

Calendar No. 332

116TH CONGRESS
1ST SESSION

S. 1189

To require the Secretary of State to determine whether the Russian Federation should be designated as a state sponsor of terrorism and whether Russian-sponsored armed entities in Ukraine should be designated as foreign terrorist organizations.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

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

DECEMBER 17, 2019

Reported by Mr. RISCH, with an amendment

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

A BILL

To require the Secretary of State to determine whether the Russian Federation should be designated as a state sponsor of terrorism and whether Russian-sponsored armed entities in Ukraine should be designated as foreign terrorist organizations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stopping Malign Ac-
3 tivities from Russian Terrorism Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ~~APPROPRIATE CONGRESSIONAL COMMIT-~~
7 ~~TEES.~~—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Foreign Relations of
10 the Senate; and

11 (B) the Committee on Foreign Affairs of
12 the House of Representatives.

13 (2) ~~STATE SPONSOR OF TERRORISM.~~—The term
14 “state sponsor of terrorism” means a country, the
15 government of which the Secretary of State has de-
16 termined, for purposes of section 6(j) of the Export
17 Administration Act of 1979 (50 U.S.C. 4605(j)) (as
18 in effect pursuant to the International Emergency
19 Economic Powers Act), section 620A of the Foreign
20 Assistance Act of 1961 (22 U.S.C. 2371), section 40
21 of the Arms Export Control Act (22 U.S.C. 2780),
22 or any other provision of law, is a government that
23 has repeatedly provided support for acts of inter-
24 national terrorism.

1 **SEC. 3. DETERMINATION ON THE DESIGNATION OF THE**
2 **RUSSIAN FEDERATION AS A STATE SPONSOR**
3 **OF TERRORISM.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of State
6 shall submit a determination to the appropriate congres-
7 sional committees that indicates whether the Russian Fed-
8 eration meets the criteria to be designated as a state spon-
9 sor of terrorism.

10 (b) FORM.—The determination required under sub-
11 section (a) shall be submitted in unclassified form, but
12 may include a classified annex, if appropriate.

13 **SEC. 4. DETERMINATION ON THE DESIGNATION OF THE**
14 **RUSSIAN-SUPPORTED ARMED FORCES IN THE**
15 **DONBAS REGION OF UKRAINE AS FOREIGN**
16 **TERRORIST ORGANIZATIONS.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of State
19 shall submit a determination to the appropriate congres-
20 sional committees that indicates whether armed entities
21 that are physically present in the Donbas region of
22 Ukraine and are controlled or aided by the Russian Fed-
23 eration, or armed entities that are associated or controlled
24 by the “Donetsk People’s Republic” or the “Lugansk Peo-
25 ple’s Republic”, meet the criteria to be designated as for-

1 eign terrorist organizations under section 219 of the Im-
 2 migration and Nationality Act (8 U.S.C. 1189).

3 (b) FORM.—The determination required under sub-
 4 section (a) shall be submitted in unclassified form, but
 5 may include a classified annex, if appropriate.

6 **SECTION 1. SHORT TITLE.**

7 *This Act may be cited as the “Stopping Malign Activi-
 8 ties from Russian Terrorism Act”.*

9 **SEC. 2. DEFINITIONS.**

10 *In this Act:*

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 12 TEES.—*The term “appropriate congressional commit-
 13 tees” means—*

14 (A) *the Committee on Foreign Relations of*
 15 *the Senate; and*

16 (B) *the Committee on Foreign Affairs of the*
 17 *House of Representatives.*

18 (2) STATE SPONSOR OF TERRORISM.—*The term*
 19 *“state sponsor of terrorism” means a country, the*
 20 *government of which the Secretary of State has deter-*
 21 *mined, for purposes of section 1754(c)(1)(A)(i) of the*
 22 *Export Control Reform Act of 2018 (50 U.S.C.*
 23 *4813(c)(1)(A)(i)), section 620A of the Foreign Assist-*
 24 *ance Act of 1961 (22 U.S.C. 2371), section 40 of the*
 25 *Arms Export Control Act (22 U.S.C. 2780), or any*

1 *other provision of law, is a government that has re-*
2 *peatedly provided support for acts of international*
3 *terrorism.*

4 **SEC. 3. DETERMINATION ON THE DESIGNATION OF THE**
5 **RUSSIAN FEDERATION AS A STATE SPONSOR**
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11 *eration meets the criteria to be designated as a state sponsor*
12 *of terrorism.*

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14 *section (a) shall be submitted in unclassified form, but may*
15 *include a classified annex, if appropriate.*

16 **SEC. 4. DETERMINATION ON THE DESIGNATION OF THE**
17 **RUSSIAN-SUPPORTED ARMED FORCES IN THE**
18 **DONBAS REGION OF UKRAINE AS FOREIGN**
19 **TERRORIST ORGANIZATIONS.**

20 *(a) IN GENERAL.—Not later than 90 days after the*
21 *date of the enactment of this Act, the Secretary of State*
22 *shall submit a determination to the appropriate congres-*
23 *sional committees that indicates whether armed entities*
24 *that are physically present in the Donbas region of Ukraine*
25 *and are controlled or aided by the Russian Federation, or*

1 *armed entities that are associated or controlled by the*
 2 *“Donetsk People’s Republic” or the “Lugansk People’s Re-*
 3 *public”, meet the criteria to be designated as foreign ter-*
 4 *rorist organizations under section 219 of the Immigration*
 5 *and Nationality Act (8 U.S.C. 1189).*

6 (b) *FORM.—The determination required under sub-*
 7 *section (a) shall be submitted in unclassified form, but may*
 8 *include a classified annex, if appropriate.*

9 **SEC. 5. RULES OF CONSTRUCTION.**

10 *Nothing in this Act may be construed—*

11 *(1) to authorize the use of military force; or*

12 *(2) to limit bilateral military-to-military dia-*
 13 *logue between the United States and the Russian Fed-*
 14 *eration for the purpose of reducing the risk of conflict.*

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