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2D SESSION

S. 4625

To provide for the designation of the Russian Federation as a state sponsor of terrorism.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2024

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

A BILL

To provide for the designation of the Russian Federation as a state sponsor of terrorism.

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 “Designating the Rus-
5 sian Federation as a State Sponsor of Terrorism Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) United States law authorizes the designa-
9 tion of countries as state sponsors of terrorism if

1 they have repeatedly provided support for acts of
2 international terrorism.

3 (2) The Republic of Cuba, the Democratic Peo-
4 ple's Republic of Korea, the Islamic Republic of
5 Iran, and the Syrian Arab Republic are currently
6 designated as state sponsors of terrorism.

7 (3) At the direction of President Vladimir
8 Putin, the Government of the Russian Federation
9 has promoted, and continues to promote, acts of
10 international terrorism against political opponents,
11 foreign nationals, and nation states.

12 (4) Under the orders of President Vladimir
13 Putin, the Government of the Russian Federation
14 engaged in a campaign of terror that utilized brutal
15 force to target civilians and civilian centers, such as
16 Grozny (the capital of Chechnya) during the Second
17 Chechen War, which left countless innocent men,
18 women, and children dead or wounded.

19 (5) In 2004, agents of the Government of the
20 Russian Federation allegedly poisoned then can-
21 didate for President of Ukraine and informal opposi-
22 tion coalition leader, Viktor Yushchenko, with
23 2,3,7,8-tetrachlorodibenzo-p-dioxin (commonly
24 known as "TCDD").

1 (6) In 2006, agents of the Government of the
2 Russian Federation allegedly poisoned a former offi-
3 cer of the Federal Security Service of the Russian
4 Federation, Alexander Litvinenko, with the rare and
5 highly toxic radionuclide polonium-210 while Mr.
6 Litvinenko was in London.

7 (7) In 2014, the Russian Federation illegally
8 seized and annexed the Crimean Peninsula from
9 Ukraine by military force.

10 (8) In 2014, the Wagner Group, a private mili-
11 tary company, was established following the Russian
12 Federation’s illegal seizure and annexation of the
13 Crimean Peninsula and has since—

14 (A) been subject to United States Govern-
15 ment sanctions for its involvement in the Rus-
16 sian Federation’s initial invasion of Ukraine;

17 (B) been added to the Department of Com-
18 merce’s Entity List set forth in Supplement No.
19 4 to part 744 of the Export Administration
20 Regulations for violating international law and
21 fueling the conflict in eastern Ukraine;

22 (C) been identified by the Department of
23 the Treasury as “a designated Russian Ministry
24 of Defense proxy force”;

1 (D) been redesignated by the Office of
2 Foreign Assets Control of the Department of
3 the Treasury pursuant to Executive Order
4 13581 for being “a foreign person that con-
5 stitutes a significant transnational criminal or-
6 ganization”, due to the Wagner Group’s “ongo-
7 ing pattern of serious criminal activity, includ-
8 ing mass executions, rape, child abductions and
9 physical abuse”; and

10 (E) had additional sanctions placed on in-
11 dividuals who have directly or indirectly acted
12 on behalf of the Wagner Group, even after the
13 death of the former head of the Wagner Group,
14 Yevgeny Prigozhin.

15 (9) Since 2014, the Government of the Russian
16 Federation has supported separatists engaging in
17 acts of violence against Ukrainian civilians in the
18 Donbas region.

19 (10) On July 27, 2014, the Government of the
20 Russian Federation supplied the surface-to-air mis-
21 sile used by pro-Russian rebels in eastern Ukraine to
22 shoot down Malaysia Airlines Flight 17, which re-
23 sulted in the deaths of 298 innocent men, women,
24 and children.

1 (11) In September and October 2016, an aerial
2 bombing campaign launched by the Russian-Syrian
3 coalition against the city of Aleppo, Syria killed at
4 least 430 people and struck civilian targets, includ-
5 ing the al-Sakhour Medical Center.

6 (12) In 2018, intelligence assessments by the
7 United States Government concluded that President
8 Vladimir Putin ordered the poisoning of former Rus-
9 sian military officer and double agent for British in-
10 telligence agencies Sergei Skripal and his daughter,
11 Yulia Skripal, in the United Kingdom.

12 (13) The Government of the Russian Federa-
13 tion has entered into trade deals with the Republic
14 of Cuba, a nation that is currently designated a
15 state sponsor of terrorism, with the intent to con-
16 tinue to increase bilateral trade between the two
17 countries, which reached \$450,000,000 in 2022,
18 which was a 200 percent increase in the value of
19 trade between the two countries compared to 2021.

20 (14) The Government of the Russian Federa-
21 tion has received diplomatic support from the Demo-
22 cratic People's Republic of Korea, another nation
23 that is currently designated a state sponsor of ter-
24 rorism, and a nation that has recognized the Rus-

1 sian Federation’s illegal annexation of Donetsk,
2 Kherson, Luhansk, and Zaporizhzhia as legitimate.

3 (15) The Government of the Russian Federa-
4 tion has provided and continues to provide military
5 and technical support to the Islamic Republic of
6 Iran, a third nation that is currently designated a
7 state sponsor of terrorism, in return for weapons, in-
8 cluding unmanned aerial vehicles, which the Russian
9 Federation has used extensively in Ukraine, includ-
10 ing against civilian targets.

11 (16) The Government of the Russian Federa-
12 tion provides material support to the Syrian Arab
13 Republic, a fourth nation that is currently des-
14 ignated a state sponsor of terrorism and a nation
15 that has targeted innocent civilians with attacks on
16 civilian markets, medical facilities, and schools.

17 (17) On February 25, 2022, the day after Rus-
18 sia launched its full scaled invasion of Ukraine, and
19 pursuant to Executive Order 14024 (50 U.S.C. 1701
20 note), which authorizes sanctions against Russia for
21 its harmful foreign activities, including violating
22 well-established principles of international law such
23 as respect for the sovereignty and territorial integ-
24 rity of other states, the United States imposed sanc-
25 tions on—

1 (A) the President of the Russian Federa-
2 tion, Vladimir Putin;

3 (B) the Minister of Foreign Affairs of the
4 Russian Federation, Sergei Lavrov;

5 (C) the Chief of the General Staff of the
6 Armed Forces of the Russian Federation,
7 Valery Gerasimov; and

8 (D) the Minister of Defense of the Russian
9 Federation, Sergei Shoigu.

10 (18) On February 25, 2022, following the im-
11 position of sanctions, the Department of the Treasury
12 released a statement that reads, in part, “President
13 Putin and Minister Lavrov are directly responsible
14 for Russia’s unprovoked and unlawful further inva-
15 sion of Ukraine, a democratic sovereign state. It is
16 exceedingly rare for Treasury to designate a head of
17 state; President Putin joins a very small group that
18 includes despots such as Kim Jong Un, Alyaksandr
19 Lukashenka, and Bashar al-Assad.”.

20 (19) On March 1, 2022, Jason Blazakis, former
21 Director of the Counterterrorism Finance and Des-
22 ignations Office, Bureau of Counterterrorism, De-
23 partment of State, wrote “Russia provides sanctuary
24 to a U.S.-designated terrorist group, the Russian

1 Imperial Movement, which operates with impunity in
2 Russian territory.”.

3 (20) On March 14, 2022, Chairperson-in-Office
4 of the Organization for Security and Co-operation in
5 Europe, Zbigniew Rau, stated that actions of the
6 Government of the Russian Federation in Ukraine
7 against innocent civilians and civilian infrastructure
8 is “state terrorism”.

9 (21) On March 17, 2022, Ukrainian President
10 Volodymyr Zelensky called for the world to acknowl-
11 edge the Russian Federation as a terrorist state.

12 (22) In July 2022, it was reported that between
13 2013 and 2021 the Governments of the Russian
14 Federation and the Syrian Arab Republic had car-
15 ried out at least 58 double-tap air strikes in residen-
16 tial areas in the Syrian Arab Republic outside of
17 government-held territory that targeted rescue per-
18 sonnel responding to assist civilian casualties caused
19 by the initial air strikes.

20 (23) On July 27, 2022, during the 117th Con-
21 gress, the Senate unanimously passed a resolution
22 calling on the Secretary of State to designate the
23 Russian Federation as a state sponsor of terrorism.

24 (24) On November 23, 2022, the European
25 Parliament designated the Russian Federation as a

1 state sponsor of terrorism for its military strikes on
2 civilian targets, including energy infrastructure, hos-
3 pitals, schools and shelters.

4 (25) As of December 21, 2022, four NATO al-
5 lies have formally declared that the Russian Federa-
6 tion is a state sponsor of terrorism.

7 (26) On December 21, 2022, President
8 Zelensky, speaking before a joint meeting of the
9 United States Congress, called on the United States
10 to “let the terrorist state [of Russia] be held respon-
11 sible for its terror and aggression [towards
12 Ukraine]”.

13 (27) On March 17, 2023, Pre-Trial Chamber II
14 of the International Criminal Court issued arrest
15 warrants for the President of the Russian Federa-
16 tion, Vladimir Putin, and the Commissioner for Chil-
17 dren’s Rights in the Office of the President, Maria
18 Alekseyevna Lvova-Belova, for the war crime of un-
19 lawful deportation of children and the unlawful
20 transfer of children from occupied areas of Ukraine
21 to the Russian Federation.

22 (28) On February 16, 2024, Aleksey Navalny,
23 a Russian opposition leader and vocal critic of Presi-
24 dent Vladimir Putin, was reported dead after Rus-

1 sian officials announced he died from “sudden death
2 syndrome”.

3 (29) On February 16, 2024, following reports
4 of the death of Aleksey Navalny, President Biden
5 stated “Make no mistake: Putin is responsible for
6 Navalny’s death. What has happened to Navalny is
7 more proof of Putin’s brutality”, which built on his
8 earlier comments that “the consequences of
9 [Navalny’s death] would be devastating for Russia.”.

10 (30) On March 5, 2024, Pre-Trial Chamber II
11 of the International Criminal Court issued arrest
12 warrants for the Commander of the Long-Range
13 Aviation of the Aerospace Force, Sergei Ivanovich
14 Kobylash, and Commander of the Black Sea Fleet,
15 Viktor Nikolayevich Sokolov, for the war crime of di-
16 recting attacks at civilian objects, the war crime of
17 causing excessive incidental harm to civilians and
18 damage to civilian objects, and the crime against hu-
19 manity of inhumane acts.

20 (31) The Verkhovna Rada of Ukraine has ap-
21 pealed to Congress to encourage the Department of
22 State to designate the Russian Federation as a state
23 sponsor of terrorism, noting that “the Russian Fed-
24 eration has for years supported and financed ter-
25 rorist regimes and terrorist organizations, including

1 being the main supplier of weapons to the Assad re-
2 gime in Syria and supporting terrorists in the Mid-
3 dle East and Latin America, organizing acts of
4 international terrorism, including the poisoning of
5 the Skripal family in the United Kingdom of Great
6 Britain and Northern Ireland, the downing of a civil-
7 ian Malaysian airliner and other acts of terrorism.”.

8 (32) While those who oppose designating the
9 Russian Federation as a state sponsor of terrorism
10 claim such designation would prevent diplomatic en-
11 gagement between the Russian Federation and the
12 United States, section 112b of title 1, United States
13 Code (commonly known as the “Case-Zablocki Act”)
14 does not prohibit the President of the United States
15 nor the Secretary of State from engaging diplomati-
16 cally and entering into international agreements with
17 any foreign government that is designated as a state
18 sponsor of terrorism.

19 (33) The United States has previously engaged
20 diplomatically and entered into agreements with gov-
21 ernments designated as state sponsors of terrorism,
22 including—

23 (A) in 1984, 1994, and 1995 when the
24 United States and the Republic of Cuba nego-

1 tiated a number of joint communiqués and joint
2 statements related to migration procedures;

3 (B) in 1996, when the United States en-
4 tered into three agreements with the Islamic
5 Republic of Iran related to the resolution of
6 claims before the Iran-United States Claims
7 Tribunal and the International Court of Jus-
8 tice;

9 (C) in 2010, when the United States held
10 security talks with the President of the Syrian
11 Arab Republic;

12 (D) in 2013 and 2015, when the United
13 States and the Islamic Republic of Iran partici-
14 pated in and signed the multinational Joint
15 Plan of Action and the Joint Comprehensive
16 Plan of Action, respectively;

17 (E) in 2018 and 2019, when the President
18 of the United States held a series of bilateral
19 meetings with the Supreme Leader of the
20 Democratic People’s Republic of Korea; and

21 (F) by maintaining United States Embassy
22 or interest section operations in the Republic of
23 Cuba and the Syrian Arab Republic while the
24 respective countries were designated as state
25 sponsors of terrorism.

1 (34) The United States has a range of tools
2 available—

3 (A) to hold the Russian Federation ac-
4 countable;

5 (B) to reduce the Russian Federation’s
6 war machine; and

7 (C) to isolate the Russian Federation eco-
8 nomically and diplomatically, including—

9 (i) by designating the Russian Fed-
10 eration a state sponsor of terrorism; and

11 (ii) by imposing corresponding sanc-
12 tions.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) **AGRICULTURAL COMMODITY.**—The term
16 “agricultural commodity” has the meaning given
17 such term in section 102 of the Agricultural Trade
18 Act of 1978 (7 U.S.C. 5602).

19 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
20 **TEES.**—The term “appropriate congressional com-
21 mittees” means—

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

24 (B) the Committee on Banking, Housing,
25 and Urban Affairs of the Senate;

1 (C) the Committee on Armed Services of
2 the Senate;

3 (D) the Committee on the Judiciary of the
4 Senate;

5 (E) the Committee on Appropriations of
6 the Senate;

7 (F) the Committee on Agriculture, Nutri-
8 tion, and Forestry of the Senate;

9 (G) the Committee on Commerce, Science,
10 and Transportation of the Senate;

11 (H) the Committee on Foreign Affairs of
12 the House of Representatives;

13 (I) the Committee on Financial Services of
14 the House of Representatives;

15 (J) the Committee on Armed Services of
16 the House of Representatives;

17 (K) the Committee on the Judiciary of the
18 House of Representatives;

19 (L) the Committee on Appropriations of
20 the House of Representatives;

21 (M) the Committee on Agriculture of the
22 House of Representatives; and

23 (N) the Committee on Energy and Com-
24 merce of the House of Representatives.

1 (3) **MEDICAL DEVICE.**—The term “medical de-
2 vice” has the meaning given the term “device” in
3 section 201(h)(1) of the Federal Food, Drug, and
4 Cosmetic Act (21 U.S.C. 321(h)(1)).

5 (4) **MEDICINE.**—The term “medicine” has the
6 meaning given the term “drug” in section 201(g)(1)
7 of the Federal Food, Drug, and Cosmetic Act (21
8 U.S.C. 321(g)(1)).

9 **SEC. 4. DESIGNATION OF THE RUSSIAN FEDERATION AS A**
10 **STATE SPONSOR OF TERRORISM.**

11 (a) **DESIGNATION.**—Upon the enactment of this Act,
12 the Secretary of State shall designate the Russian Federa-
13 tion a state sponsor of terrorism pursuant to—

14 (1) section 1754(c) of the National Defense Au-
15 thorization Act for Fiscal Year 2019 (50 U.S.C.
16 4813(c));

17 (2) section 40 of the Arms Export Control Act
18 (22 U.S.C. 2780);

19 (3) section 620A of the Foreign Assistance Act
20 of 1961 (22 U.S.C. 2371); and

21 (4) any other relevant provision of law.

22 (b) **TECHNICAL AND CONFORMING AMENDMENTS.**—
23 Section 1605A(h)(6) of title 28, United States Code, is
24 amended—

1 (1) by inserting “Congress or” before “the Sec-
2 retary of State”; and

3 (2) by striking “section 6(j) of the Export Ad-
4 ministration Act of 1979 (50 U.S.C. App.
5 2405(j)),”.

6 **SEC. 5. EXCEPTIONS.**

7 (a) IN GENERAL.—

8 (1) LICENSE REQUIREMENT.—Notwithstanding
9 any other provision of this Act, the export of agricul-
10 tural commodities, medicine, or medical devices to
11 the Russian Federation may only be made pursuant
12 to a 2-year license issued by the United States Gov-
13 ernment for contracts entered into during the 2-year
14 license period and shipped during the 2-year period
15 beginning on the date on which the contract is
16 signed.

17 (2) CERTAIN TRANSACTIONS IN SUPPORT OF
18 NONGOVERNMENTAL ORGANIZATIONS’ ACTIVITIES.—

19 The designation of the Russian Federation as a
20 state sponsor of terrorism pursuant to section 4(a)
21 shall not impact certain transactions in support of
22 nongovernmental organizations’ activities in Ukraine
23 set forth in paragraph (b) of General License Num-
24 ber 23, which was issued by the Office of Foreign

1 Assets Control of the Department of the Treasury
2 on March 11, 2022.

3 (3) OTHER REQUIREMENTS.—Except as pro-
4 vided in paragraph (4), the requirements under a 2-
5 year license issued pursuant to paragraph (1) may
6 not be more restrictive than license exceptions ad-
7 ministered by the Department of Commerce or gen-
8 eral licenses administered by the Department of the
9 Treasury.

10 (4) DENIAL OF LICENSE TO CERTAIN ENTI-
11 TIES.—The Secretary of Commerce shall establish
12 procedures to deny licenses for exports to the Rus-
13 sian Federation.

14 (b) QUARTERLY REPORTS.—The applicable depart-
15 ment or agency of the Federal Government shall submit
16 a quarterly report to the appropriate congressional com-
17 mittees that describes any activities undertaken pursuant
18 to subsection (a) during the most recently concluded cal-
19 endar quarter.

20 (c) BIENNIAL REPORTS.—Not later than 2 years
21 after the date of the enactment of this Act, and biennially
22 thereafter, the applicable department or agency of the
23 Federal Government shall submit a report to the appro-
24 priate congressional committees regarding the operation

1 of the licensing system required under this section during
2 the preceding 2-year period, which shall include—

3 (1) the number and types of licenses for which
4 applications were submitted;

5 (2) the number and types of licenses that were
6 approved;

7 (3) the average amount of time elapsed between
8 the date on which the license application was filed
9 and the date on which the license was approved;

10 (4) the extent to which the licensing procedures
11 were effectively implemented; and

12 (5) a description of comments received from in-
13 terested parties about the extent to which the licens-
14 ing procedures were effective, after the applicable
15 department or agency holds a public 30-day com-
16 ment period.

17 **SEC. 6. CONDITIONS FOR REMOVING THE STATE SPONSOR**
18 **OF TERRORISM DESIGNATION FROM THE**
19 **RUSSIAN FEDERATION.**

20 The President may remove the designation required
21 under section 4(a) on the date that is 30 days after the
22 date on which the President certifies to the appropriate
23 congressional committees, the majority leader and minor-
24 ity leader of the Senate, and the Speaker and minority
25 leader of the House of Representatives, that—

1 (1) the Russian Federation is no longer sup-
2 porting acts of international terrorism; and

3 (2) removing such designation is in the national
4 security interest of the United States.

○