

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5408
OFFERED BY M _____.

Strike all after the enacting clause and insert the following:

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

1 non-state armed groups and illegal entities it com-
2 mands and supports, and holds Russia responsible
3 for violations of religious freedom in this territory.

4 (3) According to the Department of State's
5 International Religious Freedom Reports, and other
6 reporting, violations of religious freedom in the Cri-
7 mea region of Ukraine since Russia invaded and oc-
8 cupied the territory have included abduction, deten-
9 tion and imprisonment, torture, forced psychiatric
10 hospitalizations, fines, restrictions on missionary ac-
11 tivities, confiscations of property, including churches
12 and meeting halls, expulsions and obstructions to re-
13 entry, denying registration of religious groups, van-
14 dalism, fines, and banning peaceful religious groups,
15 and targeted groups have included Muslim Crimean
16 Tatars, the Orthodox Church of Ukraine, formerly
17 the Ukrainian Orthodox Church of the Kyivan Patri-
18 archate, the Ukrainian Greek Catholic Church,
19 Protestant Christians, and Jehovah's Witnesses.

20 (4) According to the Department of State's
21 International Religious Freedom Reports, violations
22 of religious freedom in the part of the Donbas region
23 of Ukraine controlled by armed groups commanded
24 by Russia have included detention and imprison-
25 ment, torture, confiscation of property, including

1 churches and meeting halls, physical assaults and
2 threats of violence, vandalism, fines, restrictions on
3 missionary activities, religious services, ceremonies,
4 gatherings, and literature, and banning of peaceful
5 religious groups, and targeted groups have included
6 the Orthodox Church of Ukraine, formerly the
7 Ukrainian Orthodox Church-Kyiv Patriarchate, the
8 Ukrainian Greek Catholic Church, Protestant Chris-
9 tians, and Jehovah's Witnesses.

10 (5) The International Religious Freedom Act of
11 1998, as amended by the Frank R. Wolf Inter-
12 national Religious Freedom Act, requires the Presi-
13 dent to—

14 (A) designate a foreign country as a coun-
15 try of particular concern for religious freedom
16 when its government has engaged in or toler-
17 ated particularly severe violations of religious
18 freedom in that country over the previous 12
19 months;

20 (B) take one or more of the actions de-
21 scribed in paragraphs (9) through (15) of sec-
22 tion 405(a) of the International Religious Free-
23 dom Act of 1998 (22 U.S.C. 6445(a)), or com-
24 mensurate actions in substitution, not later
25 than 90 days, or 180 days in case of a delay

1 under paragraph (3), after the date of the des-
2 ignation of a country as a country of particular
3 concern for religious freedom; and

4 (C) designate a foreign country on a “Spe-
5 cial Watch List” when its government has en-
6 gaged in or tolerated severe violations of reli-
7 gious freedom in that country over the previous
8 12 months.

9 (6) On December 18, 2019, the Secretary of
10 State re-designated Russia for the “Special Watch
11 List”.

12 (7) The National Security Strategy of the
13 United States issued in 2017, 2015, 2006, 2002,
14 2000, 1999, 1998, and 1997, committed the United
15 States to promoting international religious freedom
16 to advance the security, economic, and other na-
17 tional interests of the United States.

18 **SEC. 3. STATEMENT OF POLICY.**

19 It is the policy of the United States to consider—

20 (1) any alien who, while serving as an official
21 of the Government of Russia, was responsible for or
22 directly or indirectly carried out particularly severe
23 violations of religious freedom in the sovereign terri-
24 tory of Ukraine that Russia illegally occupies or con-

1 trols, including through non-state armed groups and
2 illegal entities it commands and supports; and

3 (2) the spouse and children, if any, of such
4 alien,

5 to have committed particularly severe violations of reli-
6 gious freedom for purposes of applying section
7 212(a)(2)(G) of the Immigration and Nationality Act (8
8 U.S.C. 1182(a)(2)(G)) with respect to any such alien and
9 spouse and children of such alien.

10 **SEC. 4. DESIGNATION OF RUSSIA AS A COUNTRY OF PAR-**
11 **TICULAR CONCERN FOR RELIGIOUS FREE-**
12 **DOM.**

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

