance illegal mining.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

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

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on the Judiciary of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARTISANAL AND SMALL-SCALE MINING; ASM.—The terms "artisanal and small-scale mining" and "ASM" refer to a form of mining common in the developing world that—

(A) typically employs rudimentary, simple, and low-cost extractive technologies and manual labor-intensive techniques;

(B) is frequently subject to limited regulation; and

(C) often features harsh and dangerous working conditions.

(3) KEY STAKEHOLDERS.—The term "key stakeholders" means private sector organizations, industry representatives, and civil society groups that represent communities in areas affected by illicit mining and trafficking of gold, including indigenous groups, that are committed to the implementation of the Legal Gold and Mining Partnership Strategy.

(4) LEGAL GOLD AND MINING PARTNERSHIP STRATEGY; STRATEGY.—The terms "Legal Gold and Mining Partnership Strategy" and "Strategy" mean the strategy developed pursuant to section 4.

(5) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term "relevant Federal departments and agencies" means the Department of State and all other Federal departments and agencies designated by the President as having significant domestic or foreign affairs equities in countering illicit mining.

(6) SECRETARY.—The term "Secretary" means the Secretary of State.

SEC. 4. LEGAL GOLD AND MINING PARTNERSHIP STRATEGY.

(a) STRATEGY REQUIRED.—The Secretary, in coordination with the heads of relevant Federal departments and agencies, shall develop a comprehensive, multi-year strategy, which shall be known as the Legal Gold and Mining Partnership Strategy, to combat illicit gold mining in the Western Hemisphere.

(b) ELEMENTS.—The Strategy shall include policies, programs, and initiatives—

(1) to interrupt the linkages between gold mining, including ASM, and illicit actors that profit from illicit mining in the Western Hemisphere;

(2) to deter ASM in environmentally protected areas, such as national parks and conservation zones, to prevent mining-related contamination of critical natural resources, such as water resources, soil, trop-

ical forests, and other flora and fauna, and aerosol contamination linked to detrimental health impacts;

(3) to counter the financing and enrichment of actors involved in the illicit mining, trafficking, and commercialization of gold, and the abetting of their activities by—

(A) promoting the exercise of due diligence and the use of responsible sourcing methods in the purchase and trade of ASM;

(B) preventing and prohibiting foreign persons who control commodity trading chains linked to illicit actors from enjoying the benefits of access to the territory, markets or financial system of the United States, and halting any such ongoing activity by such foreign persons;

(C) combating related impunity afforded to illicit actors by addressing corruption in government institutions and interrupting linkages between corrupt officials and illicit actors that exploit ASM miners;

(D) supporting the capacity of financial intelligence units, customs agencies, and other government institutions focused on anti-money laundering initiatives and combating the financing of criminal activities and terrorism to exer-

cise oversight consistent with the threats posed by illicit gold mining; and

(E) working with the governments and appropriate institutions of countries that host gold refineries or processing centers to deter the importation of illicit gold and implement greater due diligence practices;

(4) to build the capacity of foreign civilian law enforcement institutions in the Western Hemisphere to effectively counter—

(A) linkages between illicit gold mining, illicit actors, money laundering, and other financial crimes, including trade-based money laundering;

(B) linkages between illicit gold mining, illicit actors, trafficking in persons, and forced or coerced labor, including sex work and child labor;

(C) linkages between illicit gold mining, illicit actors, and the illegal timber trade;

(D) the cross-border trafficking of illicit gold, and the mercury, cyanide, explosives, and other hazardous materials used in illicit gold mining, particularly those originating in China

or trafficked by transnational criminal organizations; and

(E) surveillance and investigation of illicit and related activities that are related to or are indicators of illicit gold mining activities;

(5) to ensure the successful implementation of the existing Memoranda of Understanding signed with the Governments of Peru and of Colombia in 2017 and 2018, respectively, to expand bilateral cooperation to combat illicit gold mining;

(6) to work with governments in the Western Hemisphere, bolster the effectiveness of anti-money laundering efforts to combat the financing of illicit actors in Latin America and the Caribbean and counter the laundering of proceeds related to illicit gold mining by—

(A) fostering international and regional cooperation and facilitating intelligence sharing, as appropriate, to identify and disrupt financial flows related to the illicit gold mining, trafficking, and commercialization of gold and other minerals and illicit metals; and

(B) supporting the formulation of strategies to ensure the compliance of reporting institutions

involved in the mining sector and to promote transparency in mining-sector transactions;

(7) to support foreign government efforts—

(A) to facilitate licensing and formalization processes for ASM miners;

(B) to develop mechanisms to support regulated cultural artisanal mining and artisanal mining as a job growth area; and

(C) to implement existing environmental standards;

(8) to engage the mining industry and relevant trade or industry associations to encourage the building of technical expertise in best practices and access to new technologies;

(9) to support the establishment of gold commodity supply chain due diligence, responsible sourcing, tracing and tracking capacities, and standards-compliant commodity certification systems in countries in Latin America and the Caribbean, including efforts recommended in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas, Third Edition (2016);

(10) to engage with civil society to reduce the negative environmental impacts of ASM, particularly—

(A) the use of mercury in preliminary refining;

(B) the destruction of tropical forests;

(C) the construction of illegal and unregulated dams and the resulting valley floods;

(D) the pollution of water resources and soil; and

(E) the release of dust, which can contain toxic chemicals and heavy metals that can cause severe health problems;

(11) to aid and encourage ASM miners—

(A) to formalize their business activities, including through skills training, technical and business assistance, and access to financing, loans, and credit;

(B) to utilize mercury-free gold refining technologies and mining methods that minimize deforestation, air pollution, and water and soil contamination;

(C) to reduce the costs associated with formalization and compliance with mining regulations; and

(D) to fully break away from the influence of illicit actors who leverage the control of territory and use violence to extort miners and push them into illicit arrangements;

(12) to interrupt the illicit gold trade in Nicaragua, including through the use of targeted United States measures against the government led by President Daniel Ortega and Vice-President Rosario Murillo and their collaborators pursuant to Executive Order 14088 (relating to taking additional steps to address the national emergency with respect to the situation in Nicaragua), which was issued on October 24, 2022;

(13) to assist local journalists with investigations of illicit mining, trafficking, and commercialization of gold and its supplies in the Western Hemisphere;

(14) to promote responsible sourcing and due diligence at all levels of gold supply chains, including through the use of existing widely-adopted, industry-standard responsible sourcing and due diligence standards;

(15) to engage the private sector to develop industry-led global processing initiatives that aim to redirect illicit gold flows away from bad actors; and

(16) to prevent the intentional misinvoicing of the origins of gold shipments at transshipment points.

(c) ASSESSMENT OF CHALLENGES.—The Strategy shall include an assessment of the challenges posed by, and policy recommendations to address—

(1) linkages between ASM sector production and trade, particularly relating to gold, to the activities of illicit actors, including linkages that help to finance or enrich such illicit actors or abet their activities;

(2) linkages between illicit or grey market trade, and markets in gold and other metals or minerals and legal trade and commerce in such commodities, notably with respect to activities that abet the entry of such commodities into legal commerce, including—

(A) illicit cross-border trafficking, including with respect to goods, persons and illegal narcotics;

(B) money-laundering;

(C) the financing of illicit actors or their activities; and

(D) the extralegal entry into the United States of—

(i) metals or minerals, whether of legal foreign origin or not; and

(ii) the proceeds of such metals or minerals;

(3) linkages between the illicit mining, trafficking, and commercialization of gold, diamonds, and precious metals and stones, and the financial and political activities of authorities in Venezuela;

(4) factors that—

(A) produce linkages between ASM miners and illicit actors, prompting some ASM miners to utilize mining practices that are environmentally damaging and unsustainable, notably mining or related ore processing practices that—

(i) involve the use of elemental mercury; or

(ii) result in labor, health, environmental, and safety code infractions and workplace hazards; and

(B) lead some ASM miners to operate in the extralegal or poorly regulated informal sector, and often prevent such miners from improving the socioeconomic status of themselves and their families and communities, or hinder their ability to formalize their operations, enhance their technical and business capacities, and access finance of fair market prices for their output;

(5) mining-related trafficking in persons and forced or coerced labor, including sex work and child labor; and

(6) the use of elemental mercury and cyanide in ASM operations, including the technical aims and scope of such usage and its impact on human health and the environment, including flora, fauna, water resources, soil, and air quality.

(d) FOREIGN ASSISTANCE.—The Strategy shall describe—

(1) existing foreign assistance programs that address elements of the Strategy; and

(2) additional foreign assistance resources needed to fully implement the Strategy.

(e) BEST PRACTICES.—The Strategy shall, to the extent practicable, avoid duplication of effort in the development of due diligence and responsible sourcing standards, including through the use of existing widely-adopted industry standards.

(f) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the President shall submit the Strategy to the appropriate congressional committees.

(g) SEMIANNUAL BRIEFINGS.—Not later than 180 days after submission of the Strategy, and semiannually thereafter for the following 3 years, the Secretary, or the

Secretary's designee, shall provide a briefing to the appropriate congressional committees regarding—

(1) the implementation of the strategy, including efforts to leverage international support and develop a public-private partnership to build responsible gold value chains with other governments;

(2) revisions to the Strategy that are needed to better align the Strategy to new or emerging challenges in combating illicit gold mining; and

(3) recommendations from the Strategy that can be applied to combat illicit gold mining on a global scale.

SEC. 5. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN VENEZUELA.

Not later than 90 days after the date of the enactment of this Act, the Secretary, or the Secretary's designee, in coordination with the Director of National Intelligence, or the Director's designee, shall provide a classified briefing to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives that describes—

(1) the activities related to illicit gold mining, including the illicit mining, trafficking, and commercialization of gold, inside Venezuelan territory carried

out by illicit actors, including defectors from the Revolutionary Armed Forces of Colombia (FARC) and members of the National Liberation Army (ELN); and

(2) Venezuela's illicit gold trade with foreign governments, including the Government of the Republic of Turkey and the Government of the Islamic Republic of Iran.

SEC. 6. INVESTIGATION OF THE ILLICIT GOLD TRADE IN VENEZUELA.

The Secretary, in coordination with the Secretary of the Treasury, the Attorney General, and allied and partner governments in the Western Hemisphere, shall—

(1) lead a coordinated international effort to carry out financial investigations to identify and track assets taken from the people and institutions in Venezuela that are linked to money laundering and illicit activities, including mining-related activities, by sharing financial investigations intelligence, as appropriate and as permitted by law; and

(2) provide technical assistance to help eligible governments in Latin America establish legislative and regulatory frameworks capable of imposing and effectively implementing targeted sanctions on—

(A) authorities in Venezuela who are directly engaged in the illicit mining, trafficking, and commercialization of gold; and

(B) foreign persons engaged in the laundering of illicit gold assets linked to designated terrorist and drug trafficking organizations.

SEC. 7. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the Strategy pursuant to section 4, the President should direct United States representatives accredited to relevant multilateral institutions and development banks and United States ambassadors in the Western Hemisphere to use the influence of the United States to foster international cooperation to achieve the objectives of this Act, including—

(1) marshaling resources and political support; and

(2) encouraging the development of policies and consultation with key stakeholders to accomplish such objectives and provisions.

SEC. 8. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPONSIBLE GOLD VALUE CHAINS.

(a) IN GENERAL.—The Secretary shall coordinate with the Governments of Colombia, of Ecuador, of Peru, and of other democratically-elected governments in the region determined by the Secretary to establish a public-private

partnership to support programming in participating countries that will—

(1) support the ASM gold mining sector's formalization and compliance with the existing environmental and labor standards in participating countries;

(2) increase awareness of access to financing for ASM gold miners who are taking significant steps to formalize their operations and comply with the existing labor and environmental standards in participating countries;

(3) enhance the traceability and support the establishment of a certification process for ASM gold;

(4) support a public relations campaign to promote responsibly-sourced gold;

(5) include representatives of local civil society to work towards soliciting the free and informed consent of those living on lands with mining potential;

(6) facilitate contact between vendors of responsibly-sourced gold and United States companies; and

(7) promote policies and practices in participating countries that are conducive to the formalization of ASM gold mining and promoting adherence of ASM to internationally-recognized best practices and standards.

SEC. 9. RULE OF CONSTRUCTION REGARDING NOT AUTHORIZING THE USE OF MILITARY FORCE.

Nothing in this Act may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

SEC. 10. CONSIDERATION OF CERTAIN TRANSACTIONS INVOLVING PRECIOUS METALS FOR PURPOSES OF IDENTIFYING PRIMARY MONEY LAUNDERING CONCERNS.

Section 5318A(c)(2) of title 31, United States Code, is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (iii) through (vii) as clauses (iv) through (viii), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) the extent to which the jurisdiction or financial institutions operating in that jurisdiction facilitate transactions involving the mining, sale, or trade of precious metals subject to any sanctions imposed by the United States;"; and

(2) in subparagraph (B)—

(A) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(B) by inserting after clause (i) the following:

"(ii) the extent to which such financial institutions are used to facilitate transactions involving the mining, sale, or trade of precious metals and are subject to any sanctions imposed by the United States;".

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A BILL

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

FEBRUARY 10, 2026

Reported with an amendment