

Calendar No. 606

117TH CONGRESS
2^D SESSION**S. 4955**

To amend certain authorities relating to human rights violations and abuses
in Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2022

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

DECEMBER 7, 2022

Reported by Mr. MENENDEZ, with an amendment

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

A BILL

To amend certain authorities relating to human rights
violations and abuses in Ukraine, 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 “Ukraine Human
5 Rights Policy Act of 2022”.

1 **SEC. 2. CONGRESSIONAL OVERSIGHT OF MANDATORY IM-**
 2 **POSITION OF SANCTIONS WITH RESPECT TO**
 3 **TRANSACTIONS WITH PERSONS RESPON-**
 4 **SIBLE FOR HUMAN RIGHTS ABUSES.**

5 Section 11 of the Support for the Sovereignty, Integ-
 6 rity, Democracy, and Economic Stability of Ukraine Act
 7 of 2014 (22 U.S.C. 8910) is amended—

8 (1) by redesignating subsections (d) and (e) as
 9 subsections (e) and (f), respectively; and

10 (2) by inserting after subsection (e) the fol-
 11 lowing:

12 “(d) CONGRESSIONAL OVERSIGHT.—

13 “(1) IN GENERAL.—Not later than 60 days
 14 after receiving a request from the chairman and
 15 ranking member of one of the appropriate congres-
 16 sional committees with respect to whether a person
 17 meets the criteria of a person described in sub-
 18 section (a), the President shall—

19 “(A) determine if the person meets such
 20 criteria; and

21 “(B) submit a classified or unclassified re-
 22 port to such chairman and ranking member
 23 with respect to such determination that includes
 24 a statement of whether or not the President im-
 25 posed or intends to impose sanctions under sub-
 26 section (b) with respect to such person.

1 ~~“(2) APPROPRIATE CONGRESSIONAL COMMIT-~~
 2 ~~TEES DEFINED.—~~In this subsection, the term ‘ap-
 3 propriate congressional committees’ means—

4 ~~“(A) the Committee on Foreign Affairs of~~
 5 the House of Representatives; and

6 ~~“(B) the Committee on Foreign Relations~~
 7 of the Senate.”.

8 **SEC. 3. SENSE OF CONGRESS.**

9 Section 252 of the Countering America’s Adversaries
 10 Through Sanctions Act (~~22 U.S.C. 9542~~) is amended—

11 (1) by striking paragraph (1) and inserting the
 12 following:

13 ~~“(1) the Government of the Russian Federation~~
 14 bears responsibility for the continuing violence in
 15 Ukraine and imposition onto Ukrainian sov-
 16 ereignty.”;

17 (2) by redesignating paragraphs (2) through
 18 (10) as paragraphs (5) through (13), respectively;

19 (3) by inserting after paragraph (1) the fol-
 20 lowing:

21 ~~“(2) the Government of the Russian Federa-~~
 22 tion’s invasion of Ukraine reflects years of disregard
 23 for territorial integrity across the European con-
 24 tinent;

1 “(3) paramilitary organizations are utilized by
 2 the Government of the Russian Federation to exe-
 3 cute foreign policy goals, including through influence
 4 campaigns, economic coercion, and violence;

5 “(4) ongoing violence from the Government of
 6 the Russian Federation across Europe creates impli-
 7 cations for allies and partners of the United States
 8 outside of the European continent, and a deterrence
 9 strategy therefore requires coordination and coopera-
 10 tion with like-minded partners across the globe;”
 11 and

12 (4) by amending subparagraph (A) of para-
 13 graph (12) (as redesignated) to read as follows:

14 “(A) to identify vulnerabilities to aggres-
 15 sion, information operations, in particular cyber
 16 warfare and military information support oper-
 17 ations, corruption, and hybrid warfare by the
 18 Government of the Russian Federation and its
 19 proxy forces;”.

20 **SEC. 4. STATEMENT OF POLICY.**

21 It is the policy of the United States to consider for-
 22 eign persons who are involved in the forced relocation or
 23 detention of persons in Russian filtration camps as having
 24 committed gross violations of internationally recognized
 25 human rights for purposes of imposing sanctions with re-

1 spect to such persons under the Global Magnitsky Human
 2 Rights Accountability Act (22 U.S.C. 10101 et seq.).

3 **SEC. 5. REPORT ON HUMAN RIGHTS ABUSES IN UKRAINE**
 4 **AND AGAINST UKRAINIAN RESIDENTS FORC-**
 5 **IBLY RELOCATED TO THE RUSSIAN FEDERA-**
 6 **TION.**

7 (a) **IN GENERAL.**—The Secretary of State shall in-
 8 clude in the report required by sections 116(d) and 502B
 9 of the Foreign Assistance Act of 1961 (22 U.S.C.
 10 2151n(d) and 2304) information on human rights abuses
 11 in Ukraine and against individuals who reside in Ukraine
 12 who are forcibly relocated.

13 (b) **MATTERS TO BE INCLUDED.**—The information
 14 required under subsection (a) shall include—

15 (1) an assessment of Russian forces and Rus-
 16 sian Federation-affiliated non-state groups involved
 17 in human rights abuses against civilians in Ukraine;

18 (2) an assessment of the number of individuals
 19 detained in filtration camps operated by the Russian
 20 Federation or its proxies;

21 (3) a description of the conditions in such
 22 camps for detainees, including, to the extent prac-
 23 ticable, an assessment of—

24 (A) methods of abuse;

1 ~~(B) efforts to force individuals to renounce~~
2 ~~their faith; and~~

3 ~~(C) other serious human rights abuses;~~

4 ~~(4) to the extent practicable, an assessment of~~
5 ~~staffing levels at such camps, including such camps~~
6 ~~at which military, governmental, or other units are~~
7 ~~in charge;~~

8 ~~(5) a description, as appropriate, of United~~
9 ~~States diplomatic efforts with allies and other coun-~~
10 ~~tries and relevant international organizations—~~

11 ~~(A) to address the gross violations of~~
12 ~~human rights against Ukrainians; and~~

13 ~~(B) to prosecute individuals responsible for~~
14 ~~committing human rights violations; and~~

15 ~~(6) the identification of the offices within the~~
16 ~~Department of State that are responsible for leading~~
17 ~~and coordinating the diplomatic efforts referred to in~~
18 ~~paragraph (5).~~

19 ~~(c) COLLECTION OF INFORMATION.—The Secretary~~
20 ~~shall collect the information required under subsection (a)~~
21 ~~in consultation with the heads of other relevant Federal~~
22 ~~departments and agencies and civil society organizations.~~

1 **SEC. 6. CLASSIFIED ASSESSMENT OF ABILITY OF UNITED**
2 **STATES TO COLLECT INTELLIGENCE RELAT-**
3 **ING TO WAR CRIMES AND HUMAN RIGHTS**
4 **ABUSES.**

5 (a) ~~IN GENERAL.~~—The Secretary of State and the
6 Director of National Intelligence, in consultation with
7 such elements of the intelligence community (as defined
8 in section 3 of the National Security Act of 1947 (50
9 U.S.C. 3003)) as the Director deems appropriate, shall
10 submit to the committees specified in subsection (b) a
11 classified report that assesses the ability of the United
12 States Government to collect and analyze intelligence re-
13 garding—

14 (1) the scope and scale of war crimes com-
15 mitted against individuals who reside in Ukraine by
16 the Russian Armed Forces or Russian Federation-
17 affiliated non-state groups;

18 (2) the scope and scale of the detention and
19 forced labor of Ukrainian nationals in Ukraine and
20 the Russian Federation;

21 (3) the gross abuses of human rights per-
22 petrated inside the filtration camps and other deten-
23 tion centers operated by the Russian Federation or
24 Russian Federation-affiliated non-state groups; and

25 (4) other actions of the Government of the Rus-
26 sian Federation that constitute gross violations of

1 human rights related to the invasion of Ukraine by
 2 the Russian Federation.

3 ~~(b) COMMITTEES SPECIFIED.—The committees spee-~~
 4 ~~ified in this subsection are—~~

5 (1) the Committee on Foreign Relations and
 6 the Select Committee on Intelligence of the Senate;
 7 and

8 (2) the Committee on Foreign Affairs and the
 9 Permanent Select Committee on Intelligence of the
 10 House of Representatives.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Ukraine Human Rights*
 13 *Policy Act of 2022”.*

14 **SEC. 2. CONGRESSIONAL OVERSIGHT OF MANDATORY IM-**
 15 **POSITION OF SANCTIONS WITH RESPECT TO**
 16 **TRANSACTIONS WITH PERSONS RESPON-**
 17 **SIBLE FOR HUMAN RIGHTS ABUSES.**

18 *Section 11 of the Support for the Sovereignty, Integ-*
 19 *riety, Democracy, and Economic Stability of Ukraine Act*
 20 *of 2014 (22 U.S.C. 8910) is amended—*

21 (1) *by redesignating subsections (d) and (e) as*
 22 *subsections (e) and (f), respectively; and*

23 (2) *by inserting after subsection (c) the fol-*
 24 *lowing:*

25 *“(d) CONGRESSIONAL OVERSIGHT.—*

1 “(1) *IN GENERAL.*—Not later than 60 days after
 2 receiving a request from the chairman and ranking
 3 member of one of the appropriate congressional com-
 4 mittees with respect to whether a person meets the cri-
 5 teria of a person described in subsection (a), the
 6 President shall—

7 “(A) determine if the person meets such cri-
 8 teria; and

9 “(B) submit a classified or unclassified re-
 10 port to such chairman and ranking member with
 11 respect to such determination that includes a
 12 statement of whether or not the President im-
 13 posed or intends to impose sanctions under sub-
 14 section (b) with respect to such person.

15 “(2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 16 *DEFINED.*—In this subsection, the term ‘appropriate
 17 congressional committees’ means—

18 “(A) the Committee on Foreign Affairs of
 19 the House of Representatives; and

20 “(B) the Committee on Foreign Relations of
 21 the Senate.”.

22 **SEC. 3. SENSE OF CONGRESS.**

23 Section 252 of the Countering America’s Adversaries
 24 Through Sanctions Act (22 U.S.C. 9542) is amended—

1 (1) by striking paragraph (1) and inserting the
2 *following:*

3 “(1) the Government of the Russian Federation
4 *bears responsibility for the continuing violence in*
5 *Ukraine and imposition onto Ukrainian sov-*
6 *ereignty;”;*

7 (2) by redesignating paragraphs (2) through (10)
8 *as paragraphs (5) through (13), respectively;*

9 (3) by inserting after paragraph (1) the fol-
10 *lowing:*

11 “(2) the Government of the Russian Federation’s
12 *invasion of Ukraine reflects years of disregard for ter-*
13 *ritorial integrity across the European continent;*

14 “(3) paramilitary organizations are utilized by
15 *the Government of the Russian Federation to execute*
16 *foreign policy goals, including through influence cam-*
17 *paigns, economic coercion, and violence, particularly*
18 *sexual violence against women;*

19 “(4) ongoing violence from the Government of the
20 *Russian Federation across Europe creates implica-*
21 *tions for allies and partners of the United States out-*
22 *side of the European continent, and a deterrence*
23 *strategy therefore requires coordination and coopera-*
24 *tion with like-minded partners across the globe;”;* and

(4) by amending subparagraph (A) of paragraph
(12) (as redesignated) to read as follows:

“(A) to identify vulnerabilities to aggression, information operations, in particular cyber warfare and military information support operations, corruption, and hybrid warfare by the Government of the Russian Federation and its proxy forces;”.

SEC. 4. REPORT ON HUMAN RIGHTS ABUSES BY THE RUSSIAN FEDERATION IN UKRAINE AND AGAINST UKRAINIAN RESIDENTS FORCIBLY RELOCATED.

(a) *IN GENERAL.*—The Secretary of State should include in the report required by sections 116(d) and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304) information on human rights abuses committed by Russian forces or persons acting on behalf of the Russian Federation in Ukraine or against individuals who reside in Ukraine who are forcibly relocated.

(b) *MATTERS TO BE INCLUDED.*—The information required under subsection (a) shall include—

(1) an assessment of Russian forces and Russian Federation-affiliated non-state groups involved in human rights abuses against civilians in Ukraine;

1 (2) *an assessment of the number of individuals,*
 2 *including the number of children, detained in filtra-*
 3 *tion camps operated by the Russian Federation or its*
 4 *proxies;*

5 (3) *a description of the conditions in such camps*
 6 *for detainees, including, to the extent practicable, an*
 7 *assessment of—*

8 (A) *methods of abuse;*

9 (B) *efforts to force individuals to renounce*
 10 *their faith;*

11 (C) *efforts to facilitate the forced adoption*
 12 *of Ukrainian children in violation of Ukrainian*
 13 *law; and*

14 (D) *other serious human rights abuses;*

15 (4) *to the extent practicable, an assessment of*
 16 *staffing levels at such camps, including such camps at*
 17 *which military, governmental, or other units are in*
 18 *charge;*

19 (5) *a description, as appropriate, of United*
 20 *States diplomatic efforts with allies and other coun-*
 21 *tries and relevant international organizations—*

22 (A) *to address the gross violations of human*
 23 *rights against Ukrainians;*

24 (B) *to prosecute individuals responsible for*
 25 *committing human rights violations; and*

1 (C) to hold accountable through economic
2 sanctions, including sanctions under the Global
3 Magnitsky Human Rights Accountability Act
4 (22 U.S.C. 10101 et seq.), individuals responsible
5 for gross violations of internationally recognized
6 human rights against Ukrainians;

7 (6) the identification of the offices within the De-
8 partment of State that are responsible for leading and
9 coordinating the diplomatic efforts referred to in
10 paragraph (5);

11 (7) an assessment of the use by Russian forces
12 and Russian Federation-affiliated non-state groups of
13 rape as a weapon of war, including the specific
14 human rights abuses inflicted on women and girls in
15 Ukraine; and

16 (8) efforts undertaken by the United States to
17 monitor the scope and scale of the impact and tar-
18 geting of women and girls in particular, especially
19 with sexual violence, within the filtration camps and
20 other detention facilities operated by the Russian Fed-
21 eration or its proxies.

22 (c) COLLECTION OF INFORMATION.—The Secretary
23 shall collect the information required under subsection (a)
24 in consultation with the heads of other relevant Federal de-
25 partments and agencies and civil society organizations.

1 **SEC. 5. CLASSIFIED ASSESSMENT OF ABILITY OF UNITED**
2 **STATES TO COLLECT INTELLIGENCE RELAT-**
3 **ING TO WAR CRIMES AND HUMAN RIGHTS**
4 **ABUSES.**

5 (a) *IN GENERAL.*—*The Secretary of State and the Di-*
6 *rector of National Intelligence, in consultation with such*
7 *elements of the intelligence community (as defined in sec-*
8 *tion 3 of the National Security Act of 1947 (50 U.S.C.*
9 *3003)) as the Director deems appropriate, shall submit to*
10 *the committees specified in subsection (b) a classified report*
11 *that assesses the ability of the United States Government*
12 *to collect and analyze intelligence regarding—*

13 (1) *the scope and scale of war crimes and geno-*
14 *cide committed against individuals who reside in*
15 *Ukraine by the Russian Armed Forces or Russian*
16 *Federation-affiliated non-state groups;*

17 (2) *the scope and scale of the detention and*
18 *forced labor of Ukrainian nationals in Ukraine and*
19 *the Russian Federation;*

20 (3) *the scope and scale of forced adoptions of*
21 *Ukrainian children;*

22 (4) *the gross abuses of human rights perpetrated*
23 *inside the filtration camps and other detention cen-*
24 *ters operated by the Russian Federation or Russian*
25 *Federation-affiliated non-state groups; and*

1 (5) *other actions of the Government of the Rus-*
2 *sian Federation that constitute gross violations of*
3 *human rights related to the invasion of Ukraine by*
4 *the Russian Federation.*

5 (b) *COMMITTEES SPECIFIED.—The committees speci-*
6 *fied in this subsection are—*

7 (1) *the Committee on Foreign Relations and the*
8 *Select Committee on Intelligence of the Senate; and*

9 (2) *the Committee on Foreign Affairs and the*
10 *Permanent Select Committee on Intelligence of the*
11 *House of Representatives.*

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