

116TH CONGRESS
2D SESSION

S. 4728

To impose sanctions with respect to officials of the Government of the Russian Federation complicit in the poisoning of its citizens for political motives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2020

Mr. COONS (for himself, Mr. RUBIO, Mr. CARDIN, Mr. VAN HOLLEN, and Mr. ROMNEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To impose sanctions with respect to officials of the Government of the Russian Federation complicit in the poisoning of its citizens for political motives, 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 “Holding Russia Ac-
5 countable for Malign Activities Act of 2020”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO RUS-**
2 **SIAN OFFICIALS INVOLVED IN POISONING**
3 **RUSSIAN CITIZENS FOR POLITICAL MOTIVES.**

4 (a) IDENTIFICATION.—Not later than 90 days after
5 the date of the enactment of this Act, the President shall
6 submit to Congress a report identifying any current or
7 former official of the Government of the Russian Federa-
8 tion that the President determines was involved in the poi-
9 soning on August 20, 2020, of a Russian opposition leader
10 or the subsequent cover-up of the poisoning.

11 (b) IMPOSITION OF SANCTIONS.—The President shall
12 impose the following sanctions with respect to each official
13 identified in the report required by subsection (a):

14 (1) ASSET BLOCKING.—The President shall ex-
15 ercise all of the powers granted to the President
16 under the International Emergency Economic Pow-
17 ers Act (50 U.S.C. 1701 et seq.) to the extent nec-
18 essary to block and prohibit all transactions in prop-
19 erty and interests in property of the official identi-
20 fied in the report required by subsection (a) if such
21 property and interests in property are in the United
22 States, come within the United States, or are or
23 come within the possession or control of a United
24 States person.

25 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
26 PAROLE.—

1 (A) VISAS, ADMISSION, OR PAROLE.—An
2 alien identified in the report required by sub-
3 section (a) is—

4 (i) inadmissible to the United States;

5 (ii) ineligible to receive a visa or other
6 documentation to enter the United States;
7 and

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

13 (B) CURRENT VISAS REVOKED.—

14 (i) IN GENERAL.—An alien identified
15 in the report required by subsection (a) is
16 subject to revocation of any visa or other
17 entry documentation regardless of when
18 the visa or other entry documentation is or
19 was issued.

20 (ii) IMMEDIATE EFFECT.—A revoca-
21 tion under clause (i) shall—

22 (I) take effect immediately; and

23 (II) cancel any other valid visa or
24 entry documentation that is in the
25 alien's possession.

1 (c) WAIVER; EXCEPTIONS; IMPLEMENTATION OF
2 SANCTIONS.—

3 (1) IMPLEMENTATION; PENALTIES.—

4 (A) IMPLEMENTATION.—The President
5 may exercise all authorities provided under sec-
6 tions 203 and 205 of the International Emer-
7 gency Economic Powers Act (50 U.S.C. 1702
8 and 1704) to the extent necessary to carry out
9 this section.

10 (B) PENALTIES.—A person that violates,
11 attempts to violate, conspires to violate, or
12 causes a violation of subsection (b)(1), or any
13 regulation, license, or order issued to carry out
14 that subsection, shall be subject to the penalties
15 set forth in subsections (b) and (c) of section
16 206 of the International Emergency Economic
17 Powers Act (50 U.S.C. 1705) to the same ex-
18 tent as a person that commits an unlawful act
19 described in subsection (a) of that section.

20 (2) NATIONAL SECURITY WAIVER.—The Presi-
21 dent may waive the application of sanctions under
22 this section with respect to a person if the President
23 determines and certifies to Congress that such a
24 waiver is in the national security interests of the
25 United States.

1 (3) EXCEPTIONS.—

2 (A) EXCEPTION FOR INTELLIGENCE AC-
3 TIVITIES.—Sanctions under this section shall
4 not apply to any activity subject to the report-
5 ing requirements under title V of the National
6 Security Act of 1947 (50 U.S.C. 3091 et seq.)
7 or any authorized intelligence activities of the
8 United States.

9 (B) EXCEPTION TO COMPLY WITH INTER-
10 NATIONAL OBLIGATIONS.—Sanctions under sub-
11 section (b)(2) shall not apply with respect to an
12 alien if admitting or paroling the alien into the
13 United States is necessary to permit the United
14 States to comply with the Agreement regarding
15 the Headquarters of the United Nations, signed
16 at Lake Success June 26, 1947, and entered
17 into force November 21, 1947, between the
18 United Nations and the United States, or other
19 applicable international obligations.

20 (C) EXCEPTION RELATING TO THE IMPOR-
21 TATION OF GOODS.—

22 (i) IN GENERAL.—The authorities and
23 requirements to impose sanctions author-
24 ized under this section shall not include

1 the authority or a requirement to impose
2 sanctions on the importation of goods.

3 (ii) GOOD DEFINED.—In this subpara-
4 graph, the term “good” means any article,
5 natural or manmade substance, material,
6 supply, or manufactured product, including
7 inspection and test equipment, and exclud-
8 ing technical data.

9 (d) DEFINITIONS.—In this section:

10 (1) ADMISSION; ADMITTED; ALIEN.—The terms
11 “admission”, “admitted”, and “alien” have the
12 meanings given those terms in section 101 of the
13 Immigration and Nationality Act (8 U.S.C. 1101).

14 (2) UNITED STATES PERSON.—The term
15 “United States person” means—

16 (A) an individual who is a United States
17 citizen or an alien lawfully admitted for perma-
18 nent residence to the United States;

19 (B) an entity organized under the laws of
20 the United States or any jurisdiction within the
21 United States, including a foreign branch of
22 such an entity; or

23 (C) any person in the United States.

1 **SEC. 3. REPORT ON PERSONAL WEALTH OF VLADIMIR**
2 **PUTIN AND HIS FAMILY MEMBERS.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the President shall sub-
5 mit to Congress a report on the sources and extent of the
6 personal wealth of the President of the Russian Federa-
7 tion, Vladimir Putin, and his family members.

8 (b) PERSONAL WEALTH.—The report required by
9 subsection (a) shall include an assessment of the assets,
10 investments, bank accounts, other business interests, and
11 relevant beneficial ownership information of Vladimir
12 Putin and his family members.

13 (c) FORM.—The report required by subsection (a)
14 shall be submitted in unclassified form but may include
15 a classified annex.

16 **SEC. 4. DIPLOMATIC ENGAGEMENT WITH GERMANY WITH**
17 **RESPECT TO SUPPORT FOR NORD STREAM 2**
18 **PIPELINE.**

19 It is the sense of Congress that the Secretary of State
20 should urge the Government of Germany to withdraw its
21 support for the Nord Stream 2 gas pipeline from the Rus-
22 sian Federation, emphasizing the impropriety of involve-
23 ment in a project that will support a government that
24 murders its citizens for highlighting corruption and other
25 abuses, while at the same making Europe more reliant on

1 the destabilizing and untrustworthy leadership of the Rus-
2 sian Federation.

3 **SEC. 5. SENSE OF CONGRESS ON IMPOSITION OF ADDI-**
4 **TIONAL SANCTIONS RELATING TO RECENT**
5 **USE OF NOVICHOK IN THE RUSSIAN FEDERA-**
6 **TION.**

7 It is the sense of Congress that the President
8 should—

9 (1) make a determination under section 306(a)
10 of the Chemical and Biological Weapons Control and
11 Warfare Elimination Act of 1991 (22 U.S.C.
12 5604(a)) with respect to whether the recent use of
13 Novichok on August 20, 2020, against a Russian op-
14 position leader by the Government of the Russian
15 Federation constituted the use of chemical or bio-
16 logical weapons in violation of international law or
17 the use of lethal chemical or biological weapons
18 against its own nationals as described in that sec-
19 tion; and

20 (2) if the President makes an affirmative deter-
21 mination under paragraph (1), impose the sanctions
22 required by section 307 of that Act (22 U.S.C.
23 5605).

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