

Calendar No. 293

117TH CONGRESS
2^D SESSION

S. 3723

To impose sanctions with respect to the Russian Federation in response to the invasion of Ukraine, to confiscate assets of the Russian Federation and remit those assets to the legitimate Government of Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2022

Mr. CASSIDY introduced the following bill; which was read the first time

MARCH 2, 2022

Read the second time and placed on the calendar

A BILL

To impose sanctions with respect to the Russian Federation in response to the invasion of Ukraine, to confiscate assets of the Russian Federation and remit those assets to the legitimate Government of 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Special Russian Sanctions Authority Act of 2022”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SANCTIONS

Sec. 101. Definitions.

Sec. 102. Joint Task Force on Russian Sanctions.

Sec. 103. Imposition of sanctions with respect to officials of the Government of the Russian Federation.

Sec. 104. Imposition of sanctions with respect to Navalny 35.

Sec. 105. Imposition of sanctions with respect to the Wagner Group.

Sec. 106. Implementation; penalties; exceptions.

TITLE II—OTHER MATTERS

Sec. 201. Confiscation of assets of Russian Federation; remittance to legitimate Government of Ukraine.

Sec. 202. Designation of Vladimir Putin as a specially designated global terrorist.

Sec. 203. Declaration of certain governments with military cooperation agreements with the Russian Federation as engaging in grave hostile acts of a foreign power.

Sec. 204. Recognition of government of Volodymyr Zelenskyy as legitimate government of Ukraine.

Sec. 205. Military assistance for Ukraine.

Sec. 206. Closure of consulates; restriction on free movement of Russian diplomats.

Sec. 207. Anti-money laundering requirements for real estate professionals.

TITLE I—SANCTIONS

SEC. 101. DEFINITIONS.

In this title:

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

(2) PROPERTY.—The term “property” includes cryptocurrency.

(3) UNITED STATES PERSON.—The term “United States person” means—

1 (A) an individual who is a United States
2 citizen or an alien lawfully admitted for perma-
3 nent residence to the United States; or

4 (B) an entity organized under the laws of
5 the United States or any jurisdiction within the
6 United States, including a foreign branch of
7 such an entity.

8 **SEC. 102. JOINT TASK FORCE ON RUSSIAN SANCTIONS.**

9 (a) ESTABLISHMENT.—There is established a Joint
10 Task Force on Russian Sanctions (in this section referred
11 to as the “Task Force”).

12 (b) LEADERSHIP.—The Task Force shall be led by
13 the Director of National Intelligence.

14 (c) COMPOSITION.—The Task Force shall be com-
15 posed of representatives from—

16 (1) the Office of Foreign Assets Control of the
17 Department of the Treasury;

18 (2) the head of the Office of Sanctions Coordi-
19 nation of the Department of State;

20 (3) each element of the intelligence community
21 (as defined in section 3(4) of the National Security
22 Act of 1947 (50 U.S.C. 3003(4))); and

23 (4) any other agency the Director of National
24 Intelligence considers appropriate.

1 (d) DUTIES.—The Task Force shall be responsible
 2 for coordinating the imposition of sanctions with respect
 3 to the Russian Federation.

4 (e) IDENTIFICATION OF SANCTIONABLE PERSONS.—
 5 The Task Force shall, on an ongoing basis, submit to the
 6 President, the Director of the Office of Foreign Assets
 7 Control, and the head of the Office of Sanctions Coordina-
 8 tion of the Department of State, lists of persons the Task
 9 Force identifies as subject to sanctions imposed by the
 10 United States with respect to the Russian Federation.

11 (f) IDENTIFICATION OF CRYPTOCURRENCY.—In car-
 12 rying out subsections (d) and (e), the Task Force shall
 13 consider ways—

14 (1) to identify cryptocurrency owned by persons
 15 subject to sanctions imposed by the United States
 16 with respect to the Russian Federation; and

17 (2) to block and prohibit all transactions in
 18 such cryptocurrency.

19 **SEC. 103. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 20 **OFFICIALS OF THE GOVERNMENT OF THE**
 21 **RUSSIAN FEDERATION.**

22 (a) IN GENERAL.—As soon as practicable after the
 23 date of the enactment of this Act, the President shall im-
 24 pose the sanctions described in subsection (b) with respect

1 to any individual serving in any of the following positions
2 on or after March 26, 2014:

3 (1) As a member of the United Russia Party in
4 the State Duma.

5 (2) As an official of the Government of the
6 Russian Federation at the level of director or higher.

7 (3) As a member of the intelligence apparatus
8 of the Government of the Russian Federation.

9 (4) As a officer of the Armed Forces of the
10 Russian Federation with the rank of colonel or high-
11 er.

12 (b) SANCTIONS DESCRIBED.—The sanctions de-
13 scribed in this subsection are the following:

14 (1) BLOCKING OF PROPERTY.—The President
15 shall exercise all of the powers granted to the Presi-
16 dent under the International Emergency Economic
17 Powers Act (50 U.S.C. 1701 et seq.) to the extent
18 necessary to block and prohibit all transactions in
19 property and interests in property of an individual
20 described in subsection (a) if such property and in-
21 terests in property are in the United States, come
22 within the United States, or are or come within the
23 possession or control of a United States person.

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

1 (A) VISAS, ADMISSION, OR PAROLE.—An
2 alien described in subsection (a) is—

3 (i) inadmissible to the United States;

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

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

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—An alien described
14 in subsection (a) is subject to revocation of
15 any visa or other entry documentation, re-
16 gardless of when the visa or other entry
17 documentation is or was issued.

18 (ii) IMMEDIATE EFFECT.—A revoca-
19 tion under clause (i) shall—

20 (I) take effect immediately; and

21 (II) automatically cancel any
22 other valid visa or entry documenta-
23 tion that is in the alien's possession.

1 **SEC. 104. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 2 **NAVALNY 35.**

3 (a) IN GENERAL.—As soon as practicable after the
 4 date of the enactment of this Act, the President shall exer-
 5 cise all of the powers granted to the President under the
 6 International Emergency Economic Powers Act (50
 7 U.S.C. 1701 et seq.) to the extent necessary to block and
 8 prohibit all transactions in property and interests in prop-
 9 erty of each individual specified in subsection (b) if such
 10 property and interests in property are in the United
 11 States, come within the United States, or are or come
 12 within the possession or control of a United States person.

13 (b) INDIVIDUALS SPECIFIED.—The individuals speci-
 14 fied in this subsection are the following:

15 (1) Roman Abramovich, businessman.

16 (2) Denis Bortnikov, Deputy President and
 17 Chairman of the Management Board of VTB Bank.

18 (3) Andrey Kostin, President and Chairman of
 19 the Management Board of VTB Bank.

20 (4) Dmitry Patrushev, Minister of Agriculture.

21 (5) Igor Shuvalov, Chairman of the State De-
 22 velopment Corporation VEB.

23 (6) Alisher Usmanov, businessman.

24 (7) Oleg Deripaska, businessman.

25 (8) Alexei Miller, Chairman of the Management
 26 Committee of Gazprom.

1 (9) Igor Sechin, Chairman of the Management
2 Board of Rosneft.

3 (10) Gennady Timchenko, businessman.

4 (11) Nikolai Tokarev, Chairman of Transneft.

5 (12) Andrey Vorobyev, Governor of the Moscow
6 Region XIII.

7 (13) Mikhail Murashko, Minister of Health.

8 (14) Vladimir Solovyev, media personality.

9 (15) Alexander Bastrykin, Head of the Inves-
10 tigative Committee.

11 (16) Alexander Bortnikov, Director of the Fed-
12 eral Security Service (FSB).

13 (17) Konstantin Ernst, Chief Executive Officer
14 of Channel One TV station.

15 (18) Victor Gavrillov, Head of the Department
16 of Transport of the Economic Security Service.

17 (19) Dmitry Ivanov, Head of Chelyabinsk FSB.

18 (20) Alexander Kalashnikov, Director of the
19 Federal Penitentiary Service (FSIN).

20 (21) Sergei Kirienko, First Deputy Head of the
21 Presidential Administration.

22 (22) Elena Morozova, Judge of Khimki District
23 Court.

24 (23) Denis Popov, Chief Prosecutor of Moscow.

1 (24) Margarita Simonyan, Editor-in-Chief of
2 RT.

3 (25) Igor Yanchuk, Head of the Khimki Police
4 Department.

5 (26) Victor Zolotov, Director of the National
6 Guard.

7 (27) Alexander Beglov, Governor of St. Peters-
8 burg.

9 (28) Yuri Chaika, former Prosecutor General.

10 (29) Andrei Kartapolov, Deputy Defense Min-
11 ister.

12 (30) Pavel Krasheninnikov, Parliamentarian
13 and former Justice Minister.

14 (31) Mikhail Mishustin, Prime Minister of the
15 Russian Federation.

16 (32) Ella Pamfilova, Head of Central Electoral
17 Commission.

18 (33) Dmitry Peskov, Presidential Press Sec-
19 retary.

20 (34) Sergei Sobyanin, Mayor of Moscow.

21 (35) Anton Vaino, Head of the Presidential Ad-
22 ministration.

1 **SEC. 105. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 2 **THE WAGNER GROUP.**

3 (a) **BLOCKING OF PROPERTY.**—As soon as prac-
 4 ticable after the date of the enactment of this Act, the
 5 President shall exercise all of the powers granted to the
 6 President under the International Emergency Economic
 7 Powers Act (50 U.S.C. 1701 et seq.) to the extent nec-
 8 essary to block and prohibit all transactions in property
 9 and interests in property of the Wagner Group if such
 10 property and interests in property are in the United
 11 States, come within the United States, or are or come
 12 within the possession or control of a United States person.

13 (b) **DESIGNATION AS SPECIALLY DESIGNATED GLOB-**
 14 **AL TERRORIST ORGANIZATION.**—The Wagner Group is
 15 designated as a specially designated global terrorist orga-
 16 nization for purposes of Executive Order 13224 (50
 17 U.S.C. 1701 note; relating to blocking property and pro-
 18 hibiting transactions with persons who commit, threaten
 19 to commit, or support terrorism), as amended before, on,
 20 or after the date of the enactment of this Act.

21 **SEC. 106. IMPLEMENTATION; PENALTIES; EXCEPTIONS.**

22 (a) **IMPLEMENTATION; PENALTIES.**—

23 (1) **IMPLEMENTATION.**—The President may ex-
 24 ercise all authorities provided under sections 203
 25 and 205 of the International Emergency Economic

1 Powers Act (50 U.S.C. 1702 and 1704) to carry out
2 this title.

3 (2) PENALTIES.—A person that violates, at-
4 tempts to violate, conspires to violate, or causes a
5 violation of this title or any regulation, license, or
6 order issued to carry out this title shall be subject
7 to the penalties set forth in subsections (b) and (c)
8 of section 206 of the International Emergency Eco-
9 nomic Powers Act (50 U.S.C. 1705) to the same ex-
10 tent as a person that commits an unlawful act de-
11 scribed in subsection (a) of that section.

12 (b) EXCEPTIONS.—

13 (1) EXCEPTION RELATING TO IMPORTATION OF
14 GOODS.—

15 (A) IN GENERAL.—A requirement to block
16 and prohibit all transactions in all property and
17 interests in property under this title shall not
18 include the authority or a requirement to im-
19 pose sanctions on the importation of goods.

20 (B) GOOD.—In this paragraph, the term
21 “good” means any article, natural or manmade
22 substance, material, supply or manufactured
23 product, including inspection and test equip-
24 ment, and excluding technical data.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under section 103(b)(2) shall not apply with respect to an alien if admitting the alien into the United States—

(A) would further important law enforcement objectives; or

(B) is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

TITLE II—OTHER MATTERS

SEC. 201. CONFISCATION OF ASSETS OF RUSSIAN FEDERATION; REMITTANCE TO LEGITIMATE GOVERNMENT OF UKRAINE.

(a) CONFISCATION.—

(1) IN GENERAL.—The President—

(A) may confiscate and vest, through instructions or licenses or in such other manner as the President determines appropriate, funds and other property of the Government of the

1 Russian Federation that are subject to the ju-
2 risdiction of the United States;

3 (B) may liquidate or sell any of such prop-
4 erty; and

5 (C) shall deposit any funds confiscated and
6 vested under subparagraph (A) and any funds
7 resulting from the liquidation or sale of prop-
8 erty under subparagraph (B) in the account es-
9 tablished under subsection (d).

10 (2) VESTING.—All right, title, and interest in
11 funds and other property confiscated under para-
12 graph (1) shall vest in the Government of the United
13 States.

14 (3) INCLUSION OF CRYPTOCURRENCY.—For
15 purposes of paragraph (1), the term “funds and
16 other property” includes cryptocurrency.

17 (b) ESTABLISHMENT OF ACCOUNT FOR CON-
18 FISCATED PROPERTY.—

19 (1) IN GENERAL.—The President shall establish
20 a non-interest-bearing account to consist of the
21 funds deposited into the account under subsection
22 (a)(1)(C).

23 (2) USE OF FUNDS.—The funds in the account
24 established under paragraph (1) shall be available as
25 specified in subsection (c).

8 Vladimir Putin is designated as a specially designated
9 global terrorist for purposes of Executive Order 13224 (50
10 U.S.C. 1701 note; relating to blocking property and pro-
11 hibiting transactions with persons who commit, threaten
12 to commit, or support terrorism), as amended before, on,
13 or after the date of the enactment of this Act.

The government of any country in the Western Hemisphere that has in effect a military cooperation agreement (or an equivalent agreement) with the Government of the Russian Federation is designated as having engaged in a grave hostile act of a foreign power (within the meaning of that term under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.)).

1 **SEC. 204. RECOGNITION OF GOVERNMENT OF VOLODYMYR**
2 **ZELENSKY AS LEGITIMATE GOVERNMENT**
3 **OF UKRAINE.**

4 It is the policy of the United States that—

5 (1) Volodymyr Zelenskyy is the legitimate head
6 of state of Ukraine and his government is the legiti-
7 mate government of Ukraine, without regard to
8 whether Volodymyr Zelenskyy or officials of his gov-
9 ernment are in Ukraine or in control of Ukraine;
10 and

11 (2) the United States will recognize as the le-
12 gitimate government of Ukraine only a government
13 put in place pursuant to the line of succession under
14 the Constitution of Ukraine.

15 **SEC. 205. MILITARY ASSISTANCE FOR UKRAINE.**

16 (a) **AUTHORITY.**—The President may provide lethal
17 and non-lethal assistance in the form of military hardware
18 to the Government of Ukraine to resist invasion by the
19 Russian Federation.

20 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
21 authorized to be appropriated \$10,000,000,000 to the
22 Secretary of State for fiscal year 2022 for Foreign Mili-
23 tary Financing assistance to Ukraine as authorized under
24 subsection (a).

1 **SEC. 206. CLOSURE OF CONSULATES; RESTRICTION ON**
2 **FREE MOVEMENT OF RUSSIAN DIPLOMATS.**

3 (a) CLOSURE OF CONSULATES.—The Secretary of
4 State shall take such actions as are necessary to close,
5 as soon as possible after the date of the enactment of this
6 Act, all property and facilities affiliated with the mission
7 of the Russian Federation in the United States other than
8 the embassy located in Washington, D.C.

9 (b) RESTRICTION ON FREE MOVEMENT OF RUSSIAN
10 DIPLOMATS.—The Secretary of State shall ensure that
11 members of the foreign mission of the Russian Federation
12 in the United States and their family members are not
13 permitted outside of a 10-mile radius surrounding the em-
14 bassy of the Russian Federation located in Washington,
15 D.C. The Secretary shall coordinate with the heads of
16 other Federal departments and agencies as necessary to
17 ensure that such members and family members are not
18 allowed to use such permitted space to leave the United
19 States by land, air, or sea, consistent with obligations
20 under international law.

21 **SEC. 207. ANTI-MONEY LAUNDERING REQUIREMENTS FOR**
22 **REAL ESTATE PROFESSIONALS.**

23 (a) DEFINITIONS.—In this section:

24 (1) BENEFICIAL OWNER.—The term “beneficial
25 owner” has the meaning given the term in section
26 5336(a) of title 31, United States Code.

1 (2) COVERED TRANSACTION.—The term “cov-
 2 ered transaction” means the purchase of residential
 3 real property by a Russian politically exposed per-
 4 son, regardless of the total purchase price.

5 (3) DIRECTOR.—The term “Director” means
 6 the Director of FinCEN.

7 (4) FINCEN.—The term “FinCEN” means the
 8 Financial Crimes Enforcement Network of the De-
 9 partment of the Treasury.

10 (5) RESPONSIBLE PARTY.—The term “respon-
 11 sible party” means a person described in section
 12 5312(a)(2)(U) of title 31, United States Code, in-
 13 cluding—

14 (A) a title insurance company;

15 (B) an escrow agent;

16 (C) a real estate lawyer; and

17 (D) a real estate agent.

18 (6) SECRETARY.—The term “Secretary” means
 19 the Secretary of the Treasury.

20 (b) REPORTING REAL ESTATE TRANSACTIONS IN-
 21 VOLVING RUSSIAN POLITICALLY EXPOSED PERSONS.—
 22 With respect to a covered transaction, the Director shall
 23 require a responsible party to the covered transaction to
 24 report to the Director—

1 (1) the source of funding for the covered trans-
 2 action; and

3 (2) the name of each Russian politically exposed
 4 person involved in the covered transaction.

5 (c) REQUIREMENTS FOR GEOGRAPHIC TARGETING
 6 ORDERS.—In issuing a Geographic Targeting Order that
 7 requires responsible parties to collect and report informa-
 8 tion about certain persons involved in certain residential
 9 real estate transactions, the Director—

10 (1) shall not limit the transactions to be re-
 11 ported under the order by total purchase price;

12 (2) shall expand the entities that are required
 13 to collect and report information to primarily be the
 14 title insurance company, followed by the parties de-
 15 scribed in subparagraphs (B) through (D) of sub-
 16 section (a)(4);

17 (3) shall define the term “beneficial ownership”
 18 as provided in section 5336(a) of title 31, United
 19 States Code; and

20 (4) shall require the reporting of residential real
 21 property that is purchased by a trust.

22 (d) ANTI-MONEY LAUNDERING REQUIREMENTS FOR
 23 REAL ESTATE PROFESSIONALS.—In accordance with the
 24 authority under section 5318(a)(2) of title 31, United
 25 States Code, the Secretary shall issue regulations that re-

1 require all responsible parties with respect to residential real
2 estate transactions of any total purchase price to comply
3 with the due diligence and reporting requirements applica-
4 ble to financial institutions under subchapter II of chapter
5 53 of title 31, United States Code, including—

6 (1) reporting suspicious transactions under sec-
7 tion 5318(g)(1) of title 31, United States Code;

8 (2) establishing anti-money laundering pro-
9 grams under section 5318(h) of title 31, United
10 States Code;

11 (3) establishing due diligence policies, proce-
12 dures, and controls under section 5318(i) of title 31,
13 United States Code; and

14 (4) identifying and verifying account holders (or
15 functional equivalents) under section 5318(l) of title
16 31, United States Code, including by establishing
17 and maintaining written procedures that are reason-
18 ably designed to enable the responsible party to
19 identify and verify beneficial owners.

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