

117TH CONGRESS
2D SESSION

S. 4134

To direct the President to submit to Congress a report on United States Government efforts to collect, analyze, and preserve evidence and information related to war crimes and other atrocities committed during the full-scale Russian invasion of Ukraine since February 24, 2022, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 4, 2022

Mr. CORNYN (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. KING, Mrs. FEINSTEIN, Mr. KAINE, Mr. PETERS, Mr. TILLIS, Mr. SCOTT of Florida, Mrs. BLACKBURN, Ms. COLLINS, Mr. BOOZMAN, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To direct the President to submit to Congress a report on United States Government efforts to collect, analyze, and preserve evidence and information related to war crimes and other atrocities committed during the full-scale Russian invasion of Ukraine since February 24, 2022, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ukraine Invasion War
3 Crimes Deterrence and Accountability Act”.

4 **SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) in its premeditated, unprovoked, unjustified,
7 and unlawful full-scale invasion of Ukraine that
8 commenced on February 24, 2022, the military of
9 the Government of the Russian Federation under
10 the direction of President Vladimir Putin has com-
11 mitted war crimes that include—

12 (A) the deliberate targeting of civilians and
13 injuring or killing of noncombatants;

14 (B) the deliberate targeting and attacking
15 of hospitals, schools, and other non-military
16 buildings dedicated to religion, art, science, or
17 charitable purposes, such as the bombing of a
18 theater in Mariupol that served as a shelter for
19 noncombatants and had the word “children”
20 written clearly in the Russian language outside;

21 (C) the indiscriminate bombardment of
22 undefended dwellings and buildings;

23 (D) the wanton destruction of property not
24 justified by military necessity;

25 (E) unlawful civilian deportations;

26 (F) the taking of hostages; and

1 (G) rape, or sexual assault or abuse;

2 (2) the use of chemical weapons by the Govern-
3 ment of the Russian Federation in Ukraine would
4 constitute a war crime, and engaging in any military
5 preparations to use chemical weapons or to develop,
6 produce, stockpile, or retain chemical weapons is
7 prohibited by the Chemical Weapons Convention, to
8 which the Russian Federation is a signatory;

9 (3) Vladimir Putin has a long record of com-
10 mitting acts of aggression, systematic abuses of
11 human rights, and acts that constitute war crimes or
12 other atrocities both at home and abroad, and the
13 brutality and scale of these actions, including in the
14 Russian Federation republic of Chechnya, Georgia,
15 Syria, and Ukraine, demonstrate the extent to which
16 his regime is willing to flout international norms and
17 values in the pursuit of its objectives;

18 (4) Vladimir Putin has previously sanctioned
19 the use of chemical weapons at home and abroad, in-
20 cluding in the poisonings of Russian spy turned dou-
21 ble agent Sergei Skripal and his daughter Yulia and
22 leading Russian opposition figure Aleksey Navalny,
23 and aided and abetted the use of chemical weapons
24 by President Bashar al-Assad in Syria; and

1 (5) in 2014, the Government of the Russian
2 Federation initiated its unprovoked war of aggres-
3 sion against Ukraine which resulted in its illegal oc-
4 cupation of Crimea, the unrecognized declaration of
5 independence by the so-called “Donetsk People’s Re-
6 public” and “Luhansk People’s Republic” by Rus-
7 sia-backed proxies, and numerous human rights vio-
8 lations and deaths of civilians in Ukraine.

9 **SEC. 3. STATEMENT OF POLICY.**

10 It is the policy of the United States—

11 (1) to collect, analyze, and preserve evidence
12 and information related to war crimes and other
13 atrocities committed during the full-scale Russian
14 invasion of Ukraine that began on February 24,
15 2022, for use in appropriate domestic, foreign, and
16 international courts and tribunals prosecuting those
17 responsible for such crimes;

18 (2) to help deter the commission of war crimes
19 and other atrocities in Ukraine by publicizing to the
20 maximum possible extent, including among Russian
21 and other foreign military commanders and troops
22 in Ukraine, efforts to identify and prosecute those
23 responsible for the commission of war crimes during
24 the full-scale Russian invasion of Ukraine that
25 began on February 24, 2022; and

1 (3) to continue efforts to identify, deter, and
2 pursue accountability for war crimes and other
3 atrocities committed around the world and by other
4 perpetrators, and to leverage international coopera-
5 tion and best practices in this regard with respect to
6 the current situation in Ukraine.

7 **SEC. 4. REPORT ON UNITED STATES EFFORTS.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, and consistent with the protection of
10 intelligence sources and methods, the President shall sub-
11 mit to the appropriate congressional committees a report,
12 which may include a classified annex, describing in detail
13 the following:

14 (1) United States Government efforts to collect,
15 analyze, and preserve evidence and information re-
16 lated to war crimes and other atrocities committed
17 during the full-scale Russian invasion of Ukraine
18 since February 24, 2022, including a description
19 of—

20 (A) the respective roles of various agencies,
21 departments, and offices, and the interagency
22 mechanism established for the coordination of
23 such efforts;

24 (B) the types of information and evidence
25 that are being collected, analyzed, and pre-

served to help identify those responsible for the commission of war crimes or other atrocities during the full-scale Russian invasion of Ukraine in 2022; and

(C) steps taken to coordinate with, and support the work of, allies, partners, international institutions and organizations, and nongovernmental organizations in such efforts.

(2) Media, public diplomacy, and information operations to make Russian military commanders, troops, political leaders and the Russian people aware of efforts to identify and prosecute those responsible for the commission of war crimes or other atrocities during the full-scale Russian invasion of Ukraine in 2022, and of the types of acts that may be prosecutable.

(3) The process for a domestic, foreign, or international court or tribunal to request and obtain from the United States Government information related to war crimes or other atrocities committed during the full-scale Russian invasion of Ukraine in 2022.

SEC. 5. DEFINITIONS.

In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 2 TEES.—The term “appropriate congressional com-
 3 mittees” means—

4 (A) the Committee on Foreign Relations,
 5 the Committee on the Judiciary, and the Select
 6 Committee on Intelligence of the Senate; and

7 (B) the Committee on Foreign Affairs, the
 8 Committee on the Judiciary, and the Perma-
 9 nent Select Committee on Intelligence of the
 10 House of Representatives.

11 (2) ATROCITIES.—The term “atrocities” has
 12 the meaning given that term in section 6(2) of the
 13 Elie Wiesel Genocide and Atrocities Prevention Act
 14 of 2018 (Public Law 115–441; 22 U.S.C. 2656
 15 note).

16 (3) WAR CRIME.—The term “war crime” has
 17 the meaning given that term in section 2441(c) of
 18 title 18, United States Code.

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