H. R. 5800

To authorize the imposition of sanctions to combat the mass abduction of Ukrainian children to Russia and areas of Ukraine that are temporarily occupied by Russian forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2023

Ms. JACKSON LEE (for herself, Mr. WILSON of South Carolina, Mr. DOGGETT, Mr. COHEN, Ms. MOORE of Wisconsin, Mr. MEEKS, Mrs. NAPOLITANO, Ms. MENG, Ms. KAPTUR, Mr. VEASEY, Mr. HOYER, Mr. DAVIS of Illinois, Ms. TITUS, Mr. CARSON, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To authorize the imposition of sanctions to combat the mass abduction of Ukrainian children to Russia and areas of Ukraine that are temporarily occupied by Russian forces, and for other purposes.

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 “Oleksander Ivanov Act
5. of 2023” or “Oleksander’s Act”.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
SEC. 2. FINDINGS.

Congress finds the following:

(1) On February 24, 2022, Russia, under the leadership of Vladimir Putin, launched a premeditated war against Ukraine in an attack on democracy and a grave violation of international law, global peace, and security.

(2) According to the United Nations High Commissioner for Refugees (UNHCR), as of September 19, 2023, there were more than 5.8 million Ukrainian refugees recorded in Europe and more than 369,000 Ukrainian refugees recorded globally.

(3) The unjust and brutal war has put millions of Ukrainian women and children at risk of trafficking, millions of children have been deprived of their education and are experiencing trauma, and according to a report by Yale University, more than 6,000 children are in Russians custody.

(4) According to a report by Yale University Humanitarian Research Lab (Yale HRL), at least 6,000 children from Ukraine ages four months to 17 years have been held at camps and other facilities within Russia-occupied Crimea and mainland Russia since Russia’s full-scale invasion began.

(5) There are at least 43 camps and facilities where the Russian government has interned Ukrain-
ian children. Out of the various camps, 12 are situated near the Black Sea, 7 are found within Russian occupied Crimea, and 10 are grouped around the areas of Moscow, Kazan, and Yekaterinburg. In addition, 11 of these camps are positioned at distances exceeding 500 miles from Ukraine’s border with Russia, with two camps located in Siberia and one in the Far East of Russia.

(6) Among the camps identified by Yale University Humanitarian Research Lab, at least 32 (78 percent) of the camps seem to be engaged in organized re-education initiatives that subject Ukrainian children to Russia-focused educational, cultural, patriotic, and/or military teachings.

(7) Yale University Humanitarian Research Lab identified two camps that housed children who were alleged to be orphans. Those children were later placed into Russian foster families. Specifically, 20 children from these camps were placed into families in Moscow and were enrolled in local schools in Moscow.

(8) Ukrainian children have had their names and birthdates changed when adopted, making them difficult to trace.
(9) This scheme is centrally coordinated by the Russian government and is comprised of actors from every level of government. According to the report by Yale HRL, there are several dozen federal, regional, and local officials that are engaged in politically justifying the program and at least 12 of these individuals are not on U.S. and/or international sanction lists.

(10) In May 2022, President Putin signed a decree simplifying the procedure of obtaining Russian citizenship for purported Ukrainian orphans and children without parental care, thereby expediting the process of illegal adoption of deported Ukrainian children by Russian families.

(11) Forcibly transferring children of one group to another group is a violation of Article II(e) of the Convention on the Prevention and Punishment of the Crime of Genocide 1948 and the Geneva Convention IV, including articles 24, 25, 50, 78, and 82.

(12) The International Criminal Court has indicted Russian President Vladimir Putin and Russian Commissioner for Children’s Rights Maria Lvova-Belova for the war crime of unlawful deportation of population (children) and that of unlawful transfer of population (children) from occupied areas.
of Ukraine to the Russian Federation under articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute.

(13) On August 24, 2023, the Biden Administration imposed financial blocking sanctions and pursuing visa restrictions pursuant to section 1(a)(iii)(A) of E.O. 14024 on 12 individuals and a Russian government-owned entity that “played a role in forcibly deporting Ukrainian children from Russia-occupied areas of Ukraine to Russia, and/or transferring Ukrainian children within Russia-occupied areas of Ukraine.”.

(14) As reported by the Ukrainian Ministry of Education, over 400 schools have been destroyed and an additional 2,600 schools are damaged across Ukraine. According to the United Nations Childrens Fund (UNICEF), the education of Ukrainian children is at risk, as 5.3 million children currently face barriers preventing their access to education, with 3.6 million children directly impacted by school closures.

(15) Reports by the United Nations Children’s Fund also indicate that the war is having a devastating impact on the mental health and well-being of Ukrainian children. Specifically, around 1.5 million children are at risk of depression, anxiety, post-
traumatic stress disorder and other mental health
issues with potential long-term effects and implica-
tions.

(16) The war has also caused Ukrainian women
and children to become more vulnerable to being
trafficked. The United Nations High Commissioner
for Refugees reports that 90 percent of the 5.8 mil-
ion refugees who have fled Ukraine for Europe are
women and children. Reports have stated that traf-
fickers patrol border entry points, train stations, and
refugee centers with the purpose of attracting and
exploiting refugees. Specifically, traffickers lure in
refugees with promises of accommodation, transpor-
tation, and employment, sometimes disguising them-
selves as volunteers providing humanitarian assist-
ance.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the United States
should—

(1) support programs specifically for trauma
treatment and healing, rehabilitation and where nec-
essary prostheses, for Ukrainian children affected by
the war against Ukraine launched by Russia includ-
ing nationwide educational programs of psycho-
logical support to address trauma and stress for all
Ukrainian children, integrated into school curriculum and offered through clinical and social services;

(2) support programs to rebuild the education system in Ukraine and education for Ukrainian child refugees, in cooperation with other countries, international organizations, and civil society;

(3) support the development of a unified and consolidated searchable registry of missing Ukrainian children in order to facilitate identification of children and family reunification, which should ensure strict data protection and availability in the Ukrainian, Russian, and English languages;

(4) ensure the public is made aware of the existence of, and how to use, such registry;

(5) support the development of a unified central emergency call center hub linked to law enforcement in Ukraine and in other countries to enable reporting on and interventions on behalf of missing Ukrainian children and suspected cases of human trafficking and sexual exploitation, including online, of Ukrainian children;

(6) support the development of an international mechanism to facilitate vetting of volunteers and other non-governmental front-line responders work-
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ing with refugees or with victims of other major cri-

ses or natural disasters by law enforcement or other
governmental authorities;

(7) support efforts (including the efforts de-
scribed in paragraph (6)) to only allow appropriately
vetted and credentialed individuals access to refu-
gees;

(8) continue to support efforts by the Govern-
ment of Ukraine to increase collaboration with Euro-
pean counterparts on anti-trafficking investigations
and increased awareness efforts;

(9) support the development of robust child
protective mechanisms for vulnerable children, in-
cluding Ukrainian children, in Ukraine and in coun-
tries that have received Ukrainian refugees, that in-
clude social assistance and protection to help prevent
human trafficking and sexual abuse of Ukrainian
children; and

(10) work with Ukrainian authorities to ensure
that law enforcement officials stationed at major
border crossing points in Ukraine during a refugee
crisis are appropriately trained to prevent human
trafficking and support other measures to monitor
for indications of human trafficking targeting refu-
gees in areas surrounding border crossings.
SEC. 4. SANCTIONS AUTHORITY.

(a) AUTHORITY.—The President may impose the sanctions described in subsection (b) with respect to any foreign person that the President, or Secretary of the Treasury (in consultation with the Secretary of State), determines is responsible for engaging in, or facilitating, any of the following:

(1) The forced displacement, including mass abduction of Ukrainian children to Russia or Russian-controlled areas of Ukraine.

(2) The illegal forced assimilation, adoption, or placement in a foster home of Ukrainian children.

(3) Involvement of any form in the trafficking of Ukrainians in Ukraine or Ukrainian refugees.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.
(2) Ineligibility for Visas, Admission, or Parole.—

(A) Visas, Admission, or Parole.—A foreign person described in subsection (a) may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) Current Visas Revoked.—

(i) In General.—A foreign person described in subsection (a) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) Immediate Effect.—A revocation under clause (i) shall—

(I) take effect immediately; and
(II) automatically cancel any other valid visa or entry documentation that is in the possession of the foreign person.

(c) Exception To Comply With International Obligations.—Sanctions under this section shall not apply with respect to a foreign person if admitting or paroling the person into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) Sunset.—The authority to impose sanctions under this section shall terminate on the date that is 6 years after the date of the enactment of this Act.

SEC. 5. REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees and the Commission on Security and Cooperation in Europe (commonly referred to as the “U.S. Helsinki Commission”) a report on United States efforts for the reintegration of Ukrainian children affected by the war against Ukraine.
launched by Russia, including a description of any such
efforts to support—

(1) the rebuilding and redevelopment of the
Ukrainian education system; and

(2) the implementation of mental health pro-
grams to address trauma and family separations
among such Ukrainian children.

SEC. 6. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
tees.—The term “appropriate congressional com-
mittees” means the Committee on Foreign Affairs of
the House of Representatives and the Committee on
Foreign Relations of the Senate.

(2) CHILD.—The term “child” means an indi-
vidual under the age of 18.

(3) UKRAINIAN CHILD.—The term “Ukrainian
child” means a child born in Ukraine or an inhab-
itant of Ukraine, regardless of whether the child is
subsequently trafficked or forced to assume Russian
citizenship.