

116TH CONGRESS
2D SESSION

H. R. 5408

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2020

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To oppose violations of religious freedom in Ukraine by
Russia and armed groups commanded by Russia.

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 Religious
3 Freedom Support Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Russia invaded the Crimea region of
7 Ukraine in February 2014, continues to occupy and
8 control that region, and has exercised control over
9 part of the Donbas region of eastern Ukraine since
10 April 2014 through non-state armed groups and ille-
11 gal entities it has established, instigated, com-
12 manded, and supported, including with military and
13 intelligence personnel on the ground from Russia.

14 (2) International humanitarian law, including
15 the Geneva Conventions, to which Russia is a signa-
16 tory, requires Russia to respect and protect the reli-
17 gious freedom of the inhabitants of the territory it
18 occupies or controls, including through organized
19 non-state armed groups and illegal entities it com-
20 mands and supports, and holds Russia responsible
21 for violations of religious freedom in this territory.

22 (3) According to the Department of State’s
23 International Religious Freedom Reports, and other
24 reporting, violations of religious freedom in the Cri-
25 mea region of Ukraine since Russia invaded and oc-
26 cupied the territory have included abduction, deten-

1 tion and imprisonment, torture, forced psychiatric
2 hospitalizations, fines, restrictions on missionary ac-
3 tivities, confiscations of property, including churches
4 and meeting halls, expulsions and obstructions to re-
5 entry, denying registration of religious groups, van-
6 dalism, fines, and banning peaceful religious groups,
7 and targeted groups have included Muslim Crimean
8 Tatars, the Orthodox Church of Ukraine, formerly
9 the Ukrainian Orthodox Church of the Kyivan Patri-
10 archate, the Ukrainian Greek Catholic Church,
11 Protestant Christians, and Jehovah's Witnesses.

12 (4) According to the Department of State's
13 International Religious Freedom Reports, violations
14 of religious freedom in the part of the Donbas region
15 of Ukraine controlled by armed groups commanded
16 by Russia have included detention and imprison-
17 ment, torture, confiscation of property, including
18 churches and meeting halls, physical assaults and
19 threats of violence, vandalism, fines, restrictions on
20 missionary activities, religious services, ceremonies,
21 gatherings, and literature, and banning of peaceful
22 religious groups, and targeted groups have included
23 the Orthodox Church of Ukraine, formerly the
24 Ukrainian Orthodox Church-Kyiv Patriarchate, the

1 Ukrainian Greek Catholic Church, Protestant Chris-
2 tians, and Jehovah's Witnesses.

3 (5) The International Religious Freedom Act of
4 1998, as amended by the Frank R. Wolf Inter-
5 national Religious Freedom Act, requires the Presi-
6 dent to—

7 (A) designate a foreign country as a coun-
8 try of particular concern for religious freedom
9 when its government has engaged in or toler-
10 ated particularly severe violations of religious
11 freedom in that country over the previous 12
12 months;

13 (B) take one or more of the actions de-
14 scribed in paragraphs (9) through (15) of sec-
15 tion 405(a) of the International Religious Free-
16 dom Act of 1998 (22 U.S.C. 6445(a)), or com-
17 mensurate actions in substitution, not later
18 than 90 days, or 180 days in case of a delay
19 under paragraph (3), after the date of the des-
20 ignation of a country as a country of particular
21 concern for religious freedom; and

22 (C) designate a foreign country on a “Spe-
23 cial Watch List” when its government has en-
24 gaged in or tolerated severe violations of reli-

1 gious freedom in that country over the previous
2 12 months.

3 (6) On December 18, 2019, the Secretary of
4 State re-designated Russia for the “Special Watch
5 List”.

6 (7) The National Security Strategy of the
7 United States issued in 2017, 2015, 2006, 2002,
8 2000, 1999, 1998, and 1997, committed the United
9 States to promoting international religious freedom
10 to advance the security, economic, and other na-
11 tional interests of the United States.

12 **SEC. 3. STATEMENT OF POLICY.**

13 It is the policy of the United States to consider any
14 alien who, while serving as an official of the Government
15 of Russia, was responsible for or directly carried out par-
16 ticularly severe violations of religious freedom in the sov-
17 ereign territory of Ukraine that Russia illegally occupies
18 or controls, including through non-state armed groups and
19 illegal entities it commands and supports, to have com-
20 mitted particularly severe violations of religious freedom
21 for purposes of applying section 212(a)(2)(G) of the Im-
22 migration and Nationality Act (8 U.S.C. 1182(a)(2)(G))
23 with respect to any such alien.

1 **SEC. 4. DESIGNATION OF RUSSIA AS A COUNTRY OF PAR-**
2 **TICULAR CONCERN FOR RELIGIOUS FREE-**
3 **DOM.**

4 For purposes of making a determination of whether
5 to designate Russia as a country of particular concern for
6 religious freedom under section 402 of the International
7 Religious Freedom Act of 1998 (22 U.S.C. 6442), the
8 President shall consider any particularly severe violation
9 of religious freedom in the territory of Ukraine that Rus-
10 sia occupies or controls, including controls through non-
11 state armed groups and illegal entities it commands and
12 supports, during the period of time that is the basis for
13 the determination and designation, to be a particularly se-
14 vere violation of religious freedom that the Government
15 of Russia has engaged in or tolerated.

16 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

17 The budgetary effects of this Act, for the purpose of
18 complying with the Statutory Pay-As-You-Go Act of 2010,
19 shall be determined by reference to the latest statement
20 titled “Budgetary Effects of PAYGO Legislation” for this
21 Act, submitted for printing in the Congressional Record
22 by the Chairman of the House Budget Committee, pro-

1 vided that such statement has been submitted prior to the
2 vote on passage.

Passed the House of Representatives November 18,
2020.

Attest: CHERYL L. JOHNSON,
Clerk.