

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7276
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

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 but are not limited
12 to—

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

15 (B) the deliberate targeting and attacking
16 of hospitals, schools, and other non-military
17 buildings dedicated to religion, art, science, or
18 charitable purposes, such as the bombing of a

1 theater in Mariupol that served as a shelter for
2 noncombatants and had the word “children”
3 written clearly in the Russian language outside;

4 (C) the indiscriminate bombardment of
5 undefended dwellings and buildings;

6 (D) the wanton destruction of property not
7 justified by military necessity;

8 (E) unlawful civilian deportations; and

9 (F) the taking of hostages;

10 (2) the use of chemical weapons by the Govern-
11 ment of the Russian Federation in Ukraine would
12 constitute a war crime, and engaging in any military
13 preparations to use chemical weapons or to develop,
14 produce, stockpile, or retain chemical weapons is
15 prohibited by the Chemical Weapons Convention, to
16 which the Russian Federation is a signatory;

17 (3) Vladimir Putin has a long record of com-
18 mitting acts of aggression, systematic abuses of
19 human rights, and acts that constitute war crimes or
20 other atrocities both at home and abroad, and the
21 brutality and scale of these actions, including in the
22 Russian Federation republic of Chechnya, Georgia,
23 Syria, and Ukraine, demonstrate the extent to which
24 his regime is willing to flout international norms and
25 values in the pursuit of its objectives;

1 (4) Vladimir Putin has previously sanctioned
2 the use of chemical weapons at home and abroad, in-
3 cluding in the poisonings of Russian spy turned dou-
4 ble agent Sergei Skripal and his daughter Yulia and
5 leading Russian opposition figure Aleksey Navalny,
6 and aided and abetted the use of chemical weapons
7 by President Bashar al-Assad in Syria; and

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

16 **SEC. 3. STATEMENT OF POLICY.**

17 It is the policy of the United States—

18 (1) to collect, analyze, and preserve evidence
19 and information related to war crimes and other
20 atrocities committed during the full-scale Russian
21 invasion of Ukraine that began on February 24,
22 2022, for use in appropriate domestic, foreign, and
23 international courts and tribunals prosecuting those
24 responsible for such crimes;

1 (2) to help deter the commission of war crimes
2 and other atrocities in Ukraine by publicizing to the
3 maximum possible extent, including among Russian
4 and other foreign military commanders and troops
5 in Ukraine, efforts to identify and prosecute those
6 responsible for the commission of war crimes during
7 the full-scale Russian invasion of Ukraine that
8 began on February 24, 2022; and

9 (3) to continue efforts to identify, deter, and
10 pursue accountability for war crimes and other
11 atrocities committed around the world and by other
12 perpetrators, and to leverage international coopera-
13 tion and best practices in this regard with respect to
14 the current situation in Ukraine.

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

16 Not later than 90 days after the date of the enact-
17 ment of this Act, the President shall submit to the appro-
18 priate congressional committees a report, which may in-
19 clude a classified annex, describing in detail the following:

20 (1) United States Government efforts to collect,
21 analyze, and preserve evidence and information re-
22 lated to war crimes and other atrocities committed
23 during the full-scale Russian invasion of Ukraine
24 since February 24, 2022, including a description
25 of—

1 (A) the respective roles of various agencies,
2 departments, and offices, and the interagency
3 mechanism established for the coordination of
4 such efforts;

5 (B) the types of information and evidence
6 that are being collected, analyzed, and pre-
7 served to help identify those responsible for the
8 commission of war crimes or other atrocities
9 during the full-scale Russian invasion of
10 Ukraine in 2022; and

11 (C) steps taken to coordinate with, and
12 support the work of, allies, partners, inter-
13 national institutions and organizations, and
14 nongovernmental organizations in such efforts.

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

23 (3) The process for a domestic, foreign, or
24 international court or tribunal to request and obtain
25 from the United States Government information re-

1 lated to war crimes or other atrocities committed
2 during the full-scale Russian invasion of Ukraine in
3 2022.

4 **SEC. 5. DEFINITIONS.**

5 In this Act:

6 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
7 **TEES.**—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Foreign Affairs, the
10 Committee on the Judiciary, and the Perma-
11 nent Select Committee on Intelligence of the
12 House of Representatives; and

13 (B) the Committee on Foreign Relations,
14 the Committee on the Judiciary, and the Select
15 Committee on Intelligence of the Senate.

16 (2) **ATROCITIES.**—The term “atrocities” has
17 the meaning given that term in section 6(2) of the
18 Elie Wiesel Genocide and Atrocities Prevention Act
19 of 2018 (Public Law 115–441; 22 U.S.C. 2656
20 note).

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

Amend the title so as to read: “A bill to direct the
President to submit to Congress a report on United
States Government efforts to collect, analyze, and pre-

serve 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.”.

