

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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October 26, 2026

Mr. Mike Sommers
President & CEO
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Mr. Chet Thompson
President & CEO
American Fuel & Petrochemical
Manufacturers
1800 M Street, NW, Suite 900 North
Washington, DC 20036

Ms. Suzanne P. Clark
President & CEO
U.S. Chamber of Commerce
1615 H Street, NW
Washington, DC 20062

Dear Mr. Sommers, Mr. Thompson, and Ms. Clark:

I am writing about President Donald Trump's attempt to help the Russian Federation evade statutory federal sanctions on the sale of Russian diesel fuel in the United States.

Even as Russia actively supplies weapons to Iran that are being used to kill American service members,¹ President Trump has been stretching American law beyond the breaking point to throw a lifeline to Russian President Vladimir Putin and his imperialist war machine attacking the people of Ukraine.

As your members likely know, and as detailed below, the Trump Administration's efforts to waive sanctions on Russia cannot override statutory prohibitions on the import of Russian energy products. Accordingly, by this letter, your members should be put on notice that, notwithstanding Office of Foreign Assets Control (OFAC) General License No. 135, anyone importing Russian diesel into the United States will be violating federal law and may therefore have to face both civil and criminal penalties, including up to 20 years' imprisonment.

¹ See Jack Brook, et al., *Exclusive: Soldiers and Gold Star Families Press Army Leadership After Deadly Iranian Drone Strike*, ASSOC. PRESS (Oct. 5, 2026), <https://apnews.com/article/iran-war-port-shuaiba-attack-soldiers-29f34587c6361261f6e803aff6791e8f>; Emma Burrows, *Russia Is Sending Upgraded Drones Used in the Ukraine War to Iran, Officials Say*, ASSOC. PRESS (Mar. 27, 2026), <https://apnews.com/article/russia-iran-drones-shahed-war-israel-ukraine-840b4f885d99714bdb7813c0d56213cf>.

In early 2022, Congress passed the Ending Importation of Russian Oil Act (Russian Oil Act).² The bipartisan legislation amended the Ukraine Freedom Support Act of 2014,³ which established the “policy of the United States” to “assist the Government of Ukraine in restoring its sovereignty and territorial integrity to deter the Government of the Russian Federation from further destabilizing and invading Ukraine.”⁴ Consistent with this policy, the Russian Oil Act prohibited the importation of “[a]ll products of the Russian Federation classified under chapter 27 of the Harmonized Tariff Schedule of the United States,”⁵ including, among other energy products, diesel oil (2710.19.11).⁶

The Russian Oil Act codified the restrictions set forth in President Joe Biden’s Executive Order 14066, dated March 8, 2022, which determined that Russia’s “unjustified, unprovoked, unyielding, and unconscionable war against Ukraine” posed “an unusual and extraordinary threat” to U.S. “national security and foreign policy.”⁷ Acting under the International Emergency Economic Powers Act, President Biden prohibited the import of specified Russian-origin products—including crude oil, petroleum, petroleum fuels, natural gas, and related distillates—into the United States.⁸ Violations of these prohibitions carry civil penalties of up to twice the value of the underlying transaction and criminal penalties of up to \$1 million and 20 years’ imprisonment; both civil and criminal violations are subject to a 10-year statute of limitations.⁹ On March 24, 2026, President Trump formally announced the continuation of the national emergency targeting Russia’s harmful foreign activities, expressly preserving the restrictions in Executive Order 14066.¹⁰

Critically, the Russian Oil Act codifies the procedures that the President must follow before terminating the ban on imports of Russian energy products.¹¹ Specifically, the President must submit a written certification to Congress stating both the intent to end the prohibition and a determination that Russia has (1) reached an agreement to withdraw its forces and cease hostilities in Ukraine, accepted by Ukraine’s freely elected government; (2) ceased posing any immediate military threat to North Atlantic Treaty Organization members; and (3) recognized the

² Pub. L. 117-109, Apr. 8, 2022.

³ Pub. L. 113-272, Dec. 18, 2014.

⁴ 22 U.S.C. § 8922.

⁵ Pub. L. 117-109, Apr. 8, 2022, 136 Stat. 1154.

⁶ See Harmonized Tariff Schedule, Ch. 27, Mineral Fuels, Mineral Oils and Products of Their Distillation; Bituminous Substances; Mineral Waxes (2026).

⁷ Exec. Order 14066, *Prohibiting Certain Imports and New Investments with Respect to Continued Russian Federation Efforts to Undermine the Sovereignty and Territorial Integrity of Ukraine* (Mar. 8, 2022), <https://www.presidency.ucsb.edu/documents/executive-order-14066-prohibiting-certain-imports-and-new-investments-with-respect>.

⁸ *Id.*

⁹ 50 U.S.C. § 1705(a), (d).

¹⁰ Continuation of the National Emergency with Respect to Specified Harmful Foreign Activities of the Government of the Russian Federation (Mar. 24, 2026), 91 FR 15515 (Mar. 24, 2026).

¹¹ Pub. L. 117-109, Apr. 8, 2022, 136 Stat. 1154, § 2.

Ukrainian people's right to choose their own government.¹² At least 45 days before submitting this certification, the President must consult with the relevant committees in the House and Senate and provide a report explaining the basis for these determinations.¹³ Any termination becomes effective only after a 90-day period during which Congress may pass a resolution of disapproval.¹⁴ The Trump Administration failed to follow this legally mandated procedure before issuing OFAC General License No. 135.¹⁵

Shockingly, President Trump's surprise deal, announced on October 9, 2026, to purchase nearly 2 million tons of diesel fuel from Russia, came just three weeks after the President signed the bipartisan Lindsey O. Graham Sanctioning Russia and Iran Act of 2026 (the "Graham Act") into law.¹⁶ The Graham Act strengthens existing economic measures targeting the Russian Federation.¹⁷ For example, the Graham Act imposes a 500% duty on all goods imported from Russia, including oil, natural gas, liquefied natural gas, petroleum, petroleum products, petrochemical products, coal, and coal products.¹⁸ It also imposes a 100% duty on all goods imported into the United States from any foreign country that (1) knowingly makes new purchases of Russian-origin crude oil or natural gas within 30 days of the Act's enactment; (2) ranks among the five largest importers, by total volume, of Russian-origin crude oil or natural gas during the preceding 12-month period; or (3) ranks among the top five countries facilitating Russian oil sanctions evasion during that same period.¹⁹ Crucially, the Graham Act does *not* modify the import prohibition on Russian energy products under the Russian Oil Act.²⁰ Yet President Trump is now attempting to unlawfully circumvent the legally mandated U.S. embargo on Russian diesel.

On October 16, President Trump issued an Executive Order waiving a broad range of sanctions and restrictions set forth in the Graham Act, including, but not limited to, the imposition of the 500% duty on goods imported from Russia, as well as the 100% duty on

¹² Pub. L. 117–109, Apr. 8, 2022, 136 Stat. 1154, § 3(c)(1)–(2).

¹³ Pub. L. 117–109, Apr. 8, 2022, 136 Stat. 1154, § 2(b).

¹⁴ Pub. L. 117–109, Apr. 8, 2022, 136 Stat. 1154, § 2(d).

¹⁵ *Id.*

¹⁶ Michelle L. Price & Collin Binkley, *Trump Strikes Deal with Putin to Get Diesel in Sharp Reversal of US Policy Weeks Before Midterms*, ASSOC. PRESS (Oct. 9, 2026), <https://apnews.com/article/trump-russia-diesel-midterms-12baccc7aade559bf329079b0548c9da>.

¹⁷ See Pub. L. 119–111, 140 Stat. 1026 (Sept. 18, 2026).

¹⁸ *Id.* Sec. 112.

¹⁹ *Id.* Sec. 113.

²⁰ See Pub. L. 119–111, 140 Stat. 1032 (Sept. 18, 2026) ("Sanctions and other measures provided for under any Executive Order issued to address the national emergency that the President continued on March 24, 2026, with respect to specified harmful foreign activities of the Government of the Russian Federation (91 Fed. Reg. 15515), as in effect on the day before the date of the enactment of this Act, including with respect to all persons sanctioned under any such Executive Order, shall remain in effect.").

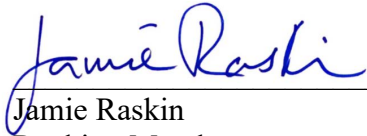
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foreign countries who were found to be major facilitators of Russian sanctions evasions.²¹ Critically, however, President Trump's October 16 Executive Order recognizes that the Russian Oil Act diesel embargo remains in full effect.²²

Consistent with the foregoing, and as you likely know, OFAC's General License No. 135 provides no shield from civil and criminal liability for importers of Russian oil. Given the 10-year statute of limitations, importers of Russian diesel fuel will remain exposed to liability long after the current Administration leaves office. President Trump has recently taken increasingly brazen measures to come to the aid of President Putin's bloody, illegal war and imperial aggression against Ukraine and its people. Most recently, reports have shown that President Trump conspired with Elon Musk to throttle Ukraine's access to critical drone defenses.²³ Your members are now on notice that taking part in any effort to help President Putin hawk Russian diesel in the U.S. is a clear and dangerous violation of federal law. Those who choose to act in this way proceed at their own risk and will undoubtedly be held accountable to the fullest extent of the law, whether in this Administration—or the next.

Thank you for your attention to this important matter.

Very truly yours,



Jamie Raskin
Ranking Member

cc: The Honorable Jim Jordan, Chairman

²¹ Exec. Order 14436, *Implementing the Lindsey O. Graham Sanctioning Russia and Iran Act of 2026*, THE WHITE HOUSE (Oct. 16, 2026), <https://www.whitehouse.gov/presidential-actions/2026/10/implementing-the-lindsey-o-graham-sanctioning-russia-and-iran-act-of-2026/>.

²² *Id.* Sec. 4(b) (Noting that “nothing in this order affects any sanctions or other measures provided for under any Executive Order issued to address the national emergency that I continued on March 24, 2026, with respect to specified harmful foreign activities of the Government of the Russian Federation (91 *Fed. Reg.* 15515), as in effect on the day before the date of enactment of the Graham Act, including with respect to all persons sanctioned under any such Executive Order.”).

²³ Alexander Ward, et al., *Musk Ordered Starlink Slowdown That Blindsided Ukraine*, WALL ST. J. (Oct. 20, 2026), <https://www.wsj.com/world/ukraine-starlink-elon-musk-trump-dbc49193>.