

114TH CONGRESS
2D SESSION

H. R. 5732

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

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2016

Mr. ENGEL (for himself, Mr. ROYCE, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. POE of Texas, Mr. KILDEE, Mr. MESSER, Mr. TED LIEU of California, Mr. KINZINGER of Illinois, Mrs. MCMORRIS RODGERS, Mr. BEYER, Mr. ELLISON, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

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

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 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 mate-
 rials 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 re-
 sponsible 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 tech-
 nologies to Syria that are likely to be used to commit human
 rights abuses.

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. Updated list of persons who are responsible for human rights viola-
 tions in Syria.
 Sec. 303. Assessment of potential effectiveness of and requirements for the es-
 tablishment of safe zones or a no-fly zone in Syria.
 Sec. 304. Assistance to support entities taking actions relating to gathering evi-
 dence for investigations into war crimes or crimes against hu-
 manity 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 AND SUNSET

Sec. 501. Regulatory authority.
 Sec. 502. Sunset.

3 **SEC. 2. FINDINGS.**

- 4 Congress finds the following:

1 (1) Over 14,000,000 Syrians have become refu-
2 gees or internally displaced persons over the last five
3 years.

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

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

15 (4) The Assad regime has repeatedly blocked ci-
16 vilian access to or diverted humanitarian assistance,
17 including medical supplies, to besieged and hard-to-
18 reach areas, in violation of United Nations Security
19 Council resolutions.

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

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

2 It is the sense of Congress that—

3 (1) Bashar al-Assad’s murderous actions
4 against the people of Syria have caused the deaths
5 of more than 400,000 civilians, led to the destruc-
6 tion of more than 50 percent of Syria’s critical in-
7 frastructure, and forced the displacement of more
8 than 14,000,000 people, precipitating the worst hu-
9 manitarian crisis in more than 60 years;

10 (2) international actions to date have been in-
11 sufficient in protecting vulnerable populations from
12 being attacked by uniformed and irregular forces, in-
13 cluding Hezbollah, associated with the Assad regime,
14 on land and from the air, through the use of barrel
15 bombs, chemical weapons, mass starvation cam-
16 paigns, industrial-scale torture and execution of po-
17 litical dissidents, sniper attacks on pregnant women,
18 and the deliberate targeting of medical facilities,
19 schools, residential areas, and community gathering
20 places, including markets; and

21 (3) Assad’s continued claim of leadership and
22 actions in Syria are a rallying point for the extrem-
23 ist ideology of the Islamic State, Jabhat al-Nusra,
24 and other terrorist organizations.

1 **SEC. 4. STATEMENT OF POLICY.**

2 It is the policy of the United States that all diplo-
3 matic and coercive economic means should be utilized to
4 compel the government of Bashir al-Assad to immediately
5 halt the wholesale slaughter of the Syrian people and ac-
6 tively work towards transition to a democratic government
7 in Syria, existing in peace and security with its neighbors.

8 **TITLE I—ADDITIONAL ACTIONS**
9 **IN CONNECTION WITH THE**
10 **NATIONAL EMERGENCY WITH**
11 **RESPECT TO SYRIA**

12 **SEC. 101. SANCTIONS WITH RESPECT TO CENTRAL BANK**
13 **OF SYRIA AND FOREIGN PERSONS THAT EN-**
14 **GAGE IN CERTAIN TRANSACTIONS.**

15 (a) APPLICATION OF CERTAIN MEASURES TO CEN-
16 TRAL BANK OF SYRIA.—Except as provided in subsections
17 (a) and (b) of section 402, the President shall apply the
18 measures described in section 5318A(b)(5) of title 31,
19 United States Code, to the Central Bank of Syria.

20 (b) BLOCKING PROPERTY OF FOREIGN PERSONS
21 THAT ENGAGE IN CERTAIN TRANSACTIONS.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the President
24 shall impose on a foreign person the sanctions de-
25 scribed in subsection (c) if the foreign person has

1 knowingly engaged in an activity described in para-
2 graph (2).

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

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

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

17 (ii) a foreign person subject to finan-
18 cial sanctions pursuant to—

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

1 (II) a resolution that is agreed to
2 by the United Nations Security Coun-
3 cil that imposes sanctions with respect
4 to Syria;

5 (B) knowingly—

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

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

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

1 areas controlled by the Government of
2 Syria; or

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

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

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

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

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

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

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

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

14 (A) VISAS, ADMISSION, OR PAROLE.—An
15 alien who the Secretary of State or the Sec-
16 retary of Homeland Security (or a designee of
17 one of such Secretaries) knows, or has reason
18 to believe, meets any of the criteria described in
19 subsection (a) is—

20 (i) inadmissible to the United States;

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

23 and

24 (iii) otherwise ineligible to be admitted
25 or paroled into the United States or to re-

1 ceive any other benefit under the Immigra-
2 tion and Nationality Act (8 U.S.C. 1101 et
3 seq.).

4 (B) CURRENT VISAS REVOKED.—

5 (i) IN GENERAL.—The issuing con-
6 sular officer, the Secretary of State, or the
7 Secretary of Homeland Security (or a des-
8 ignee of one of such Secretaries) shall re-
9 voke any visa or other entry documentation
10 issued to an alien who meets any of the
11 criteria described in subsection (a) regard-
12 less of when issued.

13 (ii) EFFECT OF REVOCATION.—A rev-
14 ocation under clause (i)—

15 (I) shall take effect immediately;

16 and

17 (II) shall automatically cancel
18 any other valid visa or entry docu-
19 mentation that is in the alien's pos-
20 session.

21 (3) EXCEPTION TO COMPLY WITH UNITED NA-
22 TIONS HEADQUARTERS AGREEMENT.—Sanctions
23 under paragraph (2) shall not apply to an alien if
24 admitting the alien into the United States is nec-
25 essary to permit the United States to comply with

1 the Agreement regarding the Headquarters of the
2 United Nations, signed at Lake Success June 26,
3 1947, and entered into force November 21, 1947,
4 between the United Nations and the United States,
5 or other applicable international obligations.

6 (4) PENALTIES.—The penalties provided for in
7 subsections (b) and (c) of section 206 of the Inter-
8 national Emergency Economic Powers Act (50
9 U.S.C. 1705) shall apply to a person that knowingly
10 violates, attempts to violate, conspires to violate, or
11 causes a violation of regulations promulgated under
12 section 501(a) to carry out paragraph (1) of this
13 subsection to the same extent that such penalties
14 apply to a person that knowingly commits an unlaw-
15 ful act described in section 206(a) of that Act.

16 (d) DEFINITIONS.—In this section:

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

21 (2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL
22 SUPPORT.—The term “financial, material, or techno-
23 logical support” has the meaning given such term in
24 section 542.304 of title 31, Code of Federal Regula-
25 tions.

1 (3) GOVERNMENT OF SYRIA.—The term “Gov-
2 ernment of Syria” has the meaning given such term
3 in section 542.305 of title 31, Code of Federal Reg-
4 ulations.

5 (4) KNOWINGLY.—The term “knowingly” has
6 the meaning given such term in section 566.312 of
7 title 31, Code of Federal Regulations.

8 (5) MONEY LAUNDERING.—The term “money
9 laundering” means the movement of illicit cash or
10 cash equivalent proceeds into, out of, or through a
11 country, or into, out of, or through a financial insti-
12 tution.

13 (6) PETROLEUM OR PETROLEUM PRODUCTS OF
14 SYRIAN ORIGIN.—The term “petroleum or petroleum
15 products of Syrian origin” has the meaning given
16 such term in section 542.314 of title 31, Code of
17 Federal Regulations.

18 (7) SIGNIFICANT TRANSACTION OR TRANS-
19 ACTIONS; SIGNIFICANT FINANCIAL SERVICES.—A
20 transaction or transactions or financial services shall
21 be determined to be a significant for purposes of this
22 section in accordance with section 566.404 of title
23 31, Code of Federal Regulations.

1 (8) SYRIA.—The term “Syria” has the meaning
2 given such term in section 542.316 of title 31, Code
3 of Federal Regulations.

4 **SEC. 102. PROHIBITIONS WITH RESPECT TO THE TRANSFER**
5 **OF ARMS AND RELATED MATERIALS TO**
6 **SYRIA.**

7 (a) SANCTIONS.—

8 (1) IN GENERAL.—The President shall impose
9 on a foreign person the sanctions described in sub-
10 section (b) if the President determines that such for-
11 eign person has, on or after the date of the enact-
12 ment of this Act, knowingly exported, transferred, or
13 otherwise provided to Syria significant financial, ma-
14 terial, or technological support that contributes ma-
15 terially to the ability of Government of Syria to—

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

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

20 (C) acquire or develop destabilizing num-
21 bers and types of advanced conventional weap-
22 ons;

23 (D) acquire defense articles, defense serv-
24 ices, or defense information (as such terms are

1 defined under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.)); or

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

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

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

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

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

17 (1) IN GENERAL.—The President shall exercise
18 all powers granted by the International Emergency
19 Economic Powers Act (50 U.S.C. 1701 et seq.) (ex-
20 cept that the requirements of section 202 of such
21 Act (50 U.S.C. 1701) shall not apply) to the extent
22 necessary to freeze and prohibit all transactions in
23 all property and interests in property of the foreign
24 person if such property and interests in property are
25 in the United States, come within the United States,

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

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

5 (A) VISAS, ADMISSION, OR PAROLE.—An
6 alien who the Secretary of State or the Sec-
7 retary of Homeland Security (or a designee of
8 one of such Secretaries) knows, or has reason
9 to believe, meets any of the criteria described in
10 subsection (a) is—

11 (i) inadmissible to the United States;

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

15 (iii) otherwise ineligible to be admitted
16 or paroled into the United States or to re-
17 ceive any other benefit under the Immigra-
18 tion and Nationality Act (8 U.S.C. 1101 et
19 seq.).

20 (B) CURRENT VISAS REVOKED.—

21 (i) IN GENERAL.—The issuing con-
22 sular officer, the Secretary of State, or the
23 Secretary of Homeland Security (or a des-
24 ignee of one of such Secretaries) shall re-
25 voke any visa or other entry documentation

1 issued to an alien who meets any of the
2 criteria described in subsection (a) regard-
3 less of when issued.

4 (ii) EFFECT OF REVOCATION.—A rev-
5 ocation under clause (i)—

6 (I) shall take effect immediately;

7 and

8 (II) shall automatically cancel

9 any other valid visa or entry docu-

10 mentation that is in the alien's pos-

11 session.

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

22 (4) PENALTIES.—A person that violates, at-
23 tempts to violate, conspires to violate, or causes a
24 violation of any regulation, license, or order issued
25 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 Powers 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.

(3) FOREIGN PERSON.—The term “foreign person” has the meaning given such term in section 594.304 of title 31, Code of Federal Regulations.

(4) KNOWINGLY.—The term “knowingly” has the meaning given such term in section 566.312 of title 31, Code of Federal Regulations.

(5) SYRIA.—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations.

1 (6) UNITED STATES PERSON.—The term
 2 “United States person” has the meaning given such
 3 term in section 542.319 of title 31, Code of Federal
 4 Regulations.

5 **SEC. 103. RULE OF CONSTRUCTION.**

6 The sanctions that are required to be imposed under
 7 this title are in addition to other similar or related sanc-
 8 tions that are required to be imposed under any other pro-
 9 vision of law.

10 **TITLE II—AMENDMENTS TO**
 11 **SYRIA HUMAN RIGHTS AC-**
 12 **COUNTABILITY ACT OF 2012**

13 **SEC. 201. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 14 **CERTAIN PERSONS WHO ARE RESPONSIBLE**
 15 **FOR OR COMPLICIT IN HUMAN RIGHTS**
 16 **ABUSES COMMITTED AGAINST CITIZENS OF**
 17 **SYRIA OR THEIR FAMILY MEMBERS.**

18 (a) IN GENERAL.—Section 702(c) of the Syria
 19 Human Rights Accountability Act of 2012 (22 U.S.C.
 20 8791(c)) is amended to read as follows:

21 “(c) SANCTIONS DESCRIBED.—

22 “(1) IN GENERAL.—The President shall exer-
 23 cise all powers granted by the International Emer-
 24 gency Economic Powers Act (50 U.S.C. 1701 et
 25 seq.) (except that the requirements of section 202 of

1 such Act (50 U.S.C. 1701) shall not apply) to the
2 extent necessary to freeze and prohibit all trans-
3 actions in all property and interests in property of
4 a person on the list required by subsection (b) if
5 such property and interests in property are in the
6 United States, come within the United States, or are
7 or come within the possession or control of a United
8 States person.

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

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

17 “(i) inadmissible to the United States;

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

21 “(iii) otherwise ineligible to be admit-
22 ted or paroled into the United States or to
23 receive any other benefit under the Immi-
24 gration and Nationality Act (8 U.S.C.
25 1101 et seq.).

1 “(B) CURRENT VISAS REVOKED.—

2 “(i) IN GENERAL.—The issuing con-
3 sular officer, the Secretary of State, or the
4 Secretary of Homeland Security (or a des-
5 ignee of one of such Secretaries) shall re-
6 voke any visa or other entry documentation
7 issued to an alien who meets any of the
8 criteria described in subsection (b) regard-
9 less of when issued.

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

12 “(I) shall take effect imme-
13 diately; and

14 “(II) shall automatically cancel
15 any other valid visa or entry docu-
16 mentation that is in the alien’s pos-
17 session.

18 “(3) PENALTIES.—A person that violates, at-
19 tempts to violate, conspires to violate, or causes a
20 violation of this section or any regulation, license, or
21 order issued to carry out this section shall be subject
22 to the penalties set forth in subsections (b) and (c)
23 of section 206 of the International Emergency Eco-
24 nomic Powers Act (50 U.S.C. 1705) to the same ex-

1 tent as a person that commits an unlawful act de-
2 scribed in subsection (a) of that section.

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

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

17 “(6) RULE OF CONSTRUCTION.—Nothing in
18 this section shall be construed to limit the authority
19 of the President to impose additional sanctions pur-
20 suant to the International Emergency Economic
21 Powers Act (50 U.S.C. 1701 et seq.), relevant Exec-
22 utive orders, regulations, or other provisions of
23 law.”.

24 (b) SERIOUS HUMAN RIGHTS ABUSES DESCRIBED.—
25 Section 702 of the Syria Human Rights Accountability

1 Act of 2012 (22 U.S.C. 8791) is amended by adding at
 2 the end the following:

3 “(d) SERIOUS HUMAN RIGHTS ABUSES DE-
 4 SCRIBED.—In subsection (b), the term ‘serious human
 5 rights abuses’ includes the deliberate targeting of civilian
 6 infrastructure to include schools, hospitals, and markets.”.

7 (c) EFFECTIVE DATE.—The amendments made by
 8 subsections (a) and (b) shall take effect on the date of
 9 the enactment of this Act and shall apply with respect to
 10 the imposition of sanctions under section 702(a) of the
 11 Syria Human Rights Accountability Act of 2012 on after
 12 such date of enactment.

13 **SEC. 202. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 14 **THE TRANSFER OF GOODS OR TECH-**
 15 **NOLOGIES TO SYRIA THAT ARE LIKELY TO BE**
 16 **USED TO COMMIT HUMAN RIGHTS ABUSES.**

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

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

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

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

24 “(iii) any article designated by the
 25 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.”.

**TITLE III—REPORTS AND WAIV-
ER FOR HUMANITARIAN-RE-
LATED ACTIVITIES WITH RE-
SPECT 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 appropriate
congressional committees 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 re-
quired by subsection (a) shall include—

(1) the specific project monitoring and evalua-
tion plans, including measurable goals and perform-

1 ance metrics for cross-border assistance in Syria;
2 and

3 (2) the major challenges to monitoring and
4 evaluating programs in Syria.

5 **SEC. 302. UPDATED LIST OF PERSONS WHO ARE RESPON-**
6 **SIBLE FOR HUMAN RIGHTS VIOLATIONS IN**
7 **SYRIA.**

8 (a) IN GENERAL.—Not later than 120 days after the
9 date of the enactment of this Act, the President shall sub-
10 mit to the appropriate congressional committees an up-
11 dated list of persons required under section 702 of the
12 Syria Human Rights Accountability Act of 2012 (22
13 U.S.C. 8791).

14 (b) FORM OF REPORT; PUBLIC AVAILABILITY.—

15 (1) FORM.—The list required by subsection (a)
16 shall be submitted in unclassified form, but may
17 contain a classified annex if necessary.

18 (2) PUBLIC AVAILABILITY.—The unclassified
19 portion of the list required by paragraph (1) shall be
20 made available to the public and posted on the Web
21 sites of the Department of the Treasury and the De-
22 partment of State.

1 **SEC. 303. ASSESSMENT OF POTENTIAL EFFECTIVENESS OF**
2 **AND REQUIREMENTS FOR THE ESTABLISH-**
3 **MENT OF SAFE ZONES OR A NO-FLY ZONE IN**
4 **SYRIA.**

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

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

13 (A) the operational and legal requirements
14 for United States and coalition air power to es-
15 tablish a no-fly zone in Syria;

16 (B) the impact a no-fly zone in Syria
17 would have on humanitarian and counterter-
18 rorism efforts in Syria and the surrounding re-
19 gion; and

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

23 (2) assesses the potential effectiveness, risks,
24 and operational requirements for the establishment
25 of one or more safe zones in Syria for internally dis-

1 placed persons or for the facilitation of humani-
2 tarian assistance, including—

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

6 (B) the impact one or more safe zones in
7 Syria would have on humanitarian and counter-
8 terrorism efforts in Syria and the surrounding
9 region; and

10 (C) the potential for contributions from
11 other countries and vetted non-state actor part-
12 ners to establish and maintain one or more safe
13 zones in Syria.

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

17 **SEC. 304. ASSISTANCE TO SUPPORT ENTITIES TAKING AC-**
18 **TIONS RELATING TO GATHERING EVIDENCE**
19 **FOR INVESTIGATIONS INTO WAR CRIMES OR**
20 **CRIMES AGAINST HUMANITY IN SYRIA SINCE**
21 **MARCH 2011.**

22 (a) IN GENERAL.—The Secretary of State, acting
23 through the Assistant Secretary for Democracy, Human
24 Rights and Labor and the Assistant Secretary for Inter-
25 national Narcotics and Law Enforcement Affairs, is au-

1 thorized to provide assistance to support entities that are
2 conducting criminal investigations, building Syrian inves-
3 tigative capacity, supporting prosecutions in national
4 courts, collecting evidence and preserving the chain of evi-
5 dence for eventual prosecution against those who have
6 committed war crimes or crimes against humanity in Syria
7 since March 2011.

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

12 **TITLE IV—SUSPENSION OF**
13 **SANCTIONS WITH RESPECT**
14 **TO SYRIA**

15 **SEC. 401. SUSPENSION OF SANCTIONS WITH RESPECT TO**
16 **SYRIA.**

17 (a) SUSPENSION OF SANCTIONS.—

18 (1) NEGOTIATIONS NOT CONCLUDING IN
19 AGREEMENT.—If the President determines that
20 internationally recognized negotiations to resolve the
21 violence in Syria have not concluded in an agree-
22 ment or are likely not to conclude in an agreement,
23 the President may suspend, as appropriate, in whole
24 or in part, the imposition of sanctions otherwise re-
25 quired under this Act or any amendment made by

1 this Act for a period not to exceed 120 days, and re-
2 newable for additional periods not to exceed 120
3 days, if the President submits to the appropriate
4 congressional committees in writing a determination
5 and certification that the Government of Syria has
6 ended military attacks against and gross violations
7 of the human rights of the Syrian people, specifi-
8 cally—

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

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

22 (C) the Government of Syria is releasing
23 all political prisoners forcibly held within the
24 Assad regime prison system, including the fa-
25 cilities maintained by various security, intel-

1 ligence, and military elements associated with
2 the Government of Syria and allowed full access
3 to the same facilities for investigations by ap-
4 propriate international human rights organiza-
5 tions; and

6 (D) the forces of the Government of Syria
7 and associated forces, including Hezbollah, ir-
8 regular Iranian forces, and Russian government
9 air assets, are no longer engaged in deliberate
10 targeting of medical facilities, schools, residen-
11 tial areas, and community gathering places, in-
12 cluding markets, in flagrant violation of inter-
13 national norms.

14 (2) NEGOTIATIONS CONCLUDING IN AGREE-
15 MENT.—

16 (A) INITIAL SUSPENSION OF SANCTIONS.—

17 If the President determines that internationally
18 recognized negotiations to resolve the violence
19 in Syria have concluded in an agreement or are
20 likely to conclude in an agreement, the Presi-
21 dent may suspend, as appropriate, in whole or
22 in part, the imposition of sanctions otherwise
23 required under this Act or any amendment
24 made by this Act for a period not to exceed 120
25 days if the President submits to the appropriate

1 congressional committees in writing a deter-
2 mination and certification that—

3 (i) in the case in which the negotia-
4 tions are likely to conclude in an agree-
5 ment—

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

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

16 (ii) the Government of Syria has dem-
17 onstrated a commitment to a significant
18 and substantial reduction in attacks on
19 and violence against the Syrian people by
20 the Government of Syria and associated
21 forces.

22 (B) RENEWAL OF SUSPENSION OF SANC-
23 TIONS.—The President may renew a suspension
24 of sanctions under subparagraph (A) for addi-
25 tional periods not to exceed 120 days if, for

1 each such additional period, the President sub-
2 mits to the appropriate congressional commit-
3 tees in writing a determination and certification
4 that—

5 (i) the conditions described in clauses
6 (i) and (ii) of subparagraph (A) are con-
7 tinuing to be met;

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

13 (iii) the Government of Syria and as-
14 sociated forces have ceased attacks against
15 Syrian civilians; and

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

23 (3) BRIEFING AND REIMPOSITION OF SANC-
24 TIONS.—

1 (A) BRIEFING.—Not later than 30 days
2 after the President submits to the appropriate
3 congressional committees a determination and
4 certification in the case of a renewal of suspen-
5 sion of sanctions under paragraph (2)(B), and
6 every 30 days thereafter, the President shall
7 provide a briefing to the appropriate congres-
8 sional committees on the status and frequency
9 of negotiations described in paragraph (2).

10 (B) RE-IMPOSITION OF SANCTIONS.—If
11 the President provides a briefing to the appro-
12 priate congressional committees under subpara-
13 graph (A) with respect to which the President
14 indicates a lapse in negotiations described in
15 paragraph (2) for a period that equals or ex-
16 ceeds 90 days, the sanctions that were sus-
17 pended under paragraph (2)(B) shall be re-im-
18 posed and any further suspension of such sanc-
19 tions is prohibited.

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

24 (1) is taking verifiable steps to release all polit-
25 ical prisoners and provided full access to Syrian

1 prisons for investigations by appropriate inter-
2 national human rights organizations;

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

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

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

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

17 (4) is making tangible progress toward estab-
18 lishing an independent judiciary;

19 (5) is demonstrating respect for and compliance
20 with internationally recognized human rights and
21 basic freedoms as specified in the Universal Declara-
22 tion of Human Rights;

23 (6) is taking steps to verifiably fulfill its com-
24 mitments under the Chemical Weapons Convention
25 and the Treaty on the Non-Proliferation of Nuclear

1 Weapons and is making tangible progress toward be-
2 coming a signatory to Convention on the Prohibition
3 of the Development, Production and Stockpiling of
4 Bacteriological (Biological) and Toxin Weapons and
5 on their Destruction, entered into force March 26,
6 1975, and adhering to the Missile Technology Con-
7 trol Regime and other control lists, as necessary;

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

10 (8) is taking verifiable steps to remove from po-
11 sitions of authority within the intelligence and secu-
12 rity services as well as the military those who were
13 in a position of authority or responsibility during the
14 conflict and who under the authority of their posi-
15 tion were implicated in or implicit in the torture,
16 extrajudicial killing, or execution of civilians, to in-
17 clude those who were involved in decisionmaking or
18 execution of plans to use chemical weapons.

19 **SEC. 402. WAIVERS AND EXEMPTIONS.**

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

23 (1) Any activity subject to the reporting re-
24 quirements under title V of the National Security

1 Act of 1947 (50 U.S.C. 3091 et seq.), or to any au-
2 thorized intelligence activities of the United States.

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

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

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

13 (b) HUMANITARIAN AND DEMOCRACY ASSISTANCE
14 WAIVER.—

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

20 (2) WAIVER.—The President may waive, on a
21 case-by-case basis, for a period not to exceed 120
22 days, and renewable for additional periods not to ex-
23 ceed 120 days, the application of sanctions author-
24 ized under this Act if the President submits to the
25 appropriate congressional committees a written de-

1 termination that the waiver is necessary for pur-
2 poses of providing humanitarian assistance or sup-
3 port for democracy promotion to the people of Syria.

4 (3) CONTENT OF WRITTEN DETERMINATION.—

5 A written determination submitted under paragraph
6 (1) with respect to a waiver shall include a descrip-
7 tion of all notification and accountability controls
8 that have been employed in order to ensure that the
9 activities covered by the waiver are humanitarian as-
10 sistance or support for democracy promotion and do
11 not entail any activities in Syria or dealings with the
12 Government of Syria not reasonably related to hu-
13 manitarian assistance or support for democracy pro-
14 motion.

15 (4) CLARIFICATION OF PERMITTED ACTIVITIES

16 UNDER WAIVER.—The President may not impose
17 sanctions authorized under this Act against an inter-
18 nationally recognized humanitarian organization
19 for—

20 (A) engaging in a financial transaction re-
21 lating to humanitarian assistance or for human-
22 itarian purposes pursuant to a waiver issued
23 under paragraph (1);

24 (B) transporting goods or services that are
25 necessary to carry out operations relating to

1 humanitarian assistance or humanitarian pur-
2 poses pursuant to such a waiver; or

3 (C) having incidental contact, in the course
4 of providing humanitarian assistance or aid for
5 humanitarian purposes pursuant to such a
6 waiver, with individuals who are under the con-
7 trol of a foreign person subject to sanctions
8 under this Act or any amendment made by this
9 Act.

10 (c) WAIVER.—

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

18 (2) CONSULTATION.—

19 (A) BEFORE WAIVER ISSUED.—Not later
20 than 5 days before the issuance of a waiver
21 under paragraph (1) is to take effect, the Presi-
22 dent shall notify and brief the appropriate con-
23 gressional committees on the status of the for-
24 eign person involvement in activities described
25 in this Act.

1 (B) AFTER WAIVER ISSUED.—Not later
 2 than 90 days after the issuance of a waiver
 3 under paragraph (1), and every 120 days there-
 4 after if the waiver remains in effect, the Presi-
 5 dent shall brief the appropriate congressional
 6 committees on the status of the foreign person’s
 7 involvement in activities described in this Act.

8 **TITLE V—REGULATORY** 9 **AUTHORITY AND SUNSET**

10 **SEC. 501. REGULATORY AUTHORITY.**

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

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

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

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

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

4 **SEC. 502. SUNSET.**

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

