

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7084
OFFERED BY MR. MANN OF KANSAS

Strike all after the enacting clause and insert the following:

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

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

2 “(iii) vessel described in subsection
3 (b)(1) in the case of—

4 “(I) an emergency being experi-
5 enced by a vessel or an individual on
6 the vessel; or

7 “(II) a vessel authorized by the
8 owner, as described in subsection
9 (b)(1)(C)(ii), to transit the facilities
10 described in subsection (b)(1)(C).”;
11 and

12 (2) in subsection (b)—

13 (A) in paragraph (1) by inserting “the”
14 before “Federal Register”;

15 (B) in paragraph (2) by striking the period
16 at the end and inserting “; or”;

17 (C) by redesignating paragraphs (1) and
18 (2) as subparagraphs (A) and (B);

19 (D) by striking “A vessel referred” and in-
20 serting the following:

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

22 (E) by adding at the end the following:

23 “(C) a vessel that has transited a port,
24 harbor, or marine terminal, that at the time of
25 such transit—

1 “(i) was located within the territory of
2 a Western Hemisphere country that has in
3 effect a free trade agreement with the
4 United States;

5 “(ii) was accessible only through land
6 that is owned, held, or controlled, directly
7 or indirectly, by a United States person;
8 and

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

12 “(2) DESIGNATION.—The President may des-
13 ignate a port, harbor, or marine terminal under this
14 subsection if an agency or official of the government
15 of the Western Hemisphere foreign trade partner
16 has—

17 “(A) nationalized, or expropriated the port,
18 harbor, or marine terminal, owned, held, or con-
19 trolled, directly or indirectly, by a United States
20 person; or

21 “(B) taken any other action that has the
22 effect of expropriating or nationalizing that
23 port, harbor, or marine terminal, or land pro-
24 viding the exclusive access to that port, harbor,
25 or marine terminal, as described in paragraph

1 (1)(C)(ii), as long as the matter is not the sub-
2 ject of a currently pending arbitration under a
3 free trade agreement described in paragraph
4 (1)(C)(i).

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

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

11 “(B) the Western Hemisphere country has
12 restored ownership of the property of the
13 United States person and terminated any meas-
14 ures that had the effect of seizing ownership or
15 possession of that property;

16 “(C) the Western Hemisphere country has
17 provided adequate and effective compensation
18 for such property in convertible foreign ex-
19 change or other mutually acceptable compensa-
20 tion equivalent to the full value thereof, as re-
21 quired by international law; or

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

