

115TH CONGRESS
1ST SESSION

S. 138

To impose sanctions on persons that threaten the peace or stability of Iraq or the Government of Iraq and to address the emergency in Syria, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2017

Mr. RUBIO (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose sanctions on persons that threaten the peace or stability of Iraq or the Government of Iraq and to address the emergency in Syria, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Preventing Destabilization of Iraq and Syria Act of
6 2017”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—MEASURES TO ADDRESS THREATS TO PEACE OR STABILITY OF IRAQ AND SYRIA

Sec. 101. Statement of policy.

Sec. 102. Imposition of sanctions with respect to certain foreign persons threatening peace or stability in Iraq and Syria.

Sec. 103. Determinations with respect to imposition of sanctions on certain Iranian, Syrian, and Russian persons.

Sec. 104. Report on Iranian activities in Iraq and Syria.

Sec. 105. Assistance to the people of Syria.

TITLE II—ADDITIONAL ACTIONS IN CONNECTION WITH THE NATIONAL EMERGENCY WITH RESPECT TO SYRIA

Sec. 201. Sanctions with respect to Central Bank of Syria and foreign persons that engage in certain transactions.

Sec. 202. Sanctions with respect to the transfer of arms and related materials to Syria.

Sec. 203. Imposition, and conditional termination, of sanctions relating to significant arms sales to Syria.

Sec. 204. Rule of construction.

TITLE III—AMENDMENTS TO SYRIA HUMAN RIGHTS ACCOUNTABILITY ACT OF 2012

Sec. 301. Imposition of sanctions with respect to certain persons who are responsible for or complicit in human rights abuses committed against citizens of Syria or their family members.

Sec. 302. Imposition of sanctions with respect to the transfer of goods or technologies to Syria that are likely to be used to commit human rights abuses.

TITLE IV—REPORTS AND WAIVER FOR HUMANITARIAN-RELATED ACTIVITIES WITH RESPECT TO SYRIA

Sec. 401. Report on monitoring and evaluating of ongoing assistance programs in Syria and to the Syrian people.

Sec. 402. Report on certain persons who are responsible for or complicit in certain human rights violations in Syria.

Sec. 403. Assessment of potential effectiveness of and requirements for the establishment of a no-fly zone, safe zones, or a no-bombing zone in Syria.

Sec. 404. Assistance to support entities taking actions relating to gathering evidence for investigations into war crimes or crimes against humanity in Syria since March 2011.

Sec. 405. Appropriate congressional committees defined.

TITLE V—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA

Sec. 501. Suspension of sanctions with respect to Syria.

Sec. 502. Waivers and exemptions.

Sec. 503. Appropriate congressional committees defined.

TITLE VI—REGULATORY AUTHORITY AND SUNSET

Sec. 601. Regulatory authority.

Sec. 602. Sunset.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) More than 14,000,000 Syrians have become
4 refugees or internally displaced persons over the last
5 five years.

6 (2) The Syrian Observatory for Human Rights
7 has reported that since 2012, more than 60,000
8 Syrians, including children, have died in Syrian pris-
9 ons.

10 (3) In July 2014, the Committee on Foreign
11 Affairs of the House of Representatives heard testi-
12 mony from a former Syrian military photographer,
13 alias “Caesar”, who fled Syria and smuggled out
14 thousands of photos of tortured bodies. In testi-
15 mony, Caesar said, “I have seen horrendous pictures
16 of bodies of people who had tremendous amounts of
17 torture, deep wounds and burns and strangulation.”.

18 (4) The regime of Bashar al-Assad has repeat-
19 edly blocked civilian access to or diverted humani-
20 tarian assistance, including medical supplies, to be-
21 sieged and hard-to-reach areas, in violation of
22 United Nations Security Council resolutions.

23 (5) The need for humanitarian assistance re-
24 mains significant. According to the United Nations,

1 in 2016 only 46 percent of the overall humanitarian
 2 appeal for Syria was met, leaving significant gaps in
 3 the response.

4 (6) The course of the Syrian transition and its
 5 future leadership may depend on what the United
 6 States and its partners do now to save Syrian lives,
 7 alleviate suffering, and help Syrians determine their
 8 own future.

9 **TITLE I—MEASURES TO AD-**
 10 **DRESS THREATS TO PEACE**
 11 **OR STABILITY OF IRAQ AND**
 12 **SYRIA**

13 **SEC. 101. STATEMENT OF POLICY.**

14 It shall be the policy of the United States to impose
 15 sanctions with respect to terrorist organizations and for-
 16 eign countries, including the Government of Iran and the
 17 Government of the Russian Federation, that threaten the
 18 peace or stability of Iraq or Syria.

19 **SEC. 102. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 20 **CERTAIN FOREIGN PERSONS THREATENING**
 21 **PEACE OR STABILITY IN IRAQ AND SYRIA.**

22 (a) **SANCTIONS REQUIRED.**—The President shall im-
 23 pose the sanctions described in subsection (b)(1) with re-
 24 spect to any foreign person that—

(1) is responsible for or complicit in, or to have engaged in, directly or indirectly—

(A) actions that threaten the peace, security, or stability of Iraq or Syria;

(B) actions or policies that undermine efforts to promote economic reconstruction and political reform in Iraq; or

(C) the obstruction of the delivery or distribution of, or access to, humanitarian assistance to the people of Iraq or Syria;

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in subparagraph (A), (B), or (C) of paragraph (1); or

(3) is owned or controlled by, or has acted or purported to act for or on behalf of, directly or indirectly, a foreign person that has carried out any activity described in subparagraph (A), (B), or (C) of paragraph (1) or paragraph (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The President shall block, in accordance with the International

1 Emergency Economic Powers Act (50 U.S.C.
2 1701 et seq.), all transactions in all property
3 and interests in property of a person subject to
4 subsection (a) if such property and interests in
5 property are in the United States, come within
6 the United States, or are or come within the
7 possession or control of a United States person.

8 (B) ALIENS INELIGIBLE FOR VISAS, AD-
9 MISSION, OR PAROLE.—

10 (i) EXCLUSION FROM THE UNITED
11 STATES.—The Secretary of State shall
12 deny a visa to, and the Secretary of Home-
13 land Security shall exclude from the
14 United States, any person subject to sub-
15 section (a) that is an alien.

16 (ii) CURRENT VISAS REVOKED.—

17 (I) IN GENERAL.—The issuing
18 consular officer, the Secretary of
19 State, or the Secretary of Homeland
20 Security (or a designee of one of such
21 Secretaries) shall revoke any visa or
22 other entry documentation issued to
23 an alien subject to subsection (a), re-
24 gardless of when issued.

1 (II) EFFECT OF REVOCATION.—

2 A revocation under subclause (I) shall
3 take effect immediately and shall
4 automatically cancel any other valid
5 visa or entry documentation that is in
6 the alien's possession.

7 (2) INAPPLICABILITY OF NATIONAL EMER-
8 GENCY REQUIREMENT.—The requirements of section
9 202 of the International Emergency Economic Pow-
10 ers Act (50 U.S.C. 1701) shall not apply for pur-
11 poses of the imposition of sanctions under this sec-
12 tion.

13 (3) PENALTIES.—A person that violates, at-
14 tempts to violate, conspires to violate, or causes a
15 violation of paragraph (1)(A) or any regulation, li-
16 cense, or order issued to carry out that paragraph
17 shall be subject to the penalties set forth in sub-
18 sections (b) and (c) of section 206 of the Inter-
19 national Emergency Economic Powers Act (50
20 U.S.C. 1705) to the same extent as a person that
21 commits an unlawful act described in subsection (a)
22 of that section.

23 (4) EXCEPTION TO COMPLY WITH UNITED NA-
24 TIONS HEADQUARTERS AGREEMENT.—Sanctions
25 under paragraph (1)(B) shall not apply to an alien

1 if admitting the alien into the United States is nec-
2 essary to permit the United States to comply with
3 the Agreement regarding the Headquarters of the
4 United Nations, signed at Lake Success June 26,
5 1947, and entered into force November 21, 1947,
6 between the United Nations and the United States,
7 or other applicable international obligations.

8 (c) WAIVER.—

9 (1) IN GENERAL.—The President may, on a
10 case-by-case basis and for periods not to exceed 180
11 days, waive the application of sanctions under this
12 section with respect to a foreign person, and may
13 renew the waiver for additional periods of not more
14 than 180 days, if the President determines and re-
15 ports to the appropriate congressional committees at
16 least 15 days before the waiver or renewal of the
17 waiver is to take effect that the waiver is vital to the
18 national security interests of the United States.

19 (2) FORM OF REPORT.—A report submitted
20 under paragraph (1) shall be submitted in unclassi-
21 fied form but may include a classified annex.

22 (3) SUNSET.—The provisions of this subsection
23 and any waivers issued pursuant to this subsection
24 shall terminate on the date that is 3 years after the
25 date of the enactment of this Act.

1 (d) IMPLEMENTATION AUTHORITY.—The President
2 may exercise all authorities provided to the President
3 under sections 203 and 205 of the International Emer-
4 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
5 for purposes of carrying out this section.

6 (e) REGULATORY AUTHORITY.—

7 (1) IN GENERAL.—The President shall, not
8 later than 90 days after the date of the enactment
9 of this Act, promulgate regulations as necessary for
10 the implementation of this section.

11 (2) NOTIFICATION TO CONGRESS.—Not less
12 than 10 days before the promulgation of regulations
13 under paragraph (1), the President shall notify and
14 provide to the appropriate congressional committees
15 the proposed regulations and the provisions of this
16 Act and the amendments made by this Act that the
17 regulations are implementing.

18 (f) DEFINITIONS.—In this section:

19 (1) ADMITTED; ALIEN.—The terms “admitted”
20 and “alien” have the meanings given those terms in
21 section 101(a) of the Immigration and Nationality
22 Act (8 U.S.C. 1101(a)).

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Foreign Affairs, the
 2 Committee on the Judiciary, the Committee on
 3 Ways and Means, and the Committee on Finan-
 4 cial Services of the House of Representatives;
 5 and

6 (B) the Committee on Foreign Relations,
 7 the Committee on the Judiciary, the Committee
 8 on Finance, and the Committee on Banking,
 9 Housing, and Urban Affairs of the Senate.

10 (3) FOREIGN PERSON.—The term “foreign per-
 11 son” means—

12 (A) an individual who is not a United
 13 States person;

14 (B) a corporation, partnership, or other
 15 nongovernmental entity that is not a United
 16 States person; or

17 (C) any representative, agent or instru-
 18 mentality of, or an individual working on behalf
 19 of a foreign government.

20 (4) GOVERNMENT OF IRAQ.—The term “Gov-
 21 ernment of Iraq” has the meaning given that term
 22 in section 576.310 of title 31, Code of Federal Reg-
 23 ulations (or any corresponding similar regulation or
 24 ruling).

1 (5) GOVERNMENT OF SYRIA.—The term “Gov-
2 ernment of Syria” has the meaning given that term
3 in section 542.305 of title 31, Code of Federal Reg-
4 ulations (or any corresponding similar regulation or
5 ruling).

6 (6) KNOWINGLY.—The term “knowingly”, with
7 respect to conduct, a circumstance, or a result,
8 means that a person has actual knowledge, or should
9 have known, of the conduct, the circumstance, or the
10 result.

11 (7) PERSON.—The term “person” means an in-
12 dividual or entity.

13 (8) PROPERTY; PROPERTY INTEREST.—The
14 terms “property” and “property interest” have the
15 meanings given those terms in section 576.312 of
16 title 31, Code of Federal Regulations (or any cor-
17 responding similar regulation or ruling).

18 (9) UNITED STATES PERSON.—The term
19 “United States person” has the meaning given that
20 term in section 576.319 of title 31, Code of Federal
21 Regulations (or any corresponding similar regulation
22 or ruling).

23 (g) SUNSET.—This section shall cease to be effective
24 beginning on January 1, 2022.

1 **SEC. 103. DETERMINATIONS WITH RESPECT TO IMPOSI-**
2 **TION OF SANCTIONS ON CERTAIN IRANIAN,**
3 **SYRIAN, AND RUSSIAN PERSONS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Government of Iran, the Government of
6 Syria, and the Government of the Russian Federation are
7 responsible for or complicit in, or to have engaged in, di-
8 rectly or indirectly—

9 (1) actions that threaten the peace, security, or
10 stability of Iraq or Syria;

11 (2) actions or policies that undermine efforts to
12 promote economic reconstruction and political re-
13 form in Iraq; and

14 (3) actions that obstruct the delivery or dis-
15 tribution of humanitarian assistance to, or access to
16 such assistance by, the people of Iraq or Syria.

17 (b) DETERMINATIONS.—

18 (1) IN GENERAL.—The President shall, not
19 later than 45 days after the date of the enactment
20 of this Act, determine whether any Iranian person,
21 Syrian person, or Russian person has engaged in ac-
22 tivities described in section 102(a).

23 (2) DETERMINATIONS WITH RESPECT TO CER-
24 TAIN PERSONS.—In making determinations under
25 paragraph (1), the President shall make a deter-
26 mination with respect to whether each of the fol-

1 lowing has engaged in activities described in section
2 102(a):

3 (A) The Supreme Leader of Iran.

4 (B) The President of Iran.

5 (C) Members of the Council of Guardians
6 of Iran.

7 (D) Members of the Expediency Council of
8 Iran.

9 (E) The Minister of Intelligence and Secu-
10 rity of Iran.

11 (F) The Commander of the Iran's Revolu-
12 tionary Guard Corps.

13 (G) The Minister of Defense of Iran.

14 (H) Members of Iran's Revolutionary
15 Guard Corps.

16 (I) The President of Syria.

17 (J) The Minister of Defense of Syria.

18 (K) The President of the Russian Federa-
19 tion.

20 (L) The Prime Minister of the Russian
21 Federation.

22 (M) The Minister of Defense of the Rus-
23 sian Federation.

24 (3) EFFECT OF DETERMINATION.—If the Presi-
25 dent determines a person has engaged in activities

1 described in section 102(a), the President shall, sub-
2 ject to the waiver authority provided under section
3 102(c), impose the sanctions described in section
4 102(b) with respect to that person.

5 (4) REPORT.—

6 (A) IN GENERAL.—The President shall
7 submit to the appropriate congressional com-
8 mittees a report on the determinations made
9 under paragraph (1) that includes—

10 (i) the reasons for those determina-
11 tions;

12 (ii) an identification of the persons
13 that have engaged in activities described in
14 section 102(a); and

15 (iii) a statement of whether the Presi-
16 dent has imposed the sanctions described
17 in section 102(b) with respect to those per-
18 sons and, if not, the reasons why the
19 President has not imposed sanctions with
20 respect to those persons.

21 (B) FORM.—A report submitted under
22 subparagraph (A) shall be submitted in unclas-
23 sified form but may include a classified annex.

24 (5) DEFINITIONS.—In this subsection:

1 (A) APPROPRIATE CONGRESSIONAL COM-
2 MITTEES.—The term “appropriate congres-
3 sional committees” means—

4 (i) the Committee on Foreign Affairs,
5 the Committee on Ways and Means, and
6 the Committee on Financial Services of the
7 House of Representatives; and

8 (ii) the Committee on Foreign Rela-
9 tions, the Committee on Finance, and the
10 Committee on Banking, Housing, and
11 Urban Affairs of the Senate.

12 (B) IRANIAN PERSON.—The term “Iranian
13 person” means—

14 (i) an individual who is a citizen or
15 national of Iran; or

16 (ii) an entity organized under the laws
17 of Iran or otherwise subject to the jurisdic-
18 tion of the Government of Iran.

19 (C) RUSSIAN PERSON.—The term “Rus-
20 sian person” means—

21 (i) an individual who is a citizen or
22 national of the Russian Federation; or

23 (ii) an entity organized under the laws
24 of Russia or otherwise subject to the juris-

1 diction of the Government of the Russian
2 Federation.

3 (D) SYRIAN PERSON.—The term “Syrian
4 person” means—

5 (i) an individual who is a citizen or
6 national of Syria; or

7 (ii) an entity organized under the laws
8 of Syria or otherwise subject to the juris-
9 diction of the Government of Syria.

10 **SEC. 104. REPORT ON IRANIAN ACTIVITIES IN IRAQ AND**
11 **SYRIA.**

12 (a) REPORT.—Not later than 60 days after the date
13 of the enactment of this Act, and every 180 days there-
14 after for a period not to exceed 5 years, the President shall
15 submit to the appropriate congressional committees a re-
16 port on Iranian activities in Iraq and Syria.

17 (b) MATTERS TO BE INCLUDED.—The report re-
18 quired by subsection (a) shall include—

19 (1) a description of Iran’s support for—

20 (A) Iraqi militias or political parties, in-
21 cluding weapons, financing, and other forms of
22 material support; and

23 (B) the regime of Bashar al-Assad in
24 Syria; and

1 (2) a list of referrals to the relevant United Na-
 2 tions Security Council sanctions committees by the
 3 United States Permanent Representative to the
 4 United Nations.

5 (c) FORM.—The President may submit the report re-
 6 quired by subsection (a) in classified form if the President
 7 determines that it is necessary for the national security
 8 interests of the United States to do so.

9 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 10 DEFINED.—In this section, the term “appropriate con-
 11 gressional committees” means—

12 (1) the Committee on Foreign Affairs, the Per-
 13 manent Select Committee on Intelligence, the Com-
 14 mittee on Armed Services, the Committee on Ways
 15 and Means, and the Committee on Financial Serv-
 16 ices of the House of Representatives; and

17 (2) the Committee on Foreign Relations, the
 18 Select Committee on Intelligence, the Committee on
 19 Armed Services, the Committee on Finance, and the
 20 Committee on Banking, Housing, and Urban Affairs
 21 of the Senate.

22 **SEC. 105. ASSISTANCE TO THE PEOPLE OF SYRIA.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
 24 gress that the Government of Syria is in violation of nu-
 25 merous United Nations Security Council Resolutions re-

1 garding the provision of humanitarian assistance to the
2 people of Syria and that the Government of the Russian
3 Federation is complicit in the humanitarian crisis in Syria
4 because of its failure to enforce those Resolutions.

5 (b) AUTHORITY.—The President is authorized, not-
6 withstanding any other provision of law, to furnish, on
7 such terms and conditions as the President may deter-
8 mine, assistance in order to—

9 (1) provide enhanced support for humanitarian
10 activities taking place in and outside Syria, including
11 the provision of food, shelter, water, health care,
12 medical supplies, livelihoods, education, and other
13 services and support, as appropriate;

14 (2) promote humanitarian access to populations
15 in need;

16 (3) support efforts for a peaceful resolution of
17 the conflict in Syria as well as the establishment of
18 an inclusive representative form of government in
19 Syria;

20 (4) build the capacity of legitimate local coun-
21 cils and leaders inside Syria to provide basic services
22 to Syrian people in territory liberated from the Is-
23 lamic State of Iraq and Syria;

24 (5) continue to encourage the participation of
25 all groups, including women, business leaders, civil

1 society organizations, traditional and religious lead-
 2 ers, and minority groups in efforts for a peaceful
 3 resolution of the conflict and political transition in
 4 Syria;

5 (6) encourage international bodies to insist that
 6 transitional and future governments are committed
 7 to multiparty democracy, open and transparent gov-
 8 ernance, respect for human rights and religious free-
 9 dom, ending the violence throughout the country,
 10 promoting peace and stability with Syria's neigh-
 11 bors, enhancing the rule of law and combating cor-
 12 ruption, and rehabilitating and reintegrating former
 13 combatants;

14 (7) contribute seed funding to establish a Syria
 15 Reconstruction Fund, which would leverage con-
 16 tributions from other international donors, including
 17 governments in the region, and be used for physical
 18 reconstruction, reestablishment of basic services, and
 19 civil society capacity building in Syria after the ces-
 20 sation of the conflict and the fall of the regime of
 21 Bashar al-Assad;

22 (8) contribute future capacity building for le-
 23 gitimate governing institutions after a political tran-
 24 sition takes place in Syria;

1 (9) expand the public awareness-raising cam-
2 paign of the United States Government about
3 United States humanitarian assistance efforts
4 through both English-language and regional tradi-
5 tional media sources, as well as social or new media
6 sources; and

7 (10) develop and implement a comprehensive
8 strategy to address the primary drivers of the con-
9 flict in Syria, including through peace-building and
10 good governance programming.

11 (c) FUNDING.—

12 (1) FISCAL YEARS 2017 AND 2018.—Of the
13 amounts made available to carry out the Foreign As-
14 sistance Act of 1961 (22 U.S.C. 2151 et seq.) for
15 fiscal years 2017 and 2018, such sums as may be
16 necessary should be allocated for bilateral assistance
17 programs in Syria.

18 (2) FUTURE FUNDING.—It is the sense of Con-
19 gress that the Department of State should submit a
20 budget request for fiscal year 2018 that contains an
21 appropriate increase in bilateral and multilateral as-
22 sistance for Syria based on progress toward accom-
23 plishing the policy objectives described in subsection
24 (b).

1 (3) AVAILABILITY.—Amounts appropriated pur-
 2 suant to the authorization of appropriations under
 3 paragraphs (1) and (2)—

4 (A) are authorized to remain available
 5 until expended; and

6 (B) are in addition to funds otherwise
 7 available for such purposes.

8 (d) COORDINATION WITH OTHER DONOR NA-
 9 TIONS.—The United States should work with other donor
 10 countries, on a bilateral and multilateral basis, to increase
 11 international contributions to the people of Syria and ac-
 12 complish the policy objectives described in subsection (b).

13 (e) NOTIFICATION REQUIREMENT.—

14 (1) IN GENERAL.—In cases where the authority
 15 in this section is relied upon to overcome applicable
 16 restrictions on the provision of assistance to Syria,
 17 obligation of such funds shall be subject to the noti-
 18 fication requirement of section 634A(a) of the For-
 19 eign Assistance Act of 1961 (22 U.S.C. 2394–1(a)).

20 (2) WAIVER.—Notification under paragraph (1)
 21 may be waived if failure to do so would pose a sub-
 22 stantial risk to human health or welfare, in which
 23 case notification shall be provided as early as prac-
 24 ticable, but in no event later than 3 days after tak-
 25 ing the action to which such notification requirement

1 was applicable. The waiver shall be accompanied by
2 an explanation of the emergency circumstances ne-
3 cessitating the waiver.

4 **TITLE II—ADDITIONAL ACTIONS**
5 **IN CONNECTION WITH THE**
6 **NATIONAL EMERGENCY WITH**
7 **RESPECT TO SYRIA**

8 **SEC. 201. SANCTIONS WITH RESPECT TO CENTRAL BANK**
9 **OF SYRIA AND FOREIGN PERSONS THAT EN-**
10 **GAGE IN CERTAIN TRANSACTIONS.**

11 (a) APPLICATION OF CERTAIN MEASURES TO CEN-
12 TRAL BANK OF SYRIA.—The President shall apply the
13 measures described in section 5318A(b)(5) of title 31,
14 United States Code, to the Central Bank of Syria.

15 (b) IMPOSITION OF SANCTIONS WITH RESPECT TO
16 FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANS-
17 ACTIONS.—

18 (1) IN GENERAL.—On and after the date that
19 is 90 days after the date of the enactment of this
20 Act, the President shall impose on a foreign person
21 the sanctions described in subsection (c) if the for-
22 eign person has knowingly engaged in an activity de-
23 scribed in paragraph (2).

1 (2) ACTIVITIES DESCRIBED.—A foreign person
2 engages in an activity described in this paragraph if
3 the foreign person—

4 (A) knowingly provides significant finan-
5 cial, material, or technological support to (in-
6 cluding engaging in or facilitating a significant
7 transaction or transactions with) or provides
8 significant financial services for—

9 (i) the Government of Syria (including
10 government entities operating as a busi-
11 ness enterprise) and the Central Bank of
12 Syria, including Syria’s intelligence and se-
13 curity services or its armed forces, or any
14 of its agents or affiliates; or

15 (ii) a foreign person subject to finan-
16 cial sanctions pursuant to—

17 (I) the International Emergency
18 Economic Powers Act (50 U.S.C.
19 1701 et seq.) with respect to Syria or
20 any other provision of law that im-
21 poses sanctions with respect to Syria;
22 or

23 (II) a resolution that is agreed to
24 by the United Nations Security Coun-

1 cil that imposes sanctions with respect
2 to Syria;

3 (B) knowingly—

4 (i) sells or provides significant goods,
5 services, technology, information, or sup-
6 port that could directly and significantly
7 facilitate the maintenance or expansion of
8 Syria's domestic production of natural gas
9 or petroleum or petroleum products of Syr-
10 ian origin;

11 (ii) sells or provides to Syria crude oil
12 or condensate, refined petroleum products,
13 liquefied natural gas, or petrochemical
14 products that have a fair market value of
15 \$500,000 or more or that during a 12-
16 month period have an aggregate fair mar-
17 ket value of \$2,000,000 or more;

18 (iii) sells or otherwise provides civilian
19 aircraft or spare parts, or provides signifi-
20 cant goods, services, or technologies associ-
21 ated with the operation of aircraft or air-
22 lines to any foreign person operating in the
23 areas controlled by the Government of
24 Syria; or

1 (iv) sells or otherwise provides signifi-
2 cant goods, services, or technology to a for-
3 eign person operating in the shipping (in-
4 cluding ports and free trade zones), trans-
5 portation, or telecommunications sectors in
6 areas controlled by the Government of
7 Syria;

8 (C) knowingly engages in money laun-
9 dering to carry out an activity described in sub-
10 paragraph (A) or (B);

11 (D) knowingly facilitates efforts by a for-
12 eign person to carry out an activity described in
13 subparagraph (A) or (B);

14 (E) knowingly provides loans, credits (in-
15 cluding export credits), or financing to carry
16 out an activity described in subparagraph (A)
17 or (B); and

18 (F) is owned or controlled by a foreign
19 person that engages in the activities described
20 in subparagraphs (A) through (D).

21 (c) SANCTIONS DESCRIBED.—

22 (1) IN GENERAL.—The sanctions to be imposed
23 on a foreign person described in subsection (b) are
24 the following:

1 (A) ASSETS FREEZE.—The President shall
2 exercise all powers granted by the International
3 Emergency Economic Powers Act (50 U.S.C.
4 1701 et seq.) (except that the requirements of
5 section 202 of such Act (50 U.S.C. 1701) shall
6 not apply) to the extent necessary to freeze and
7 prohibit all transactions in all property and in-
8 terests in property of the foreign person if such
9 property and interests in property are in the
10 United States, come within the United States,
11 or are or come within the possession or control
12 of a United States person.

13 (B) ALIENS INELIGIBLE FOR VISAS, AD-
14 MISSION, OR PAROLE.—

15 (i) EXCLUSION FROM THE UNITED
16 STATES.—If the foreign person is an indi-
17 vidual, the Secretary of State shall deny a
18 visa to, and the Secretary of Homeland Se-
19 curity shall exclude from the United
20 States, the foreign person.

21 (ii) CURRENT VISAS REVOKED.—

22 (I) IN GENERAL.—The issuing
23 consular officer, the Secretary of
24 State, or the Secretary of Homeland
25 Security (or a designee of one of such

Secretaries) shall revoke any visa or other entry documentation issued to the foreign person regardless of when issued.

(II) EFFECT OF REVOCATION.—

A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the possession of the foreign person.

(2) EXCEPTION TO COMPLY WITH UNITED NA-

TIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to a foreign person if admitting 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.

(3) PENALTIES.—The penalties provided for in

subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that knowingly

1 violates, attempts to violate, conspires to violate, or
2 causes a violation of any regulation, license, or order
3 issued to carry out paragraph (1)(A) of this sub-
4 section to the same extent that such penalties apply
5 to a person that knowingly commits an unlawful act
6 described in section 206(a) of that Act.

7 (d) DEFINITIONS.—In this section:

8 (1) FINANCIAL, MATERIAL, OR TECHNOLOGICAL
9 SUPPORT.—The term “financial, material, or techno-
10 logical support” has the meaning given such term in
11 section 542.304 of title 31, Code of Federal Regula-
12 tions (or any corresponding similar regulation or rul-
13 ing).

14 (2) GOVERNMENT OF SYRIA.—The term “Gov-
15 ernment of Syria” has the meaning given such term
16 in section 542.305 of title 31, Code of Federal Reg-
17 ulations (or any corresponding similar regulation or
18 ruling).

19 (3) KNOWINGLY.—The term “knowingly”, with
20 respect to conduct, a circumstance, or a result,
21 means that a person has actual knowledge, or should
22 have known, of the conduct, the circumstance, or the
23 result.

24 (4) MONEY LAUNDERING.—The term “money
25 laundering” means the movement of illicit cash or

1 cash equivalent proceeds into, out of, or through a
 2 country, or into, out of, or through a financial insti-
 3 tution.

4 (5) PETROLEUM OR PETROLEUM PRODUCTS OF
 5 SYRIAN ORIGIN.—The term “petroleum or petroleum
 6 products of Syrian origin” has the meaning given
 7 such term in section 542.314 of title 31, Code of
 8 Federal Regulations (or any corresponding similar
 9 regulation or ruling).

10 (6) SIGNIFICANT TRANSACTION OR TRANS-
 11 ACTIONS; SIGNIFICANT FINANCIAL SERVICES.—A
 12 transaction or transactions or financial services shall
 13 be determined to be significant for purposes of this
 14 section in accordance with section 566.404 of title
 15 31, Code of Federal Regulations (or any cor-
 16 responding similar regulation or ruling).

17 (7) SYRIA.—The term “Syria” has the meaning
 18 given such term in section 542.316 of title 31, Code
 19 of Federal Regulations (or any corresponding similar
 20 regulation or ruling).

21 **SEC. 202. SANCTIONS WITH RESPECT TO THE TRANSFER OF**
 22 **ARMS AND RELATED MATERIALS TO SYRIA.**

23 (a) IMPOSITION OF SANCTIONS.—

24 (1) IN GENERAL.—The President shall impose
 25 on a foreign person the sanctions described in sub-

1 section (b) if the President determines that such for-
2 eign person has, on or after the date of the enact-
3 ment of this Act, knowingly exported, transferred, or
4 otherwise provided to Syria significant financial, ma-
5 terial, or technological support that contributes ma-
6 terially to the ability of Government of Syria to—

7 (A) acquire or develop chemical, biological,
8 or nuclear weapons or related technologies;

9 (B) acquire or develop ballistic or cruise
10 missile capabilities;

11 (C) acquire or develop destabilizing num-
12 bers and types of advanced conventional weap-
13 ons;

14 (D) acquire defense articles, defense serv-
15 ices, or defense information (as such terms are
16 defined under the Arms Export Control Act (22
17 U.S.C. 2751 et seq.)); or

18 (E) acquire items designated by the Presi-
19 dent for purposes of the United States Muni-
20 tions List under section 38(a)(1) of the Arms
21 Export Control Act (22 U.S.C. 2778(a)(1)).

22 (2) APPLICABILITY TO OTHER FOREIGN PER-
23 SONS.—The sanctions described in subsection (b)
24 shall also be imposed on any foreign person that—

1 (A) is a successor entity to a foreign per-
2 son described in paragraph (1); or

3 (B) is owned or controlled by, or has acted
4 or purported to act for or on behalf of, directly
5 or indirectly, a foreign person described in
6 paragraph (1).

7 (b) SANCTIONS DESCRIBED.—

8 (1) IN GENERAL.—The sanctions to be imposed
9 on a foreign person described in subsection (a) are
10 the following:

11 (A) ASSET FREEZE.—The President shall
12 exercise all powers granted by the International
13 Emergency Economic Powers Act (50 U.S.C.
14 1701 et seq.) (except that the requirements of
15 section 202 of such Act (50 U.S.C. 1701) shall
16 not apply) to the extent necessary to freeze and
17 prohibit all transactions in all property and in-
18 terests in property of the foreign person if such
19 property and interests in property are in the
20 United States, come within the United States,
21 or are or come within the possession or control
22 of a United States person.

23 (B) ALIENS INELIGIBLE FOR VISAS, AD-
24 MISSION, OR PAROLE.—

(i) EXCLUSION FROM THE UNITED STATES.—If the foreign person is an individual, the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, the foreign person.

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to the foreign person regardless of when issued.

(II) EFFECT OF REVOCATION.—

A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the possession of the foreign person.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to a foreign person if admitting the person into the United

1 States is necessary to permit the United States to
 2 comply with the Agreement regarding the Head-
 3 quarters of the United Nations, signed at Lake Suc-
 4 cess June 26, 1947, and entered into force Novem-
 5 ber 21, 1947, between the United Nations and the
 6 United States, or other applicable international obli-
 7 gations.

8 (3) PENALTIES.—A person that violates, at-
 9 tempts to violate, conspires to violate, or causes a
 10 violation of any regulation, license, or order issued
 11 to carry out paragraph (1)(A) shall be subject to the
 12 penalties set forth in subsections (b) and (c) of sec-
 13 tion 206 of the International Emergency Economic
 14 Powers Act (50 U.S.C. 1705) to the same extent as
 15 a person that commits an unlawful act described in
 16 subsection (a) of that section.

17 (c) DEFINITIONS.—In this section:

18 (1) FINANCIAL, MATERIAL, OR TECHNOLOGICAL
 19 SUPPORT.—The term “financial, material, or techno-
 20 logical support” has the meaning given such term in
 21 section 542.304 of title 31, Code of Federal Regula-
 22 tions (or any corresponding similar regulation or rul-
 23 ing).

24 (2) FOREIGN PERSON.—The term “foreign per-
 25 son” has the meaning given such term in section

1 594.304 of title 31, Code of Federal Regulations (or
2 any corresponding similar regulation or ruling).

3 (3) KNOWINGLY.—The term “knowingly” has
4 the meaning given such term in section 566.312 of
5 title 31, Code of Federal Regulations (or any cor-
6 responding similar regulation or ruling).

7 (4) SYRIA.—The term “Syria” has the meaning
8 given such term in section 542.316 of title 31, Code
9 of Federal Regulations (or any corresponding similar
10 regulation or ruling).

11 (5) UNITED STATES PERSON.—The term
12 “United States person” has the meaning given such
13 term in section 542.319 of title 31, Code of Federal
14 Regulations (or any corresponding similar regulation
15 or ruling).

16 **SEC. 203. IMPOSITION, AND CONDITIONAL TERMINATION,**
17 **OF SANCTIONS RELATING TO SIGNIFICANT**
18 **ARMS SALES TO SYRIA.**

19 (a) IMPOSITION OF SANCTIONS WITH RESPECT TO
20 THE CENTRAL BANK OF SYRIA AND OTHER SYRIAN FI-
21 NANCIAL INSTITUTIONS.—

22 (1) IN GENERAL.—The President shall prohibit
23 the opening, and prohibit or impose strict conditions
24 on the maintaining, in the United States of a cor-
25 respondent account or a payable-through account by

1 a foreign financial institution that the President de-
2 termines has knowingly conducted any significant
3 arms sale to—

4 (A) the regime of Bashar al-Assad through
5 the Central Bank of Syria or another Syrian fi-
6 nancial institution designated by the Secretary
7 of the Treasury for the imposition of sanctions
8 pursuant to the International Emergency Eco-
9 nomic Powers Act (50 U.S.C. 1701 et seq.); or

10 (B) any Syrian person added after April
11 28, 2011, and before the date of the enactment
12 of this Act, to the list of specially designated
13 nationals and blocked persons maintained by
14 the Office of Foreign Assets Control of the De-
15 partment of the Treasury.

16 (2) EXCEPTION FOR HUMANITARIAN TRANS-
17 ACTIONS.—The President may not impose sanctions
18 under paragraph (1) on a foreign financial institu-
19 tion for engaging in a transaction with the Central
20 Bank of Syria for the sale of food, medicine, medical
21 devices, donations intended to relieve human suf-
22 fering, or non-lethal aid to the people of Syria.

23 (3) APPLICABILITY.—Paragraph (1) applies
24 with respect to financial transactions commenced on
25 or after the date of the enactment of this Act.

1 (4) WAIVER.—

2 (A) IN GENERAL.—The President may
3 waive the application of paragraph (1) with re-
4 spect to a foreign financial institution for a pe-
5 riod of not more than 180 days, and may renew
6 that waiver for additional periods of not more
7 than 180 days, if the President determines and
8 reports to the appropriate congressional com-
9 mittees that the waiver is necessary to the na-
10 tional security interest of the United States.

11 (B) FORM.—A report submitted pursuant
12 to subparagraph (A) shall be submitted in un-
13 classified form, but may contain a classified
14 annex.

15 (b) TERMINATION OF SANCTIONS.—

16 (1) IN GENERAL.—The requirements under
17 subsection (a) to impose sanctions shall no longer
18 have force or effect with respect to Syria if the
19 President determines and certifies to the appropriate
20 congressional committees that the termination of
21 such sanctions is in the national security interest of
22 the United States.

23 (2) NOTIFICATION REQUIREMENT.—Upon mak-
24 ing the certification described in paragraph (1), the

1 President shall submit to the appropriate congres-
 2 sional committees a report assessing—

3 (A) the extent to which Bashar al-Assad or
 4 members of his regime control Syrian territory;

5 (B) the existence and capability of a demo-
 6 cratic transitional government to control Syrian
 7 territory and provide basic services to the Syr-
 8 ian people;

9 (C) whether the transitional government
 10 supports acts of terrorism or has committed
 11 human rights violations; and

12 (D) whether the transitional government is
 13 cooperating with the United States Government
 14 in locating, securing, and removing conventional
 15 and unconventional weapons.

16 (c) DEFINITIONS.—In this section:

17 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
 18 ABLE-THROUGH ACCOUNT.—The terms “account”,
 19 “correspondent account”, and “payable-through ac-
 20 count” have the meanings given those terms in sec-
 21 tion 5318A of title 31, United States Code.

22 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 23 TEES.—The term “appropriate congressional com-
 24 mittees” means—

1 (A) the Committee on Finance, the Com-
 2 mittee on Banking, Housing, and Urban Af-
 3 fairs, and the Committee on Foreign Relations
 4 of the Senate; and

5 (B) the Committee on Ways and Means,
 6 the Committee on Financial Services, and the
 7 Committee on Foreign Affairs of the House of
 8 Representatives.

9 (3) FOREIGN FINANCIAL INSTITUTION.—The
 10 term “foreign financial institution” has the meaning
 11 of that term as determined by the Secretary of the
 12 Treasury pursuant to section 104(i) of the Com-
 13 prehensive Iran Sanctions, Accountability, and Di-
 14 vestment Act of 2010 (22 U.S.C. 8513(i)).

15 (4) SYRIAN PERSON.—The term “Syrian per-
 16 son” means—

17 (A) an individual who is a citizen or na-
 18 tional of Syria; or

19 (B) an entity organized under the laws of
 20 Syria or otherwise subject to the jurisdiction of
 21 the Government of Syria.

22 **SEC. 204. RULE OF CONSTRUCTION.**

23 The sanctions that are required to be imposed under
 24 this title are in addition to other similar or related sanc-

1 tions that are required to be imposed under any other pro-
 2 vision of law.

3 **TITLE III—AMENDMENTS TO**
 4 **SYRIA HUMAN RIGHTS AC-**
 5 **COUNTABILITY ACT OF 2012**

6 **SEC. 301. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 7 **CERTAIN PERSONS WHO ARE RESPONSIBLE**
 8 **FOR OR COMPLICIT IN HUMAN RIGHTS**
 9 **ABUSES COMMITTED AGAINST CITIZENS OF**
 10 **SYRIA OR THEIR FAMILY MEMBERS.**

11 (a) IN GENERAL.—Section 702(c) of the Syria
 12 Human Rights Accountability Act of 2012 (22 U.S.C.
 13 8791(c)) is amended to read as follows:

14 “(c) SANCTIONS DESCRIBED.—

15 “(1) IN GENERAL.—The President shall exer-
 16 cise all powers granted by the International Emer-
 17 gency Economic Powers Act (50 U.S.C. 1701 et
 18 seq.) (except that the requirements of section 202 of
 19 such Act (50 U.S.C. 1701) shall not apply) to the
 20 extent necessary to freeze and prohibit all trans-
 21 actions in all property and interests in property of
 22 a person on the list required by subsection (b) if
 23 such property and interests in property are in the
 24 United States, come within the United States, or are

1 or come within the possession or control of a United
2 States person.

3 “(2) ALIENS INELIGIBLE FOR VISAS, ADMIS-
4 SION, OR PAROLE.—

5 “(A) EXCLUSION FROM THE UNITED
6 STATES.—The Secretary of State shall deny a
7 visa to, and the Secretary of Homeland Secu-
8 rity shall exclude from the United States, any
9 person on the list required by subsection (b)
10 that is an alien.

11 “(B) CURRENT VISAS REVOKED.—

12 “(i) IN GENERAL.—The issuing con-
13 sular officer, the Secretary of State, or the
14 Secretary of Homeland Security (or a des-
15 ignee of one of such Secretaries) shall re-
16 voke any visa or other entry documentation
17 issued to an alien on the list required by
18 subsection (b).

19 “(ii) EFFECT OF REVOCATION.—A
20 revocation under subclause (I) shall take
21 effect immediately and shall automatically
22 cancel any other valid visa or entry docu-
23 mentation that is in the possession of an
24 alien on the list required by subsection (b).

1 “(3) PENALTIES.—A person that violates, at-
 2 tempts to violate, conspires to violate, or causes a
 3 violation of this section or any regulation, license, or
 4 order issued to carry out this section shall be subject
 5 to the penalties set forth in subsections (b) and (c)
 6 of section 206 of the International Emergency Eco-
 7 nomic Powers Act (50 U.S.C. 1705) to the same ex-
 8 tent as a person that commits an unlawful act de-
 9 scribed in subsection (a) of that section.

10 “(4) REGULATORY AUTHORITY.—The President
 11 shall, not later than 90 days after the date of the
 12 enactment of this section, promulgate regulations as
 13 necessary for the implementation of this section.

14 “(5) EXCEPTION TO COMPLY WITH UNITED NA-
 15 TIONS HEADQUARTERS AGREEMENT.—Sanctions
 16 under paragraph (2) shall not apply to an alien if
 17 admitting the alien into the United States is nec-
 18 essary to permit the United States to comply with
 19 the Agreement regarding the Headquarters of the
 20 United Nations, signed at Lake Success June 26,
 21 1947, and entered into force November 21, 1947,
 22 between the United Nations and the United States,
 23 or other applicable international obligations.

24 “(6) RULE OF CONSTRUCTION.—Nothing in
 25 this section shall be construed to limit the authority

1 of the President to impose additional sanctions pur-
2 suant to the International Emergency Economic
3 Powers Act (50 U.S.C. 1701 et seq.), relevant Exec-
4 utive orders, regulations, or other provisions of
5 law.”.

6 (b) SERIOUS HUMAN RIGHTS ABUSES DESCRIBED.—
7 Section 702 of the Syria Human Rights Accountability
8 Act of 2012 (22 U.S.C. 8791) is amended by adding at
9 the end the following:

10 “(d) SERIOUS HUMAN RIGHTS ABUSES DE-
11 SCRIBED.—In subsection (b), the term ‘serious human
12 rights abuses’ includes—

13 “(1) the deliberate targeting of civilian infra-
14 structure to include schools, hospitals, markets, and
15 power and water systems;

16 “(2) the deliberate targeting of humanitarian
17 aid facilities, convoys, materiel, and personnel; and

18 “(3) the intentional denial or obstruction of
19 prompt and safe access for humanitarian relief orga-
20 nizations and personnel, including across conflict
21 lines and borders.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 subsections (a) and (b) shall take effect on the date of
24 the enactment of this Act and shall apply with respect to
25 the imposition of sanctions under section 702(a) of the

1 Syria Human Rights Accountability Act of 2012 on or
2 after such date of enactment.

3 **SEC. 302. IMPOSITION OF SANCTIONS WITH RESPECT TO**
4 **THE TRANSFER OF GOODS OR TECH-**
5 **NOLOGIES TO SYRIA THAT ARE LIKELY TO BE**
6 **USED TO COMMIT HUMAN RIGHTS ABUSES.**

7 Section 703(b)(2)(C) of the Syria Human Rights Ac-
8 countability Act of 2012 (22 U.S.C. 8792(b)(2)(C)) is
9 amended—

10 (1) in clause (i), by striking “or” at the end;

11 (2) in clause (ii), by striking the period at the
12 end and inserting a semicolon; and

13 (3) by adding at the end the following:

14 “(iii) any article designated by the
15 President for purposes of the United
16 States Munitions List under section
17 38(a)(1) of the Arms Export Control Act
18 (22 U.S.C. 2778(a)(1)); or

19 “(iv) other goods or technologies that
20 the President determines may be used by
21 the Government of Syria to commit human
22 rights abuses against the people of Syria.”.

1 **TITLE IV—REPORTS AND WAIV-**
2 **ER FOR HUMANITARIAN-RE-**
3 **LATED ACTIVITIES WITH RE-**
4 **SPECT TO SYRIA**

5 **SEC. 401. REPORT ON MONITORING AND EVALUATING OF**
6 **ONGOING ASSISTANCE PROGRAMS IN SYRIA**
7 **AND TO THE SYRIAN PEOPLE.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of State
10 and the Administrator of the United States Agency for
11 International Development shall submit to the appropriate
12 congressional committees a report on the monitoring and
13 evaluation of ongoing assistance programs supported by
14 United States funding, including such programs imple-
15 mented through multilateral organizations, in Syria and
16 to the Syrian people.

17 (b) MATTERS TO BE INCLUDED.—The report re-
18 quired by subsection (a) shall include—

19 (1) the specific project monitoring and evalua-
20 tion plans, including measurable goals and perform-
21 ance metrics for cross-border assistance in Syria;
22 and

23 (2) the major challenges to monitoring and
24 evaluating programs in Syria.

1 **SEC. 402. REPORT ON CERTAIN PERSONS WHO ARE RE-**
2 **SPONSIBLE FOR OR COMPLICIT IN CERTAIN**
3 **HUMAN RIGHTS VIOLATIONS IN SYRIA.**

4 (a) IN GENERAL.—Not later than 120 days after the
5 date of the enactment of this Act, the President shall sub-
6 mit to the appropriate congressional committees a detailed
7 report with respect to whether each person described in
8 subsection (b) is a person that meets the requirements de-
9 scribed in section 702(b) of the Syria Human Rights Ac-
10 countability Act of 2012 (22 U.S.C. 8791(b)) for purposes
11 of inclusion on the list of persons who are responsible for
12 or complicit in certain human rights abuses under such
13 section. For any such person who is not included in such
14 report, the President should include in the report a de-
15 scription of the reasons why the person was not included,
16 including information on whether sufficient credible evi-
17 dence of responsibility for such abuses was found.

18 (b) PERSONS DESCRIBED.—The persons described in
19 this subsection are the following:

- 20 (1) Bashar Al-Assad.
21 (2) Asma Al-Assad.
22 (3) Rami Makhlouf.
23 (4) Bouthayna Shaaban.
24 (5) Walid Moallem.
25 (6) Ali Al-Salim.
26 (7) Wael Nader Al-Halqi.

- 1 (8) Jamil Hassan.
- 2 (9) Suhail Hassan.
- 3 (10) Ali Mamluk.
- 4 (11) Muhammed Khadour, Deir Ez Zor Mili-
5 tary and Security.
- 6 (12) Jamal Razzouq, Security Branch 243.
- 7 (13) Munzer Ghanam, Air Force Intelligence.
- 8 (14) Daas Hasan Ali, Branch 327.
- 9 (15) Jassem Ali Jassem Hamad, Political Secu-
10 rity.
- 11 (16) Samir Muhammad Youssef, Military Intel-
12 ligence.
- 13 (17) Ali Ahmad Dayoub, Air Force Intelligence.
- 14 (18) Khaled Muhsen Al-Halabi, Security
15 Branch 335.
- 16 (19) Mahmoud Kahila, Political Security.
- 17 (20) Zuhair Ahmad Hamad, Provincial Secu-
18 rity.
- 19 (21) Wafiq Nasser, Security Branch 245.
- 20 (22) Qussay Mayoub, Air Force Intelligence.
- 21 (23) Muhammad Ammar Sardini, Political Se-
22 curity.
- 23 (24) Fouad Hammouda, Military Security.
- 24 (25) Hasan Daaboul, Branch 261.
- 25 (26) Yahia Wahbi, Air Force Intelligence.

- 1 (27) Okab Saqer, Security Branch 318.
- 2 (28) Husam Luqa, Political Security.
- 3 (29) Sami Al-Hasan, Security Branch 219.
- 4 (30) Yassir Deeb, Political Security.
- 5 (31) Ibrahim Darwish, Security Branch 220.
- 6 (32) Nasser Deeb, Political Security.
- 7 (33) Abdullatif Al-Fahed, Security Branch 290.
- 8 (34) Adeeb Namer Salamah, Air Force Intel-
- 9 ligence.
- 10 (35) Akram Muhammed, State Security.
- 11 (36) Reyad Abbas, Political Security.
- 12 (37) Ali Abdullah Ayoub, Syrian Armed Forces.
- 13 (38) Fahd Jassem Al-Freij, Defense Ministry.
- 14 (39) Issam Halaq, Air Force.
- 15 (40) Ghassan Al-Abdullah, General Intelligence
- 16 Directorate.
- 17 (41) Maher Al-Assad, Republican Guard.
- 18 (42) Fahad Al-Farouch.
- 19 (43) Rafiq Shahada, Military Intelligence.
- 20 (44) Loay Al-Ali, Military Intelligence.
- 21 (45) Nawfal Al-Husayn, Military Intelligence.
- 22 (46) Muhammad Zamrini, Military Intelligence.
- 23 (47) Muhammad Mahallah, Military Intel-
- 24 ligence.
- 25 (c) FORM OF REPORT; PUBLIC AVAILABILITY.—

1 (1) FORM.—The list required by subsection (a)
 2 shall be submitted in unclassified form, but may in-
 3 clude a classified annex if necessary.

4 (2) PUBLIC AVAILABILITY.—The unclassified
 5 portion of the list required by paragraph (1) shall be
 6 made available to the public and posted on the
 7 websites of the Department of the Treasury and the
 8 Department of State.

9 **SEC. 403. ASSESSMENT OF POTENTIAL EFFECTIVENESS OF**
 10 **AND REQUIREMENTS FOR THE ESTABLISH-**
 11 **MENT OF A NO-FLY ZONE, SAFE ZONES, OR A**
 12 **NO-BOMBING ZONE IN SYRIA.**

13 (a) IN GENERAL.—Not later than 90 days after the
 14 date of the enactment of this Act, the President shall sub-
 15 mit to the appropriate congressional committees a report
 16 that—

17 (1) assesses the potential effectiveness, risks,
 18 and operational requirements of the establishment
 19 and maintenance of a no-fly zone over part or all of
 20 Syria, including—

21 (A) the operational and legal requirements
 22 for United States and coalition air power to es-
 23 tablish a no-fly zone over all or part of Syria;

24 (B) the impact a no-fly zone over all or
 25 part of Syria would have on humanitarian and

1 counterterrorism efforts in Syria and the sur-
2 rounding region; and

3 (C) the potential for force contributions
4 from other countries to establish a no-fly zone
5 over all or part of Syria;

6 (2) assesses the potential effectiveness, risks,
7 and operational requirements for the establishment
8 of one or more safe zones in Syria for internally dis-
9 placed persons or for the facilitation of humani-
10 tarian assistance, including—

11 (A) the operational and legal requirements
12 for United States and coalition forces to estab-
13 lish one or more safe zones in Syria;

14 (B) the impact one or more safe zones in
15 Syria would have on humanitarian and counter-
16 terrorism efforts in Syria and the surrounding
17 region; and

18 (C) the potential for contributions from
19 other countries and vetted non-state actor part-
20 ners to establish and maintain one or more safe
21 zones in Syria; and

22 (3) assesses the potential effectiveness, risks,
23 and operational requirements of the establishment
24 and maintenance of a no-bombing zone over all or
25 part of Syria, including—

1 (A) the operational and legal requirements
2 for United States and coalition air power to es-
3 tablish a no-bombing zone over all or part of
4 Syria;

5 (B) the impact a no-bombing zone over all
6 or part of Syria would have on humanitarian
7 and counterterrorism efforts in Syria and the
8 surrounding region; and

9 (C) the potential for force contributions
10 from other countries to establish a no-bombing
11 zone over all or part of Syria.

12 (b) FORM.—The report required by subsection (a)
13 shall be submitted to the appropriate congressional com-
14 mittees in unclassified form, but may contain a classified
15 annex if necessary.

16 (c) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that, in the development of the report required by
18 subsection (a), the President, or the President's designees,
19 should consult with humanitarian organizations operating
20 in the region.

21 (d) PUBLIC AVAILABILITY OF INFORMATION.—The
22 unclassified information referred to in subsections (a) and
23 (b) shall be made available on a publicly available Internet
24 website of the Federal Government.

1 **SEC. 404. ASSISTANCE TO SUPPORT ENTITIES TAKING AC-**
2 **TIONS RELATING TO GATHERING EVIDENCE**
3 **FOR INVESTIGATIONS INTO WAR CRIMES OR**
4 **CRIMES AGAINST HUMANITY IN SYRIA SINCE**
5 **MARCH 2011.**

6 (a) IN GENERAL.—The Secretary of State, acting
7 through the Assistant Secretary for Democracy, Human
8 Rights and Labor and the Assistant Secretary for Inter-
9 national Narcotics and Law Enforcement Affairs, is au-
10 thorized to provide assistance to support entities that are
11 conducting criminal investigations, building Syrian inves-
12 tigative capacity, supporting prosecutions in national
13 courts, collecting evidence and preserving the chain of evi-
14 dence for eventual prosecution against those who have
15 committed war crimes or crimes against humanity in Syria
16 since March 2011.

17 (b) REPORT.—Not later than one year after the date
18 of the enactment of this Act, the Secretary of State shall
19 submit to the appropriate congressional committees a de-
20 tailed report on assistance provided under subsection (a).

21 **SEC. 405. APPROPRIATE CONGRESSIONAL COMMITTEES**
22 **DEFINED.**

23 In this title, the term “appropriate congressional
24 committees” means—

25 (1) the Select Committee on Intelligence, the
26 Committee on Banking, Housing, and Urban Af-

1 fairs, and the Committee on Foreign Relations of
2 the Senate; and

3 (2) the Permanent Select Committee on Intel-
4 ligence, the Committee on Financial Services, and
5 the Committee on Foreign Affairs of the House of
6 Representatives.

7 **TITLE V—SUSPENSION OF SANC-**
8 **TIONS WITH RESPECT TO**
9 **SYRIA**

10 **SEC. 501. SUSPENSION OF SANCTIONS WITH RESPECT TO**
11 **SYRIA.**

12 (a) SUSPENSION OF SANCTIONS.—

13 (1) NEGOTIATIONS NOT CONCLUDING IN
14 AGREEMENT.—If the President determines that
15 internationally recognized negotiations to resolve the
16 violence in Syria have not concluded in an agree-
17 ment or are likely not to conclude in an agreement,
18 the President may suspend, as appropriate, in whole
19 or in part, the imposition of sanctions otherwise re-
20 quired under this Act or any amendment made by
21 this Act for a period not to exceed 120 days, and re-
22 newable for additional periods not to exceed 120
23 days, if the President submits to the appropriate
24 congressional committees in writing a determination
25 and certification that the Government of Syria has

1 ended military attacks against and gross violations
2 of the human rights of the people of Syria, specifi-
3 cally—

4 (A) the air space over Syria is no longer
5 being utilized by the Government of Syria and
6 associated forces to target civilian populations
7 through the use of incendiary devices, including
8 barrel bombs, chemical weapons, and conven-
9 tional arms, including air-delivered missiles and
10 explosives;

11 (B) areas besieged by the regime of
12 Bashar al-Assad and associated forces, includ-
13 ing Hezbollah and irregular Iranian forces, are
14 no longer cut off from international aid and
15 have regular access to humanitarian assistance,
16 freedom of travel, and medical care;

17 (C) the Government of Syria is releasing
18 all political prisoners forcibly held within the
19 prison system of the regime of Bashar al-Assad,
20 including the facilities maintained by various
21 security, intelligence, and military elements as-
22 sociated with the Government of Syria and al-
23 lowed full access to the same facilities for inves-
24 tigations by appropriate international human
25 rights organizations; and

(D) the forces of the Government of Syria and associated forces, including Hezbollah, irregular Iranian forces, and air assets of the Government of the Russian Federation, are no longer engaged in deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets, in flagrant violation of international norms.

(2) NEGOTIATIONS CONCLUDING IN AGREEMENT.—

(A) INITIAL SUSPENSION OF SANCTIONS.—

If the President determines that internationally recognized negotiations to resolve the violence in Syria have concluded in an agreement or are likely to conclude in an agreement, the President may suspend, as appropriate, in whole or in part, the imposition of sanctions otherwise required under this Act or any amendment made by this Act for a period not to exceed 120 days if the President submits to the appropriate congressional committees in writing a determination and certification that—

(i) in the case in which the negotiations are likely to conclude in an agreement—

1 (I) the Government of Syria, the
2 Syrian High Negotiations Committee
3 or its successor, and appropriate
4 international parties are participating
5 in direct, face-to-face negotiations;
6 and

7 (II) the suspension of sanctions
8 under this Act or any amendment
9 made by this Act is essential to the
10 advancement of such negotiations; and

11 (ii) the Government of Syria has dem-
12 onstrated a commitment to a significant
13 and substantial reduction in attacks on
14 and violence against the people of Syria by
15 the Government of Syria and associated
16 forces.

17 (B) RENEWAL OF SUSPENSION OF SANC-
18 TIONS.—The President may renew a suspension
19 of sanctions under subparagraph (A) for addi-
20 tional periods not to exceed 120 days if, for
21 each such additional period, the President sub-
22 mits to the appropriate congressional commit-
23 tees in writing a determination and certification
24 that—

1 (i) the conditions described in clauses
 2 (i) and (ii) of subparagraph (A) are con-
 3 tinuing to be met;

4 (ii) the renewal of the suspension of
 5 sanctions is essential to implementing an
 6 agreement described in subparagraph (A)
 7 or making progress toward concluding an
 8 agreement described in subparagraph (A);

9 (iii) the Government of Syria and as-
 10 sociated forces have ceased attacks against
 11 Syrian civilians; and

12 (iv) the Government of Syria has pub-
 13 lically committed to negotiations for a
 14 transitional government in Syria and con-
 15 tinues to demonstrate that commitment
 16 through sustained engagement in talks and
 17 substantive and verifiable progress towards
 18 the implementation of such an agreement.

19 (3) BRIEFING AND REIMPOSITION OF SANC-
 20 TIONS.—

21 (A) BRIEFING.—Not later than 30 days
 22 after the President submits to the appropriate
 23 congressional committees a determination and
 24 certification in the case of a renewal of suspen-
 25 sion of sanctions under paragraph (2)(B), and

1 every 30 days thereafter, the President shall
2 provide a briefing to the appropriate congres-
3 sional committees on the status and frequency
4 of negotiations described in paragraph (2).

5 (B) REIMPOSITION OF SANCTIONS.—If the
6 President provides a briefing to the appropriate
7 congressional committees under subparagraph
8 (A) with respect to which the President indi-
9 cates a lapse in negotiations described in para-
10 graph (2) for a period that equals or exceeds 90
11 days, the sanctions that were suspended under
12 paragraph (2)(B) shall be reimposed and any
13 further suspension of such sanctions is prohib-
14 ited.

15 (b) SENSE OF CONGRESS TO BE CONSIDERED FOR
16 DETERMINING A TRANSITIONAL GOVERNMENT IN
17 SYRIA.—It is the sense of Congress that a transitional
18 government in Syria is a government that—

19 (1) is taking verifiable steps to release all polit-
20 ical prisoners and provided full access to Syrian
21 prisons for investigations by appropriate inter-
22 national human rights organizations;

23 (2) is taking verifiable steps to remove former
24 senior Syrian government officials who are complicit
25 in the conception, implementation, or coverup of war

1 crimes, crimes against humanity, or human rights
2 abuses from government positions and any person
3 subject to sanctions under any provision of law;

4 (3) is in the process of organizing free and fair
5 elections for a new government—

6 (A) to be held in a timely manner and
7 scheduled while the suspension of sanctions or
8 the renewal of the suspension of sanctions
9 under this section is in effect; and

10 (B) to be conducted under the supervision
11 of internationally recognized observers;

12 (4) is making tangible progress toward estab-
13 lishing an independent judiciary;

14 (5) is demonstrating respect for and compliance
15 with internationally recognized human rights and
16 basic freedoms as specified in the Universal Declara-
17 tion of Human Rights;

18 (6) is—

19 (A) taking steps to verifiably fulfill its
20 commitments under the Convention on the Pro-
21 hibition of the Development, Production, Stock-
22 piling, and Use of Chemical Weapons and on
23 their Destruction, done at Paris January 13,
24 1993, and entered into force April 29, 1997
25 (commonly known as the “Chemical Weapons

1 Convention”) and the Treaty on the Non-Pro-
 2 liferation of Nuclear Weapons, done at Wash-
 3 ington, London, and Moscow July 1, 1968 (21
 4 UST 483) (commonly referred to as the “Nu-
 5 clear Nonproliferation Treaty”);

6 (B) making tangible progress toward be-
 7 coming a signatory to the Convention on the
 8 Prohibition of the Development, Production and
 9 Stockpiling of Bacteriological (Biological) and
 10 Toxin Weapons and on their Destruction, done
 11 at Washington, London, and Moscow April 10,
 12 1972 and entered into force March 26, 1975
 13 (commonly known as the “Biological Weapons
 14 Convention”); and

15 (C) adhering to the Missile Technology
 16 Control Regime and other control lists, as nec-
 17 essary;

18 (7) has halted the development and deployment
 19 of ballistic and cruise missiles; and

20 (8) is taking verifiable steps to remove from po-
 21 sitions of authority within the intelligence and secu-
 22 rity services as well as the military those who were
 23 in a position of authority or responsibility during the
 24 conflict and who under the authority of their posi-
 25 tion were implicated in or implicit in the torture,

1 extrajudicial killing, or execution of civilians, to in-
 2 clude those who were involved in decisionmaking or
 3 execution of plans to use chemical weapons.

4 **SEC. 502. WAIVERS AND EXEMPTIONS.**

5 (a) EXEMPTIONS.—The following activities and
 6 transactions shall be exempt from sanctions authorized
 7 under this Act and amendments made by this Act:

8 (1) Any activity subject to the reporting re-
 9 quirements under title V of the National Security
 10 Act of 1947 (50 U.S.C. 3091 et seq.), or to any au-
 11 thorized intelligence activities of the United States.

12 (2) Any transaction necessary to comply with
 13 United States obligations under—

14 (A) the Agreement between the United Na-
 15 tions and the United States of America regard-
 16 ing the Headquarters of the United Nations,
 17 signed at Lake Success June 26, 1947, and en-
 18 tered into force November 21, 1947; or

19 (B) the Convention on Consular Relations,
 20 done at Vienna April 24, 1963, and entered
 21 into force March 19, 1967.

22 (b) HUMANITARIAN AND DEMOCRACY ASSISTANCE
 23 WAIVER.—

24 (1) STATEMENT OF POLICY.—It shall be the
 25 policy of the United States to fully utilize the waiver

1 authority under this subsection to ensure that ade-
2 quate humanitarian relief or support for democracy
3 promotion is provided to the people of Syria.

4 (2) WAIVER.—The President may waive, on a
5 case-by-case basis, for a period not to exceed 180
6 days, and renewable for additional periods not to ex-
7 ceed 120 days, the application of sanctions author-
8 ized under this Act or amendments made by this Act
9 if the President submits to the appropriate congres-
10 sional committees a written determination that the
11 waiver is necessary for purposes of providing hu-
12 manitarian assistance or support for democracy pro-
13 motion to the people of Syria.

14 (3) CONTENT OF WRITTEN DETERMINATION.—
15 A written determination submitted under paragraph
16 (1) with respect to a waiver shall include a descrip-
17 tion of all notification and accountability controls
18 that have been employed in order to ensure that the
19 activities covered by the waiver are humanitarian as-
20 sistance or support for democracy promotion and do
21 not entail any activities in Syria or dealings with the
22 Government of Syria not reasonably related to hu-
23 manitarian assistance or support for democracy pro-
24 motion.

1 (4) CLARIFICATION OF PERMITTED ACTIVITIES
2 UNDER WAIVER.—The President may not impose
3 sanctions authorized under this Act or amendments
4 made by this Act against an internationally recog-
5 nized humanitarian organization for—

6 (A) engaging in a financial transaction re-
7 lating to humanitarian assistance or for human-
8 itarian purposes pursuant to a waiver issued
9 under paragraph (1);

10 (B) transporting goods or services that are
11 necessary to carry out operations relating to
12 humanitarian assistance or humanitarian pur-
13 poses pursuant to such a waiver; or

14 (C) having incidental contact, in the course
15 of providing humanitarian assistance or aid for
16 humanitarian purposes pursuant to such a
17 waiver, with individuals who are under the con-
18 trol of a foreign person subject to sanctions
19 under this Act or any amendment made by this
20 Act.

21 (c) NATIONAL SECURITY WAIVER.—

22 (1) IN GENERAL.—The President may, on a
23 case-by-case basis and for periods not to exceed 120
24 days, waive the application of sanctions under this
25 Act or amendments made by this Act with respect

1 to a foreign person if the President certifies to the
2 appropriate congressional committees that such
3 waiver is vital to the national security interests of
4 the United States.

5 (2) CONSULTATION.—

6 (A) BEFORE WAIVER ISSUED.—Not later
7 than 5 days before the issuance of a waiver
8 under paragraph (1) is to take effect, the Presi-
9 dent shall notify and brief the appropriate con-
10 gressional committees on the status of the for-
11 eign person’s involvement in activities described
12 in this Act or amendments made by this Act.

13 (B) AFTER WAIVER ISSUED.—Not later
14 than 90 days after the issuance of a waiver
15 under paragraph (1), and every 120 days there-
16 after if the waiver remains in effect, the Presi-
17 dent shall brief the appropriate congressional
18 committees on the status of the foreign person’s
19 involvement in activities described in this Act or
20 amendments made by this Act.

21 **SEC. 503. APPROPRIATE CONGRESSIONAL COMMITTEES**
22 **DEFINED.**

23 In this title, the term “appropriate congressional
24 committees” means—

1 (1) the Select Committee on Intelligence, the
 2 Committee on Banking, Housing, and Urban Af-
 3 fairs, and the Committee on Foreign Relations of
 4 the Senate; and

5 (2) the Permanent Select Committee on Intel-
 6 ligence, the Committee on Financial Services, and
 7 the Committee on Foreign Affairs of the House of
 8 Representatives.

9 **TITLE VI—REGULATORY** 10 **AUTHORITY AND SUNSET**

11 **SEC. 601. REGULATORY AUTHORITY.**

12 (a) IN GENERAL.—The President shall, not later
 13 than 90 days after the date of the enactment of this Act,
 14 promulgate regulations as necessary for the implementa-
 15 tion of this Act and the amendments made by this Act.

16 (b) NOTIFICATION TO CONGRESS.—Not less than 10
 17 days before the promulgation of regulations under sub-
 18 section (a), the President shall notify and provide to the
 19 appropriate congressional committees the proposed regula-
 20 tions and the provisions of this Act and the amendments
 21 made by this Act that the regulations are implementing.

22 (c) DEFINITION.—In this section, the term “appro-
 23 priate congressional committees” means—

1 (1) the Committee on Foreign Affairs and the
2 Committee on Financial Services of the House of
3 Representatives; and

4 (2) the Committee on Foreign Relations and
5 the Committee on Banking, Housing, and Urban Af-
6 fairs of the Senate.

7 **SEC. 602. SUNSET.**

8 This Act shall cease to be effective beginning on De-
9 cember 31, 2021.

○