

115TH CONGRESS
2D SESSION

S. 3275

To amend the Russia Sanctions Review Act of 2017 to ensure appropriate congressional review and the continued applicability of sanctions under the Sergei Magnitsky Rule of Law Accountability Act of 2012.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2018

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

A BILL

To amend the Russia Sanctions Review Act of 2017 to ensure appropriate congressional review and the continued applicability of sanctions under the Sergei Magnitsky Rule of Law Accountability Act of 2012.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) On December 14, 2012, the Sergei
6 Magnitsky Rule of Law Accountability Act (title IV
7 of Public Law 112–208; 22 U.S.C. 5811 note) (in
8 this section referred to as the “Magnitsky Act”),

1 which imposes visa bans and asset freezes on those
2 involved in the Sergei Magnitsky case and other offi-
3 cials responsible for gross human rights abuses in
4 the Russian Federation, was signed into law.

5 (2) On December 28, 2012, in response to the
6 Magnitsky Act, Russian President Vladimir Putin
7 signed into law a bill that banned citizens of the
8 United States from adopting Russian children, im-
9 pacting the lives of hundreds of Russian orphans
10 and the families in the United States that they were
11 slated to join. The bill, which also banned United
12 States-funded civic groups from operating in the
13 Russian Federation, sparked massive protests in
14 Moscow.

15 (3) On April 13, 2013, one day after the
16 United States issued its first sanctions designations
17 under the Magnitsky Act on 18 officials of the Gov-
18 ernment of the Russian Federation, the Foreign
19 Ministry of the Russian Federation issued a retalia-
20 tory list of 18 officials of the Government of the
21 United States who are banned from entering the
22 Russian Federation.

23 (4) On June 13, 2013, in testimony before the
24 Committee on Foreign Relations of the Senate, now-
25 slain Russian opposition leader Boris Nemtsov called

1 the Magnitsky Act “the most pro-Russian law in the
2 history of any foreign parliament”.

3 (5) On July 11, 2013, following an unprece-
4 dented posthumous trial that many observers noted
5 fell short of international fair trial standards, a
6 court in the Russian Federation found Sergei
7 Magnitsky guilty of tax evasion.

8 (6) On June 9, 2016, senior members of the
9 Presidential campaign of Donald Trump met with a
10 Russian lawyer with ties to the Kremlin to discuss
11 the adoption policy of the Russian Federation after
12 the Magnitsky Act.

13 (7) On February 9, 2018, Vladimir Putin said
14 “I think that [the United States Congress] will soon
15 get tired of [the Magnitsky Act]”.

16 (8) On July 16, 2018, during a joint press con-
17 ference with President Donald Trump in Helsinki,
18 Finland, Vladimir Putin indicated the interest of the
19 Government of the Russian Federation in ques-
20 tioning officials of the Government of the United
21 States and others involved in the passage and imple-
22 mentation of the Magnitsky Act.

23 (9) As of July 2018, 49 individuals in the Rus-
24 sian Federation, including those with close ties to

1 Vladimir Putin, have been sanctioned pursuant to
2 the Magnitsky Act.

3 (10) As of July 2018, Canada and the United
4 Kingdom, the Netherlands, and other countries in
5 Europe continue to adopt or further efforts to de-
6 velop their own versions of the Magnitsky Act.

7 (11) On August 2, 2017, President Donald
8 Trump signed into law the Countering America’s
9 Adversaries Through Sanctions Act (Public Law
10 115–44), which, among other things, imposes a slate
11 of mandatory sanctions on the Russian Federation
12 and requires congressional review and provides for
13 possible congressional disapproval of actions by the
14 executive branch to lift United States sanctions im-
15 posed on the Russian Federation.

16 **SEC. 2. CONGRESSIONAL REVIEW AND CONTINUED APPLI-**
17 **CABILITY OF SANCTIONS UNDER THE SERGEI**
18 **MAGNITSKY RULE OF LAW ACCOUNTABILITY**
19 **ACT OF 2012.**

20 Section 216(a)(2)(B)(i) of the Russia Sanctions Re-
21 view Act of 2017 (22 U.S.C. 9511(a)(2)(B)(i)) is amend-
22 ed—

23 (1) in subclause (II), by striking “; or” and in-
24 serting a semicolon;

1 (2) in subelause (III), by striking “; and” and
2 inserting “; or”; and

3 (3) by adding at the end the following:

4 “(IV) the Sergei Magnitsky Rule
5 of Law Accountability Act of 2012
6 (title IV of Public Law 112–208; 22
7 U.S.C. 5811 note); and”.

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