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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

January 23, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Pompeo:

I write to urge you to impose legally mandated sanctions against the Russian Federation for its use of Novichok against Sergei and Yulia Skripal in Salisbury, United Kingdom. I am deeply concerned the State Department, despite its formal determination that the Russian Federation used chemical weapons in the attack, has not implemented the second round of sanctions against the Russian Federation which are mandated by the Chemical and Biological Weapons Warfare Elimination Act of 1991 (CBW). These sanctions are more than two months overdue. I urge you to impose these sanctions immediately to ensure that the statutorily mandated sanctions regime is not undermined.

On August 6, 2018, the State Department determined that the Russian Federation used chemical weapons in violation of international law. This determination triggered a three-month period after which the President, in consultation with Congress, must impose three out of a menu of six additional sanctions measures unless Russia demonstrates “it is in longer in use of chemical or biological weapons” and has provided reliable assurances it will not engage in such activities in the future. During the three-month period, Russia obviously took none of these steps and on November 5, the State Department announced that additional sanctions would be imposed.

The State Department’s lack of action against Russia stands in stark contrast with recent actions by the European Union. On January 21, the European Union’s foreign ministers approved a new tranche of sanctions targeted at the suspected attackers in Salisbury. These sanctions indicate the EU’s serious approach towards the Kremlin’s actions and their unwillingness to tolerate flagrant violations of international law.

In light of the fact that additional sanctions are legally mandated and given the EU’s recent actions, I ask you to promptly answer the following questions:

- Why has the United States not implemented additional sanctions against Russia, as required by the Chemical and Biological Weapons Warfare Elimination Act of 1991?
- Is the United States coordinating with our allies and partners the imposition of additional sanctions on Russia for its chemical weapons use?

Moving forward, I expect that, barring a new determination from the President, the United States will swiftly institute these additional sanctions against the Russian Federation, as required by law. The United States must not renege on our duty to stand with our allies against the Russian Federation and the international norms against chemical weapons. I thank you for your prompt attention to this issue and look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez." The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Robert Menendez
Ranking Member