

117TH CONGRESS
2D SESSION

S. 5058

To require the imposition of sanctions with respect to purchases of crude oil from the Russian Federation.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2022

Mr. CASSIDY introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require the imposition of sanctions with respect to purchases of crude oil from the Russian Federation.

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.**

4 This Act may be cited as the “Breaking Russia’s En-
5 ergy Addicted Kleptocracy and Punishing Uncivil Tyrant
6 Invading Neighbor Act of 2022” or the “BREAK PUTIN
7 Act of 2022”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO PUR-**
2 **CHASES OF CRUDE OIL FROM RUSSIAN FED-**
3 **ERATION.**

4 (a) PURCHASES OF CRUDE OIL FROM RUSSIAN FED-
5 ERATION.—

6 (1) LIST REQUIRED.—Not later than 60 days
7 after the date of the enactment of this Act, and
8 every 30 days thereafter, the President shall submit
9 to Congress a list of foreign persons the President
10 determines knowingly purchase, on or after the date
11 that is 30 days after the date of the enactment of
12 this Act, crude oil produced in the Russian Federa-
13 tion.

14 (2) IMPOSITION OF SANCTIONS.—The President
15 shall, pursuant to the International Emergency Eco-
16 nomic Powers Act (50 U.S.C. 1701 et seq.), block
17 and prohibit all transactions in all property and in-
18 terests in property of a foreign person on the list re-
19 quired by paragraph (1) if such property and inter-
20 ests in property are in the United States, come with-
21 in the United States, or are or come within the pos-
22 session or control of a United States person.

23 (b) FACILITATION OF PURCHASES OF CRUDE OIL
24 FROM RUSSIAN FEDERATION.—

25 (1) LIST REQUIRED.—Not later than 60 days
26 after the date of the enactment of this Act, and

1 every 30 days thereafter, the President shall submit
2 to Congress a list of foreign financial institutions,
3 insurance companies, brokering services, inter-
4 national trading houses, port operators, and ship-
5 ping companies that the President determines have
6 knowingly, on or after the date that is 30 days after
7 the date of the enactment of this Act, facilitated any
8 significant financial transaction for the purchase of
9 crude oil produced in the Russian Federation.

10 (2) IMPOSITION OF SANCTIONS.—The President
11 shall, pursuant to the International Emergency Eco-
12 nomic Powers Act (50 U.S.C. 1701 et seq.), block
13 and prohibit all transactions in all property and in-
14 terests in property of an entity on the list required
15 by paragraph (1) if such property and interests in
16 property are in the United States, come within the
17 United States, or are or come within the possession
18 or control of a United States person.

19 (3) EXCEPTION FOR CRUDE OIL PURCHASES
20 COMPLYING WITH CERTAIN CONDITIONS.—

21 (A) REPORT REQUIRED.—Not later than
22 30 days after the date of the enactment of this
23 Act, and every 60 days thereafter, the Adminis-
24 trator of the Energy Information Administra-
25 tion, in consultation with the Secretary of the

1 Treasury, the Secretary of State, and the Di-
2 rector of National Intelligence, shall submit to
3 Congress a report on the average marginal cost
4 of production of crude oil throughout the Rus-
5 sian Federation during the 60-day period pre-
6 ceding the submission of the report.

7 (B) ESTABLISHMENT OF PRICE CAP RUS-
8 SIAN CRUDE OIL.—Not later than 30 days after
9 the date of the enactment of this Act, and every
10 60 days thereafter, the President shall establish
11 a price cap for crude oil produced in the Rus-
12 sian Federation, which shall be not more than
13 15 percent more than the average marginal cost
14 of production of crude oil throughout the Rus-
15 sian Federation, as set forth in the most recent
16 report submitted under subparagraph (A).

17 (C) EXCEPTION.—Sanctions imposed pur-
18 suant to paragraph (2) shall not apply with re-
19 spect to a foreign financial institution for facili-
20 tating a financial transaction for the purchase
21 of crude oil from the Russian Federation if—

22 (i) the purchase price of the crude oil
23 does not exceed the most recent price cap
24 determined under subparagraph (B);

1 (ii) the funds used to purchase the
2 crude oil are deposited into an account
3 managed by the Secretary of the Treasury;
4 and

5 (iii) funds in the account are available
6 to the Russian Federation only for pur-
7 chases of non-luxury consumers goods, in-
8 cluding food, medicine, and medical de-
9 vices, the purchase of which is not subject
10 to sanctions imposed by the United States.

11 (D) RELEASE OF FUNDS IN ACCOUNT.—

12 Funds in the account described in subpara-
13 graph (C)(ii) may be repatriated to the Russian
14 Federation only if, at a minimum, the following
15 conditions are met:

16 (i) The Russian Federation signs a
17 peace agreement with Ukraine.

18 (ii) The Russian Federation with-
19 draws all Armed Forces of the Russian
20 Federation from both land and seaports in
21 Ukraine, including Crimea.

22 (iii) The Organization for Security
23 and Co-operation in Europe verifies that
24 all such forces have been withdrawn.

1 (iv) The President determines that
2 such funds will not be used for purposes of
3 harming the United States or other coun-
4 tries.

5 (4) WAIVER.—The President may waive the im-
6 position of sanctions under paragraph (2) for a pe-
7 riod of not more than 120 days, and may renew that
8 waiver for additional periods of not more than 120
9 days, if the President—

10 (A) determines that such a waiver is in the
11 national interest of the United States; and

12 (B) submits to Congress a report—

13 (i) providing a justification for the
14 waiver; and

15 (ii) that includes any concrete co-
16 operation the President has received or ex-
17 pects to receive as a result of the waiver.

18 (c) TASK FORCE.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of the enactment of this Act, the President
21 shall establish an interagency task force, which shall
22 be responsible for—

23 (A) combating illicit trade by the Russian
24 Federation to evade sanctions imposed under
25 subsections (a) and (b) using foreign financial

1 institutions, insurance companies, brokering
2 services, international trading houses, port op-
3 erators, and shipping companies; and

4 (B) rapidly declassifying intelligence and
5 issuing démarches to foreign governments and
6 entities involved in purchases of crude oil from
7 the Russian Federation subject to such sanc-
8 tions.

9 (2) COMPOSITION.—The task force established
10 under paragraph (1) shall, at a minimum, include
11 representatives of the following:

12 (A) The Department of State.

13 (B) The Department of Energy.

14 (C) The Department of Commerce.

15 (D) The Department of Homeland Secu-
16 rity.

17 (E) The Department of the Treasury.

18 (F) The intelligence community (as defined
19 in section 3(4) of the National Security Act of
20 1947 (50 U.S.C. 3003(4))).

21 (3) USE OF SATELLITE DATA MAPPING RADIO
22 FREQUENCY EMISSIONS.—The task force established
23 under paragraph (1) shall, to the extent practicable,
24 make use of commercial space-based radio frequency
25 data—

1 (A) to map radio frequency emissions in
2 maritime areas of interest;

3 (B) to identify vessels not transmitting
4 Automated Identification System information;
5 and

6 (C) to geolocate vessels involved in efforts
7 to evade sanctions imposed under subsection (a)
8 or (b).

9 (4) ACCESS TO, USE OF, AND HANDLING OF IN-
10 FORMATION OF OTHER FEDERAL AGENCIES.—In
11 carrying out activities under paragraph (1), the task
12 force established under paragraph (1) shall, to the
13 extent practicable, be provided with access to all re-
14 ports or other information of any Federal agency
15 that the task force determines necessary to carry out
16 those activities—

17 (A) upon written request to the agency in
18 possession of the information;

19 (B) subject to limitations under applicable
20 provisions of law;

21 (C) consistent with the protection of
22 sources and methods, law enforcement struc-
23 tures, protection of proprietary information of
24 businesses, and protection of personally identifi-
25 able information; and

1 (D) subject to all restrictions required by
2 the source of the information.

3 (d) INCREASE IN UNITED STATES CRUDE OIL PRO-
4 Duction AND REFINING CAPACITY.—The President
5 shall—

6 (1) take all necessary steps to increase the pro-
7 duction and refining of crude oil in the United
8 States; and

9 (2) conduct outreach to Canada and Mexico to
10 encourage those countries to increase their produc-
11 tion of crude oil—

12 (A) to ensure there is a sufficient supply of
13 crude oil from countries other than the Russian
14 Federation; and

15 (B) to minimize any impact on the price of
16 crude oil resulting from the imposition of sanc-
17 tions under this section.

18 (e) FORM OF REPORTS.—Each report submitted
19 under this section shall be submitted in unclassified form,
20 but may contain a classified annex.

21 (f) IMPLEMENTATION; PENALTIES.—

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

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

3 (2) PENALTIES.—The penalties provided for in
4 subsections (b) and (c) of section 206 of the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1705) shall apply to a person that violates,
7 attempts to violate, conspires to violate, or causes a
8 violation of this section or a license, order, regula-
9 tion, or prohibition issued under this section to the
10 same extent that such penalties apply to a person
11 that commits an unlawful act described in section
12 206(a) of that Act.

13 (g) DEFINITIONS.—In this section:

14 (1) FOREIGN FINANCIAL INSTITUTION.—The
15 term “foreign financial institution” has the meaning
16 of that term as determined by the Secretary of the
17 Treasury in regulations.

18 (2) FOREIGN PERSON.—The term “foreign per-
19 son” means an individual or entity that is not a
20 United States person.

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

23 (A) an individual who is a United States
24 citizen or an alien lawfully admitted for perma-
25 nent residence to the United States;

- 1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States, including a foreign branch of
4 such an entity; or
5 (C) any person in the United States.

