

118TH CONGRESS  
1ST SESSION

# H. R. 506

To designate the Russian-based mercenary Wagner Group as a foreign terrorist organization, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2023

Mr. COHEN (for himself, Mr. WILSON of South Carolina, Mr. VEASEY, Mr. HUDSON, Mr. LIEU, Mr. FITZPATRICK, Mr. GALLEGO, Ms. SALAZAR, and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To designate the Russian-based mercenary Wagner Group as a foreign terrorist organization, 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 TITLES.**

4 This Act may be cited as the “Holding Accountable  
5 Russian Mercenaries Act” or the “HARM Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) The Secretary of State’s designation of an  
2           entity as a foreign terrorist organization results  
3           from a determination that—

4                   (A) the entity is foreign and engages in  
5           terrorism or terrorist activity; and

6                   (B) the terrorist activity threatens the se-  
7           curity of the United States or its nationals.

8           (2) The activities of the Wagner Group and af-  
9           filiated entities of Russian national Yevgeniy  
10          Prigozhin pose a threat to the national interests and  
11          national security of the United States and allies and  
12          partners of the United States, including with respect  
13          to Russia’s war on Ukraine, which President Biden  
14          declared, on March 2, 2022, “pose[s] an unusual  
15          and extraordinary threat to the national security  
16          and foreign policy of the United States”.

17          (3) On June 20, 2017, the Department of the  
18          Treasury’s Office of Foreign Assets Control des-  
19          ignated the Wagner Group and its military leader,  
20          Dmitry Utkin, pursuant to Executive Order 13660  
21          (titled “Blocking Property of Additional Certain  
22          Persons Contributing to the Situation in Ukraine”)  
23          “for being responsible for or complicit in, or having  
24          engaged in, directly or indirectly, actions or policies

1 that threaten the peace, security, stability, sov-  
2 ereignty or territorial integrity of Ukraine”.

3 (4) On September 20, 2018, the Department of  
4 State added Yevgeniy Prigozhin and his affiliated  
5 entities, including the Wagner Group, to the list of  
6 persons identified as part of, or operating for or on  
7 behalf of, the defense or intelligence sectors of the  
8 Government of the Russian Federation under section  
9 231 of the Countering America’s Adversaries  
10 Through Sanctions Act (22 U.S.C. 9525).

11 (5) On January 20, 2023, the White House an-  
12 nounced it will designate the Wagner Group a  
13 Transnational Criminal Organization pursuant to  
14 the International Emergency Economic Powers Act  
15 (50 U.S.C. 1701–1706).

16 (6) The Wagner Group, a self-described private  
17 actor that undertakes military action and subversive  
18 operations at the behest of the Government of the  
19 Russian Federation, is a “terrorist group” that en-  
20 engages in “terrorism” (as defined in section 140(d) of  
21 the Foreign Relations Authorization Act, Fiscal  
22 Year 1988 and 1989 (22 U.S.C. 2656f(d))), which  
23 is “premeditated, politically motivated violence per-  
24 petrated against noncombatant targets by sub-  
25 national groups or clandestine agents”.

1           (7) The Wagner Group and its affiliated enti-  
2 ties have committed, or are credibly accused of com-  
3 mitting, terrorist activity (as defined in section  
4 212(a)(3)(B) of the Immigration and Nationality  
5 Act (8 U.S.C. 1182(a)(3)(B))), through their in-  
6 volvement in—

7           (A) the massacres, rape, and torture of ci-  
8 vilians in Bucha, Ukraine, in March 2022;

9           (B) the massacres in Moura, Mali, in  
10 March 2022;

11           (C) the massacres of migrant workers and  
12 civilians in mining regions along the Sudan-  
13 Central African Republic border in 2022;

14           (D) the murder of Russian journalists in  
15 the Central African Republic in June 2018 as  
16 well as threats against United States journalists  
17 investigating such incident;

18           (E) the kidnapping of children in the Cen-  
19 tral African Republic in 2022 to work in mines;

20           (F) the rape and sex trafficking of women  
21 and children in the Central African Republic  
22 between 2018 and 2022;

23           (G) the sabotage and lethal suppression of  
24 civilian protestors in Sudan in 2019;

1 (H) the use of nerve agents against  
2 Libya’s Government of National Accord and de-  
3 ployment of illegal landmines and booby-traps  
4 in civilian areas of Tripoli between 2019 and  
5 2020;

6 (I) the torture and execution of a Syrian  
7 national in June 2017;

8 (J) efforts to assassinate Ukrainian Presi-  
9 dent Volodymyr Zelensky in March 2022; and

10 (K) the receipt of weapons shipments ini-  
11 tially reported in December 2022 from the  
12 Democratic People’s Republic of North Korea,  
13 which the Secretary of State had designated a  
14 state sponsor of terrorism on November 20,  
15 2017.

16 **SEC. 3. SENSE OF CONGRESS.**

17 It is the sense of Congress that—

18 (1) the Russian-based mercenary Wagner  
19 Group meets the criteria for designation by the Sec-  
20 retary of State as a foreign terrorist organization  
21 under section 219(a) of the Immigration and Na-  
22 tionality Act (8 U.S.C. 1189(a)); and

23 (2) the Secretary of State should designate the  
24 Wagner Group as a foreign terrorist organization  
25 under such section 219.

1 **SEC. 4. DESIGNATION OF THE MERCENARY WAGNER**  
2 **GROUP AS A FOREIGN TERRORIST ORGANI-**  
3 **ZATION.**

4 (a) **IN GENERAL.**—Not later than 90 days after the  
5 date of the enactment of this Act, the Secretary of State  
6 shall designate the Wagner Group as a foreign terrorist  
7 organization in accordance with section 219(a) of the Im-  
8 migration and Nationality Act (8 U.S.C. 1189(a)).

9 (b) **APPLICATION.**—The designation required under  
10 subsection (a) shall equally apply to any affiliated and suc-  
11 cessor entities to the Wagner Group undertaking malign  
12 activities against the United States and its allies and part-  
13 ners, including activities taking place in Ukraine, Africa,  
14 and the Middle East.

15 (c) **WAIVER.**—The President may waive the applica-  
16 tion of sanctions under this section if the President deter-  
17 mines and reports to the appropriate congressional com-  
18 mittees that such a waiver is in the national security inter-  
19 est of the United States.

20 (d) **ANNUAL REPORT.**—Not later than 1 year after  
21 the date of the enactment of this Act, and annually there-  
22 after, the Secretary of State shall submit to the appro-  
23 priate congressional committees a report on the inter-  
24 national activities of the Russian-based mercenary Wagner  
25 Group.

1 (e) DEFINED TERM.—In this section, the term “ap-  
2 propriate congressional committees” means—

3 (1) the Committee on Armed Services of the  
4 Senate;

5 (2) the Committee on Foreign Relations of the  
6 Senate;

7 (3) the Committee on Banking, Housing, and  
8 Urban Affairs of the Senate;

9 (4) the Committee on Financial Services of the  
10 House of Representatives;

11 (5) the Committee on Foreign Affairs of the  
12 House of Representatives;

13 (6) the Committee on the Judiciary of the  
14 House of Representatives; and

15 (7) the Committee on Armed Services of the  
16 House of Representatives.

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