

Congress of the United States
Washington, DC 20515

October 29, 2026

The Honorable Rodney S. Scott
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, DC 20229

Dear Commissioner Scott:

As Members of Congress, including the sponsor of the Ending Importation of Russian Oil Act (Public Law 117-109), we write regarding Russian diesel now bound for American ports. According to press reports, the *Agioi Fanendes* loaded roughly 40,000 metric tons of diesel at the Russian port of Primorsk and listed the Port of New York and New Jersey as its destination, with arrival expected around November 7. U.S. Customs and Border Protection is the agency charged with enforcing the import prohibitions Congress enacts. We urge you to enforce this one.

The law is clear. Section 2 of the Act bans the importation into the United States of all Russian Federation products classified under chapter 27 of the Harmonized Tariff Schedule, which includes diesel. Section 3 provides the only way to lift that ban: the President must consult with Congress, submit a report, and certify that Russia has reached an agreement to withdraw its forces and end hostilities that Ukraine accepts, poses no immediate military threat to any NATO member, and recognizes the right of Ukrainians to choose their own government. Congress then has 90 days to disapprove. None of these steps has been taken, and Russia continues its war against Ukraine.

General License 135, issued by the Treasury Department at President Trump's direction after his call with Vladimir Putin, purports to authorize these imports but cannot set aside a prohibition Congress wrote into statute. Any Russian diesel brought into the United States is imported contrary to law.

Those who take part face serious criminal exposure. Under 18 U.S.C. § 545, anyone who knowingly imports merchandise contrary to law, or who "receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation," knowing it was imported contrary to law, may be imprisoned for up to 20 years. Fines can reach \$250,000 for an individual and \$500,000 for a company, or twice the gross gain from the transaction. The merchandise, or its value, is subject to forfeiture.

That reach is broad. It extends beyond the importer of record to:

1. buyers and sellers of the fuel, including traders and brokers;
2. customs brokers who file the entry;

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3. terminal and storage operators that receive or hold it;
4. pipeline, barge, rail, and truck carriers that move it inland; and
5. distributors and wholesalers that buy or resell it.

Prosecution under § 545 may be brought up to five years after the offense.

The stakes are real. Reuters valued the first 300,000 tons of diesel Russia has promised at roughly \$400 million. At that price, the up to 4.8 million tons President Trump announced after speaking with Putin would be worth more than \$6 billion, and the single cargo aboard the *Agiol Fanendes* more than \$50 million. Every sale strengthens the Russian economy that finances Putin's war against Ukraine.

Americans would get almost nothing in return. The *Agiol Fanendes* cargo amounts to roughly 300,000 barrels, less than three hours of fuel for the U.S. transportation sector, according to Energy Information Administration data. Even the full 4.8 million tons would cover less than two weeks.

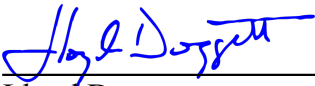
Given the expected arrival dates, we ask that you respond to the following questions immediately:

1. Has CBP received any entry filing or advance notice for a vessel carrying Russian-origin diesel, including the *Agiol Fanendes*? If so, who is the importer of record, and who are the consignee and customs broker?
2. What instructions has CBP given its port directors, including at the Port of New York and New Jersey, on the entry of Russian-origin chapter 27 products?
3. Has CBP received direction from the Department of the Treasury, the Department of Homeland Security, or the White House to admit these products? If so, please provide it.
4. Will CBP refuse entry to, and seize, Russian-origin diesel imported contrary to the Act? If not, under what legal authority would CBP admit it?
5. Will CBP issue guidance to the trade community making clear that these imports remain prohibited by statute, and that anyone who imports, buys, sells, or facilitates the sale of this fuel may face criminal penalties of up to 20 years in prison, substantial fines, and forfeiture?
6. Will CBP refer any attempted importation of Russian-origin diesel to Homeland Security Investigations and the Department of Justice?

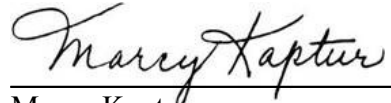
Congress enacted this ban, with overwhelming bipartisan support, to deny Putin the resources to wage his war. No one who handles this fuel should be under any illusion about the risks. We urge CBP to enforce the law as written.

Sincerely,

Congress of the United States
Washington, DC 20515



Lloyd Doggett
Member of Congress



Marcy Kaptur
Member of Congress