114TH CONGRESS
2d Session

H. R. 5732

AN ACT

To halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Caesar Syria Civilian Protection Act of 2016”.

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

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Sense of Congress.
Sec. 4. Statement of policy.

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

Sec. 101. Sanctions with respect to Central Bank of Syria and foreign persons that engage in certain transactions.
Sec. 102. Prohibitions with respect to the transfer of arms and related materials to Syria.
Sec. 103. Rule of construction.

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

Sec. 201. 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. 202. 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.
Sec. 203. Imposition of sanctions with respect to persons who hinder humanitarian access.

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

Sec. 301. Report on monitoring and evaluating of ongoing assistance programs in Syria and to the Syrian people.
Sec. 302. Report on certain persons who are responsible for or complicit in certain human rights violations in Syria.
Sec. 303. Assessment of potential effectiveness of and requirements for the establishment of safe zones or a no-fly zone in Syria.
Sec. 304. Assistance to support entities taking actions relating to gathering evidence for investigations into war crimes or crimes against humanity in Syria since March 2011.

TITLE IV—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA

Sec. 401. Suspension of sanctions with respect to Syria.
Sec. 402. Waivers and exemptions.

TITLE V—REGULATORY AUTHORITY, COST LIMITATION, AND SUNSET
SEC. 2. FINDINGS.

Congress finds the following:

(1) Over 14,000,000 Syrians have become refugees or internally displaced persons over the last 5 years.

(2) The Syrian Observatory for Human Rights has reported that since 2012, over 60,000 Syrians, including children, have died in Syrian prisons.

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

(4) In a June 16, 2015, hearing of the Committee on Foreign Affairs of the House of Representatives, United States Permanent Representative to the United Nations, Samantha Power, testified that there are alarming and grave reports that the Assad regime has been turning chlorine into a chemical weapon, and on June 16, 2015, Secretary of State John Kerry stated that he was “absolutely
certain” that the Assad regime has used chlorine against his people.

(5) The Assad regime has repeatedly blocked civilian access to or diverted humanitarian assistance, including medical supplies, to besieged and hard-to-reach areas, in violation of United Nations Security Council resolutions.

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

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

It is the sense of Congress that—

(1) Bashar al-Assad’s murderous actions against the people of Syria have caused the deaths of more than 400,000 civilians, led to the destruction of more than 50 percent of Syria’s critical infrastructure, and forced the displacement of more than 14,000,000 people, precipitating the worst humanitarian crisis in more than 60 years;

(2) international actions to date have been insufficient in protecting vulnerable populations from being attacked by uniformed and irregular forces, including Hezbollah, associated with the Assad regime,
on land and from the air, through the use of barrel bombs, chemical weapons, mass starvation campaigns, industrial-scale torture and execution of political dissidents, sniper attacks on pregnant women, and the deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets;

(3) Assad’s use of chemical weapons, including chlorine, against the Syrian people violates the Chemical Weapons Convention; and

(4) Assad’s continued claim of leadership and actions in Syria are a rallying point for the extremist ideology of the Islamic State, Jabhat al-Nusra, and other terrorist organizations.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States that all diplomatic and coercive economic means should be utilized to compel the government of Bashir al-Assad to immediately halt the wholesale slaughter of the Syrian people and actively work towards transition to a democratic government in Syria, existing in peace and security with its neighbors.
TITLE I—ADDITIONAL ACTIONS
IN CONNECTION WITH THE
NATIONAL EMERGENCY WITH
RESPECT TO SYRIA

SEC. 101. SANCTIONS WITH RESPECT TO CENTRAL BANK
OF SYRIA AND FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) Application of Certain Measures to Central Bank of Syria.—Except as provided in subsections (a) and (b) of section 402, the President shall apply the measures described in section 5318A(b)(5) of title 31, United States Code, to the Central Bank of Syria.

(b) Blocking Property of Foreign Persons That Engage in Certain Transactions.—

(1) In general.—Beginning on and after the date that is 30 days after the date of the enactment of this Act, the President shall impose on a foreign person the sanctions described in subsection (c) if the President determines that such foreign person has, on or after such date of enactment, knowingly engaged in an activity described in paragraph (2).

(2) Activities described.—A foreign person engages in an activity described in this paragraph if the foreign person—
(A) knowingly provided significant financial, material or technological support to (including engaging in or facilitating a significant transaction or transactions with) or provided significant financial services for—

(i) the Government of Syria (including Syria’s intelligence and security services or its armed forces or government entities operating as a business enterprise) and the Central Bank of Syria, or any of its agents or affiliates; or

(ii) a foreign person subject to sanctions pursuant to—

(I) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to Syria or any other provision of law that imposes sanctions with respect to Syria; or

(II) a resolution that is agreed to by the United Nations Security Council that imposes sanctions with respect to Syria;

(B) knowingly—
(i) sold or provided significant goods, services, technology, information, or other support that could directly and significantly facilitate the maintenance or expansion of Syria’s domestic production of natural gas or petroleum or petroleum products of Syrian origin in areas controlled by the Government of Syria; 

(ii) sold or provided to Syria crude oil or condensate, refined petroleum products, liquefied natural gas, or petrochemical products that have a fair market value of $500,000 or more or that during a 12-month period have an aggregate fair market value of $2,000,000 or more in areas controlled by the Government of Syria; 

(iii) sold or provided civilian aircraft or spare parts, or provides significant goods, services, or technologies associated with the operation of aircraft or airlines to any foreign person operating in areas controlled by the Government of Syria; or 

(iv) sold or provided significant goods, services, or technology to a foreign person operating in the shipping (including ports
and free trade zones), transportation, or telecommunications sectors in areas controlled by the Government of Syria;

(C) knowingly facilitated efforts by a foreign person to carry out an activity described in subparagraph (A) or (B);

(D) knowingly provided loans, credits, including export credits, or financing to carry out an activity described in subparagraph (A) or (B); and

(E) is owned or controlled by a foreign person that engaged in the activities described in subparagraphs (A) through (C).

(e) SANCTIONS AGAINST A FOREIGN PERSON.—The sanctions to be imposed on a foreign person described in subsection (b) are the following:

(1) IN GENERAL.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States,
or are or come within the possession or control of a
United States person.

(2) Aliens ineligible for visas, admission, or parole.—

(A) Visas, admission, or parole.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (a) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) 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 an alien who meets any of the criteria described in subsection (a) regardless of when issued.

(ii) Effect of Revocation.—A revocation under clause (i)—

(I) shall take effect immediately;

and

(II) shall automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

(3) Exception to Comply with United Nations Headquarters Agreement.—Sanctions under paragraph (2) shall not apply to an alien if admitting the alien 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.

(4) 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
violates, attempts to violate, conspires to violate, or
causes a violation of regulations promulgated under
section 501(a) to carry out paragraph (1) of this
subsection to the same extent that such penalties
apply to a person that knowingly commits an unlaw-
ful act described in section 206(a) of that Act.

(d) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted”
and “alien” have the meanings given such terms in
section 101 of the Immigration and Nationality Act

(2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL
SUPPORT.—The term “financial, material, or techno-
logical support” has the meaning given such term in
section 542.304 of title 31, Code of Federal Regula-
tions, as such section was in effect on the date of
the enactment of this Act.

(3) GOVERNMENT OF SYRIA.—The term “Gov-
ernment of Syria” has the meaning given such term
in section 542.305 of title 31, Code of Federal Reg-
ulations, as such section was in effect on the date
of the enactment of this Act.

(4) KNOWINGLY.—The term “knowingly” has
the meaning given such term in section 566.312 of
title 31, Code of Federal Regulations, as such sec-
tion was in effect on the date of the enactment of this Act.

(5) Petroleum or petroleum products of Syrian origin.—The term “petroleum or petroleum products of Syrian origin” has the meaning given such term in section 542.314 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(6) Significant transaction or transactions; significant financial services.—A transaction or transactions or financial services shall be determined to be a significant for purposes of this section in accordance with section 566.404 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(7) Syria.—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

SEC. 102. PROHIBITIONS WITH RESPECT TO THE TRANSFER OF ARMS AND RELATED MATERIALS TO SYRIA.

(a) Sanctions.—
(1) IN GENERAL.—Beginning on and after the date that is 30 days after the date of the enactment of this Act, the President shall impose on a foreign person the sanctions described in subsection (b) if the President determines that such foreign person has, on or after such date of enactment, knowingly exported, transferred, or provided significant financial, material, or technological support to the Government of Syria to—

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

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

(C) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(D) acquire defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(E) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).
(2) Applicability to Other Foreign Persons.—The sanctions described in subsection (b) shall also be imposed on any foreign person that—

(A) is a successor entity to a foreign person described in paragraph (1); or

(B) is owned or controlled by a foreign person described in paragraph (1).

(b) Sanctions Against a Foreign Person.—The sanctions to be imposed on a foreign person described in subsection (a) are the following:

(1) In General.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) Aliens Ineligible for Visas, Admission, or Parole.—

(A) Visas, Admission, or Parole.—An alien who the Secretary of State or the Sec-
Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (a) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States;

and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) 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 an alien who meets any of the criteria described in subsection (a) regardless of when issued.

(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—
(I) shall take effect immediately;

and

(II) shall automatically cancel

any other valid visa or entry docu-

mentation that is in the alien’s pos-

session.

(3) Exception to comply with United Na-
tions Headquarters Agreement.—Sanctions
under paragraph (2) shall not apply to an alien if
admitting the alien into the United States is nec-
essary 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.

(4) Penalties.—A person that violates, at-
tends to violate, conspires to violate, or causes a
violation of any regulation, license, or order issued
to carry out this section shall be subject to the pen-
alties set forth in subsections (b) and (c) of section
206 of the International Emergency Economic Pow-
ers Act (50 U.S.C. 1705) to the same extent as a
person that commits an unlawful act described in
subsection (a) of that section.
(c) DEFINITIONS.—In this section:

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

(2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL SUPPORT.—The term “financial, material, or technological support” has the meaning given such term in section 542.304 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(3) FOREIGN PERSON.—The term “foreign person” has the meaning given such term in section 594.304 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(4) KNOWINGLY.—The term “knowingly” has the meaning given such term in section 566.312 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(5) SYRIA.—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.
(6) U N I T E D STATES PERSON.—Th e term “United States person” has the meaning given such term in section 542.319 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

S E C. 1 0 3. R U L E O F C O N S T R U C T I O N.

The sanctions that are required to be imposed under this title are in addition to other similar or related sanctions that are required to be imposed under any other provision of law.

T I T L E II—A M E N D M E N T S T O 
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S Y R I A O R T H E I R F A M I L Y M E M B E R S.

(a) I N G E N E R A L.—Section 702(c) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791(c)) is amended to read as follows:

“(c) S A N C T I O N S D E S C R I B E D.—

“(1) I N G E N E R A L.—The President shall exer-
cise all powers granted by the International Emer-
seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(2) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

“(A) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (b) is—

“(i) inadmissible to the United States;

“(ii) ineligible to receive a visa or other documentation to enter the United States; and

“(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immi-
gration and Nationality Act (8 U.S.C. 1101 et seq.).

“(B) 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 an alien who meets any of the criteria described in subsection (b) regardless of when issued.

“(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

“(I) shall take effect immediately; and

“(II) shall automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

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

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

“(5) EXCEPTION TO COMPLY WITH UNITED NA-
TIONS HEADQUARTERS AGREEMENT.—Sanctions
under paragraph (2) shall not apply to an alien if
admitting the alien into the United States is nec-
essary 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.

“(6) RULE OF CONSTRUCTION.—Nothing in
this section shall be construed to limit the authority
of the President to impose additional sanctions pur-
suant to the International Emergency Economic
Powers Act (50 U.S.C. 1701 et seq.), relevant Exec-
utive orders, regulations, or other provisions of
law.”.
(b) **Serious Human Rights Abuses Described.**—

Section 702 of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791) is amended by adding at the end the following:

“(d) **Serious Human Rights Abuses Described.**—In subsection (b), the term ‘serious human rights abuses’ includes—

“(1) the deliberate targeting of civilian infrastructure to include schools, hospitals, and markets; and

“(2) hindering the prompt and safe access for all actors engaged in humanitarian relief activities, including across conflict lines and borders.”.

(e) **Effective Date.**—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to the imposition of sanctions under section 702(a) of the Syria Human Rights Accountability Act of 2012 on after such date of enactment.
SEC. 202. 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.

Section 703(b)(2)(C) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8792(b)(2)(C)) is amended—

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

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

(3) by adding at the end the following:

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

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

SEC. 203. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO HINDER HUMANITARIAN ACCESS.

The Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791 et seq.) is amended—
(1) by redesignating sections 705 and 706 as sections 706 and 707, respectively;
(2) by inserting after section 704 the following:

“SEC. 705. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO HINDER HUMANITARIAN ACCESS.

“(a) IN GENERAL.—The President shall impose sanctions described in section 702(c) with respect to each person on the list required by subsection (b).

“(b) LIST OF PERSONS WHO HINDER HUMANITARIAN ACCESS.—

“(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Caesar Syria Civilian Protection Act of 2016, the President shall submit to the appropriate congressional committees a list of persons that the President determines have engaged in hindering the prompt and safe access for the United Nations, its specialized agencies and implementing partners, national and international non-governmental organizations, and all other actors engaged in humanitarian relief activities in Syria, including across conflict lines and borders.

“(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—
“(A) not later than 300 days after the date of the enactment of the Caesar Syria Civilian Protection Act of 2016 and every 180 days thereafter; and

“(B) as new information becomes available.

“(3) FORM OF REPORT; PUBLIC AVAILABILITY.—

“(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

“(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.”; and

(3) in section 706 (as so redesignated), by striking “or 704” and inserting “704, or 705”.

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

SEC. 301. REPORT ON MONITORING AND EVALUATING OF ONGOING ASSISTANCE PROGRAMS IN SYRIA AND TO THE SYRIAN PEOPLE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the monitoring and evaluation of ongoing assistance programs in Syria and to the Syrian people.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) the specific project monitoring and evaluation plans, including measurable goals and performance metrics for assistance in Syria; and

(2) the major challenges to monitoring and evaluating programs in Syria.
SEC. 302. REPORT ON CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN CERTAIN HUMAN RIGHTS VIOLATIONS IN SYRIA.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a detailed report with respect to whether each person described in subsection (b) is a person that meets the requirements described in section 702(b) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791(b) for purposes of inclusion on the list of persons who are responsible for or complicit in certain human rights abuses under such section. For any such person who is not included in such report, the President should include in the report a description of the reasons why the person was not included, including information on whether sufficient credible evidence of responsibility for such abuses was found.

(b) Persons Described.—The persons described in this subsection are the following:

(1) Bashar Al-Assad.

(2) Asma Al-Assad.

(3) Rami Makhlouf.

(4) Bouthayna Shaaban.

(5) Walid Moallem.

(6) Ali Al-Salim.

(7) Wael Nader Al-Halqi.
(8) Jamil Hassan.

(9) Suhail Hassan.

(10) Ali Mamluk.

(11) Muhammed Khadour, Deir Ez Zor Military and Security.


(13) Munzer Ghanam, Air Force Intelligence.

(14) Daas Hasan Ali, Branch 327.


(16) Samir Muhammad Youssef, Military Intelligence.

(17) Ali Ahmad Dayoub, Air Force Intelligence.

(18) Khaled Muhsen Al-Halabi, Security Branch 335.

(19) Mahmoud Kahila, Political Security.

(20) Zuhair Ahmad Hamad, Provincial Security.


(22) Qussay Mayoub, Air Force Intelligence.

(23) Muhammad Ammar Sardini, Political Security.

(24) Fouad Hammouda, Military Security.

(25) Hasan Daaboul, Branch 261.

(26) Yahia Wahbi, Air Force Intelligence.
(27) Okab Saqer, Security Branch 318.
(28) Husam Luqa, Political Security.
(30) Yassir Deeb, Political Security.
(31) Ibrahim Darwish, Security Branch 220.
(33) Abdullatif Al-Fahed, Security Branch 290.
(34) Adeeb Namer Salamah, Air Force Intelligence.
(36) Reyad Abbas, Political Security.
(37) Ali Abdullah Ayoub, Syrian Armed Forces.
(38) Fahd Jassem Al-Freij, Defense Ministry.
(39) Issam Halaq, Air Force.
(40) Ghassan Al-Abdullah, General Intelligence Directorate.
(41) Maher Al-Assad, Republican Guard.
(42) Fahad Al-Farouch.
(43) Rafiq Shahada, Military Intelligence.
(44) Loay Al-Ali, Military Intelligence.
(45) Nawfal Al-Husayn, Military Intelligence.
(46) Muhammad Zamrini, Military Intelligence.
(47) Muhammad Mahallah, Military Intelligence.
(c) FORM OF REPORT; PUBLIC AVAILABILITY.—
(1) FORM.—The list required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(2) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.

(d) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

SEC. 303. ASSESSMENT OF POTENTIAL EFFECTIVENESS OF AND REQUIREMENTS FOR THE ESTABLISHMENT OF SAFE ZONES OR A NO-FLY ZONE IN SYRIA.

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

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

(A) the operational and legal requirements for United States and coalition air power to establish a no-fly zone in Syria;

(B) the impact a no-fly zone in Syria would have on humanitarian and counterterrorism efforts in Syria and the surrounding region; and

(C) the potential for force contributions from other countries to establish a no-fly zone in Syria; and

(2) assesses the potential effectiveness, risks, and operational requirements for the establishment of one or more safe zones in Syria for internally displaced persons or for the facilitation of humanitarian assistance, including—

(A) the operational and legal requirements for United States and coalition forces to establish one or more safe zones in Syria;
(B) the impact one or more safe zones in Syria would have on humanitarian and counter-terrorism efforts in Syria and the surrounding region; and

(C) the potential for contributions from other countries and vetted non-state actor partners to establish and maintain one or more safe zones in Syria.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

SEC. 304. ASSISTANCE TO SUPPORT ENTITIES TAKING ACTIONS RELATING TO GATHERING EVIDENCE FOR INVESTIGATIONS INTO WAR CRIMES OR CRIMES AGAINST HUMANITY IN SYRIA SINCE MARCH 2011.

(a) IN GENERAL.—The Secretary of State, acting through the Assistant Secretary for Democracy, Human
Rights and Labor and the Assistant Secretary for International Narcotics and Law Enforcement Affairs, is authorized to provide assistance to support entities that are conducting criminal investigations, building Syrian investigative capacity, supporting prosecutions in national courts, collecting evidence and preserving the chain of evidence for eventual prosecution against those who have committed war crimes or crimes against humanity in Syria, including the aiding and abetting of such crimes by foreign governments and organizations supporting the Government of Syria, since March 2011.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a detailed report on assistance provided under subsection (a).

TITLE IV—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA

SEC. 401. SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA.

(a) SUSPENSION OF SANCTIONS.—

(1) NEGOTIATIONS NOT CONCLUDING IN AGREEMENT.—If the President determines that
internationally recognized negotiations to resolve the
violence in Syria have not concluded in an agree-
ment or are likely not to conclude in an agreement,
the President may suspend, as appropriate, in whole
or in part, the imposition of sanctions otherwise re-
quired under this Act or any amendment made by
this Act for a period not to exceed 120 days, and re-
newable for additional periods not to exceed 120
days, if the President submits to the appropriate
congressional committees in writing a determination
and certification that the Government of Syria has
ended military attacks against and gross violations
of the human rights of the Syrian people, specifi-
cally—

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

(B) areas besieged by the Assad regime
and associated forces, including Hezbollah and
irregular Iranian forces, are no longer cut off
from international aid and have regular access
to humanitarian assistance, freedom of travel, and medical care;

(C) the Government of Syria is releasing all political prisoners forcibly held within the Assad regime prison system, including the facilities maintained by various security, intelligence, and military elements associated with the Government of Syria and allowed full access to the same facilities for investigations by appropriate international human rights organizations; and

(D) the forces of the Government of Syria and associated forces, including Hezbollah, irregular Iranian forces, and Russian government air assets, 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—

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

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

(ii) the Government of Syria has demonstrated a commitment to a significant and substantial reduction in attacks on and violence against the Syrian people by
the Government of Syria and associated forces.

(B) RENEWAL OF SUSPENSION OF SANCTIONS.—The President may renew a suspension of sanctions under subparagraph (A) for additional periods not to exceed 120 days if, for each such additional period, the President submits to the appropriate congressional committees in writing a determination and certification that—

(i) the conditions described in clauses (i) and (ii) of subparagraph (A) are continuing to be met;

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

(iii) the Government of Syria and associated forces have ceased attacks against Syrian civilians; and

(iv) the Government of Syria has publicly committed to negotiations for a transitional government in Syria and continues to demonstrate that commitment
through sustained engagement in talks and
substantive and verifiable progress towards
the implementation of such an agreement.

(3) BRIEFING AND REIMPOSITION OF SANCTIONS.—

(A) BRIEFING.—Not later than 30 days
after the President submits to the appropriate
congressional committees a determination and
certification in the case of a renewal of suspen-
sion of sanctions under paragraph (2)(B), and
every 30 days thereafter, the President shall
provide a briefing to the appropriate congress-
ional committees on the status and frequency
of negotiations described in paragraph (2).

(B) RE-IMPOSITION OF SANCTIONS.—If
the President provides a briefing to the appro-
priate congressional committees under subpara-
graph (A) with respect to which the President
indicates a lapse in negotiations described in
paragraph (2) for a period that equals or ex-
cceeds 90 days, the sanctions that were sus-
pended under paragraph (2)(B) shall be re-im-
posed and any further suspension of such sanc-
tions is prohibited.
(4) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

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

(1) is taking verifiable steps to release all political prisoners and provided full access to Syrian prisons for investigations by appropriate international human rights organizations;

(2) is taking verifiable steps to remove former senior Syrian Government officials who are complicit in the conception, implementation, or cover up of war crimes, crimes against humanity, or human rights abuses from government positions and any
person subject to sanctions under any provision of law;

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

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

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

(4) is making tangible progress toward establishing an independent judiciary;

(5) is demonstrating respect for and compliance with internationally recognized human rights and basic freedoms as specified in the Universal Declaration of Human Rights;

(6) is taking steps to verifiably fulfill its commitments under the Chemical Weapons Convention and the Treaty on the Non-Proliferation of Nuclear Weapons and is making tangible progress toward becoming a signatory to Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, entered into force March 26,
1975, and adhering to the Missile Technology Control Regime and other control lists, as necessary;

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

(8) is taking verifiable steps to remove from positions of authority within the intelligence and security services as well as the military those who were in a position of authority or responsibility during the conflict and who under the authority of their position were implicated in or implicit in the torture, extrajudicial killing, or execution of civilians, to include those who were involved in decisionmaking or execution of plans to use chemical weapons.

SEC. 402. WAIVERS AND EXEMPTIONS.

(a) EXEMPTIONS.—The following activities and transactions shall be exempt from sanctions authorized under this Act:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

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

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

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

(b) HUMANITARIAN AND DEMOCRACY ASSISTANCE
WAIVER.—

(1) STATEMENT OF POLICY.—It shall be the
policy of the United States to fully utilize the waiver
authority under this subsection to ensure that ade-
quate humanitarian relief or support for democracy
promotion is provided to the Syrian people.

(2) WAIVER.—Except as provided in paragraph
(5), the President may waive, on a case-by-case
basis, for a period not to exceed 120 days, and re-
newable for additional periods not to exceed 120
days, the application of sanctions authorized under
this Act with respect to a person if the President
submits to the appropriate congressional committees
a written determination that the waiver is necessary
for purposes of providing humanitarian assistance or
support for democracy promotion to the people of
Syria.
(3) **Content of Written Determination.**—

A written determination submitted under paragraph (1) with respect to a waiver shall include a description of all notification and accountability controls that have been employed in order to ensure that the activities covered by the waiver are humanitarian assistance or support for democracy promotion and do not entail any activities in Syria or dealings with the Government of Syria not reasonably related to humanitarian assistance or support for democracy promotion.

(4) **Clarification of Permitted Activities**

**Under Waiver.**—The President may not impose sanctions authorized under this Act against a humanitarian organization for—

(A) engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes pursuant to a waiver issued under paragraph (1);

(B) transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes pursuant to such a waiver; or

(C) having incidental contact, in the course of providing humanitarian assistance or aid for
humanitarian purposes pursuant to such a waiver, with individuals who are under the control of a foreign person subject to sanctions under this Act or any amendment made by this Act unless the organization or its officers, members, representatives or employees have engaged in (or the President knows or has reasonable ground to believe is engaged in or is likely to engage in) conduct described in section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)).

(5) EXCEPTION TO WAIVER AUTHORITY.—The President may not exercise the waiver authority under paragraph (2) with respect to a foreign person who has (or whose officers, members, representatives or employees have) engaged in (or the President knows or has reasonable ground to believe is engaged in or is likely to engage in) conduct described in section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)).

(e) WAIVER.—

(1) IN GENERAL.—The President may, on a case-by-case basis and for periods not to exceed 120
days, waive the application of sanctions under this Act with respect to a foreign person if the President certifies to the appropriate congressional committees that such waiver is vital to the national security interests of the United States.

(2) Consultation.—

(A) Before waiver issued.—Not later than 5 days before the issuance of a waiver under paragraph (1) is to take effect, the President shall notify and brief the appropriate congressional committees on the status of the foreign person involvement in activities described in this Act.

(B) After waiver issued.—Not later than 90 days after the issuance of a waiver under paragraph (1), and every 120 days thereafter if the waiver remains in effect, the President shall brief the appropriate congressional committees on the status of the foreign person’s involvement in activities described in this Act.

(3) Definition.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Committee
on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

(d) Codification of Certain Services in Support of Nongovernmental Organizations’ Activities Authorized.—

(1) In general.—Except as provided in paragraph (2), section 542.516 of title 31, Code of Federal Regulations (relating to certain services in support of nongovernmental organizations’ activities authorized), as in effect on the day before the date of the enactment of this Act, shall—

(A) remain in effect on and after such date of enactment; and

(B) in the case of a nongovernmental organization that is authorized to export or reexport services to Syria under such section on the day before such date of enactment, shall apply to such organization on and after such date of enactment to the same extent and in the same manner as such section applied to such organi-
zation on the day before such date of enact-
ment.

(2) Exception.—Section 542.516 of title 31, 
Code of Federal Regulations, as codified under para-
graph (1), shall not apply with respect to a foreign 
person who has (or whose officers, members, rep-
resentatives or employees have) engaged in (or the 
President knows or has reasonable ground to believe 
is engaged in or is likely to engage in) conduct de-
scribed in section 212(a)(3)(B)(iv)(VI) of the Immi-
gration and Nationality Act (8 U.S.C. 
1182(a)(3)(B)(iv)(VI)).

TITLE V—REGULATORY AU-
THORITY, COST LIMITATION, 
AND SUNSET

SEC. 501. REGULATORY AUTHORITY.

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

(b) Notification to Congress.—Not less than 10 
days before the promulgation of regulations under sub-
section (a), the President shall notify and provide to the 
appropriate congressional committees the proposed regula-
tions and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(c) Definition.—In this section, the term “appropriate congressional committees” means—

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

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 502. COST LIMITATION.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

SEC. 503. SUNSET.

This Act shall cease to be effective beginning on December 31, 2021.

Passed the House of Representatives November 15, 2016.

Attest:

Clerk.
114TH CONGRESS
2D SESSION
H. R. 5732
AN ACT

To halt the wholesale slaughter of the Syrian people and hold Syrian human rights abusers accountable, and express a negotiated political settlement, and for other purposes.

AN ACT

H. R. 5732