

117TH CONGRESS
1ST SESSION

S. 208

To impose sanctions with respect to individuals associated with the Government of the Russian Federation who are complicit in the poisoning and repression of citizens of the Russian Federation for political motives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2021

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

A BILL

To impose sanctions with respect to individuals associated with the Government of the Russian Federation who are complicit in the poisoning and repression of citizens of the Russian Federation 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 2021”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO THE**
2 **POISONING OF OPPOSITION LEADER ALEXEI**
3 **NAVALNY.**

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, or other individual acting for or on be-
8 half of, the Government of the Russian Federation that
9 the President determines was involved in the poisoning on
10 August 20, 2020, of Russian opposition leader Alexei
11 Navalny or the subsequent cover-up of the poisoning.

12 (b) IMPOSITION OF SANCTIONS.—With respect to
13 each official or other individual identified in the report re-
14 quired by subsection (a), the President shall impose sanc-
15 tions under the Global Magnitsky Human Rights Account-
16 ability Act (subtitle F of title XII of Public Law 114–
17 328; 22 U.S.C. 2656 note) or the following sanctions:

18 (1) ASSET BLOCKING.—The President shall ex-
19 ercise all of the powers granted to the President
20 under the International Emergency Economic Pow-
21 ers Act (50 U.S.C. 1701 et seq.) to the extent nec-
22 essary to block and prohibit all transactions in prop-
23 erty and interests in property of the official or other
24 individual identified in the report required by sub-
25 section (a) if such property and interests in property
26 are in the United States, come within the United

1 States, or are or come within the possession or con-
2 trol of a United States person.

3 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
4 PAROLE.—

5 (A) VISAS, ADMISSION, OR PAROLE.—An
6 alien identified in the report required by sub-
7 section (a) is—

8 (i) inadmissible to the United States;

9 (ii) ineligible to receive a visa or other
10 documentation to enter the United States;
11 and

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

17 (B) CURRENT VISAS REVOKED.—

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

24 (ii) IMMEDIATE EFFECT.—A revoca-
25 tion under clause (i) shall—

- 1 (I) take effect immediately; and
2 (II) cancel any other valid visa or
3 entry documentation that is in the
4 alien's possession.

5 (c) WAIVER; EXCEPTIONS; IMPLEMENTATION OF
6 SANCTIONS.—

7 (1) IMPLEMENTATION; PENALTIES.—

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

14 (B) PENALTIES.—A person that violates,
15 attempts to violate, conspires to violate, or
16 causes a violation of subsection (b)(1), or any
17 regulation, license, or order issued to carry out
18 that subsection, shall be subject to the penalties
19 set forth in subsections (b) and (c) of section
20 206 of the International Emergency Economic
21 Powers Act (50 U.S.C. 1705) to the same ex-
22 tent as a person that commits an unlawful act
23 described in subsection (a) of that section.

24 (2) NATIONAL SECURITY WAIVER.—The Presi-
25 dent may waive the application of sanctions under

1 this section with respect to a person if the President
2 determines and certifies to Congress that such a
3 waiver is in the national security interests of the
4 United States.

5 (3) EXCEPTIONS.—

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

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

24 (C) EXCEPTION RELATING TO THE IMPOR-
25 TATION OF GOODS.—

1 (i) IN GENERAL.—The authorities and
 2 requirements to impose sanctions author-
 3 ized under this section shall not include
 4 the authority or a requirement to impose
 5 sanctions on the importation of goods.

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

12 (d) DEFINITIONS.—In this section:

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

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

19 (A) an individual who is a United States
 20 citizen or an alien lawfully admitted for perma-
 21 nent residence to the United States;

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

1 (C) any person in the United States.

2 **SEC. 3. REPORT ON THE ASSASSINATION OF BORIS**
3 **NEMTSOV.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of State, in coordination
6 with the Director of National Intelligence, shall submit to
7 Congress a report detailing the circumstances of the assas-
8 sination on February 27, 2015, of Russian opposition
9 leader Boris Nemtsov, including—

10 (1) a list of the individuals the Secretary deter-
11 mines to have been involved in the assassination as
12 perpetrators or as having organized or directed the
13 assassination;

14 (2) a description of what measures, if any, have
15 been taken by the Government of the Russian Fed-
16 eration to investigate the assassination and bring the
17 individuals described in paragraph (1) to justice;
18 and

19 (3) an assessment of the effectiveness of those
20 measures.

21 **SEC. 4. REPORT ON PERSONAL WEALTH OF VLADIMIR**
22 **PUTIN AND HIS FAMILY MEMBERS.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of the enactment of this Act, the President shall sub-
25 mit to Congress a report on the sources and extent of the

1 personal wealth of the President of the Russian Federa-
 2 tion, Vladimir Putin, and his family members.

3 (b) PERSONAL WEALTH.—The report required by
 4 subsection (a) shall include an assessment of the assets,
 5 investments, bank accounts, other business interests, and
 6 relevant beneficial ownership information of Vladimir
 7 Putin and his family members.

8 (c) FORM.—The report required by subsection (a)
 9 shall be submitted in unclassified form but may include
 10 a classified annex.

11 **SEC. 5. DIPLOMATIC ENGAGEMENT WITH GERMANY WITH**
 12 **RESPECT TO SUPPORT FOR NORD STREAM 2**
 13 **PIPELINE.**

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

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

5 It is the sense of Congress that the President
6 should—

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

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

22 **SEC. 7. CALLING FOR RELEASE OF ALEXEI NAVALNY AND**
23 **OTHER POLITICAL PRISONERS FROM POLITI-**
24 **CALLY MOTIVATED DETENTION.**

25 (a) SENSE OF CONGRESS.—It is the sense of Con-
26 gress that authorities of the Government of the Russian

1 Federation detained opposition leader Alexei Navalny on
2 false charges when he returned to Moscow on January 17,
3 2021, after receiving treatment for Novichok poisoning in
4 Germany.

5 (b) CALLING FOR RELEASE OF POLITICAL PRIS-
6 ONERS.—Congress calls on the Government of the Russian
7 Federation to immediately release Navalny and all other
8 political prisoners in the Russian Federation currently im-
9 prisoned for exercising their fundamental rights.

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