

115TH CONGRESS
2^D SESSION

H. R. 4681

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2018

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To limit assistance for areas of Syria controlled by the Government of Syria or associated forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Assistance for
3 Assad Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Seven years into the conflict in Syria, over
7 11 million Syrians have been displaced from their
8 homes and more than 400,000 have been killed.

9 (2) Since the conflict in Syria began, the
10 United States has provided more than \$7.6 billion to
11 meet humanitarian needs of the Syrian people, mak-
12 ing the United States the world’s single largest
13 donor to the Syrian humanitarian response.

14 (3) It is estimated that the reconstruction of
15 Syria could cost between \$200 and \$350 billion.

16 (4) According to the 2016 Transparency Inter-
17 national Corruption Index, Syria is among the most
18 corrupt countries in the world.

19 (5) In October 2015, a visiting Russian delega-
20 tion to Syria announced that Russian firms would
21 lead in the effort to rebuild Syria, and Syrian Presi-
22 dent Bashar al-Assad reportedly said, “Syria is
23 ready to provide Russian companies with all the con-
24 tracts worth hundreds of billions of dollars.”.

25 (6) In August 2017, the Government of the
26 People’s Republic of China hosted a trade fair in

1 Syria, and a Chinese-Arab business group an-
2 nounced a \$2 billion commitment from the Chinese
3 government to fund the construction of industrial
4 parks in Syria.

5 **SEC. 3. STATEMENT OF POLICY.**

6 It is the policy of the United States that United
7 States foreign assistance made available for early recov-
8 ery, reconstruction, or stabilization in Syria should be
9 used only in a democratic Syria or in areas of Syria not
10 controlled by a government led by Bashar al-Assad or as-
11 sociated forces.

12 **SEC. 4. LIMITATION ON ASSISTANCE FOR AREAS OF SYRIA**
13 **CONTROLLED BY THE GOVERNMENT OF**
14 **SYRIA OR ASSOCIATED FORCES.**

15 (a) LIMITATION.—

16 (1) IN GENERAL.—Except as provided in sub-
17 section (c), for each of the fiscal years 2019 through
18 2023, amounts authorized to be appropriated or oth-
19 erwise made available for assistance described in
20 paragraph (2) may not be provided, directly or indi-
21 rectly, for any area of Syria controlled by the Gov-
22 ernment of Syria or associated forces, as determined
23 by the Secretary of State, unless a certification de-
24 scribed in subsection (b) is in effect.

1 (2) ASSISTANCE DESCRIBED.—Assistance re-
2 ferred to in paragraph (1) is the following:

3 (A) Assistance to carry out stabilization
4 activities for the relevant area.

5 (B) Assistance to carry out reconstruction
6 activities for the relevant area.

7 (b) CERTIFICATION.—

8 (1) IN GENERAL.—A certification described in
9 this subsection is a certification submitted by the
10 President to the appropriate congressional commit-
11 tees that contains a determination that the Govern-
12 ment of Syria—

13 (A) has ceased attacks against civilians
14 and civilian infrastructure as such, including at-
15 tacks against medical facilities and personnel,
16 and the indiscriminate use of weapons, includ-
17 ing through shelling and aerial bombardment,
18 as demanded in United Nations Security Coun-
19 cil Resolution 2254 (2015);

20 (B) is taking verifiable steps to release all
21 political prisoners and is providing full access to
22 Syrian prisons for investigations by appropriate
23 international human rights organizations;

24 (C) is taking verifiable steps to remove
25 from government positions senior officials of the

1 Government of Syria who are complicit in the
2 planning or commission of war crimes, crimes
3 against humanity, or human rights abuses, as
4 well as any government official subject to sanc-
5 tions under any provision of law;

6 (D) is organizing free and fair elections for
7 a new government to be held in a timely man-
8 ner and under the supervision of United Na-
9 tions observers, with all Syrians, including
10 members of the diaspora, eligible to participate,
11 as supported in United Nations Security Coun-
12 cil Resolution 2254 (2015);

13 (E) is making tangible progress toward es-
14 tablishing an independent judiciary;

15 (F) is demonstrating respect for and com-
16 pliance with internationally recognized human
17 rights and basic freedoms as specified in the
18 Universal Declaration of Human Rights;

19 (G) is taking steps to verifiably fulfill its
20 commitments under the Convention on the Pro-
21 hibition of the Development, Production, Stock-
22 piling and Use of Chemical Weapons and on
23 their Destruction and the Treaty on the Non-
24 Proliferation of Nuclear Weapons, is making
25 tangible progress toward becoming a signatory

1 to the Convention on the Prohibition of the De-
2 velopment, Production and Stockpiling of Bac-
3 teriological (Biological) and Toxin Weapons and
4 on their Destruction, and adhering to the Mis-
5 sile Technology Control Regime and other con-
6 trol lists, as necessary;

7 (H) has halted the development and de-
8 ployment of ballistic and cruise missiles;

9 (I) is taking verifiable steps to remove
10 from positions of authority within the military,
11 intelligence, and security services those individ-
12 uals who were in a position of authority or re-
13 sponsibility during the conflict, or who are in a
14 position of authority or responsibility during a
15 transition, who are determined to be responsible
16 for or complicit in the torture, extrajudicial kill-
17 ing, or execution of civilians, to include those
18 who were involved the planning or execution of
19 plans to use chemical weapons;

20 (J) is making verifiable progress in reform-
21 ing the Syrian military and security services so
22 as to minimize the Government of Syria's reli-
23 ance on Iran and Iranian proxy forces to act on
24 behalf or in support of Syria; and

1 (K) is in the process of organizing the safe
2 and voluntary return of Syrian refugees and in-
3 ternally displaced persons to their homes so
4 that Syrians may return without fear of ret-
5 ribution by the Government of Syria or associ-
6 ated forces.

7 (2) EFFECTIVE PERIOD.—A certification shall
8 be in effect under this subsection for a period of 90
9 days beginning on the date on which the President
10 submits the certification to the appropriate congress-
11 sional committees.

12 (3) RENEWAL OR REPORT.—Not later than 90
13 days after the date on which the President submits
14 to the appropriate congressional committees a cer-
15 tification under this subsection the President shall
16 submit to the appropriate congressional committees
17 either—

18 (A) a new certification under this sub-
19 section indicating that the conditions described
20 in paragraph (1) are continuing to be met; or

21 (B) a report that—

22 (i) describes why the President is un-
23 able to make a new certification under this
24 subsection; and

1 (ii) contains a certification that no
2 funds will be obligated or expended to pro-
3 vide assistance described in subsection (a)
4 in contravention of subsection (a).

5 (c) EXCEPTION.—

6 (1) IN GENERAL.—The limitation on assistance
7 under subsection (a) shall not apply with respect
8 to—

9 (A) assistance for projects to be adminis-
10 tered by local organizations that reflect the
11 aims, needs, and priorities of local communities
12 in Syria;

13 (B) assistance for projects to meet basic
14 human needs in Syria, including—

15 (i) drought relief;

16 (ii) assistance to refugees, internally
17 displaced persons, and conflict victims;

18 (iii) the distribution of food and medi-
19 cine; and

20 (iv) the provision of health services;
21 and

22 (C) assistance to carry out the activities
23 described in subsection (b)(1)(G).

24 (2) REPORT AND DETERMINATION.—The Presi-
25 dent shall submit to the appropriate congressional

1 committees a report and determination for each of
2 the fiscal years 2019 through 2023 on each project
3 with respect to which this subsection applies during
4 the preceding fiscal year, including—

5 (A) a description of the project;

6 (B) a description of how United States
7 funds with respect to the project were used;

8 (C) the geographic location or locations of
9 the project; and

10 (D) a determination with respect to wheth-
11 er the project benefited an official of the Assad
12 regime.

13 (3) SENSE OF CONGRESS.—It is the sense of
14 Congress that, to the greatest extent practicable, the
15 United States should not fund projects described in
16 this subsection with respect to which the Govern-
17 ment of Syria, any official of the Government of
18 Syria, and any immediate family member of an offi-
19 cial of the Government of Syria have a financial or
20 material interest or are affiliated with the imple-
21 menting partner of the project.

22 (d) DEFINITIONS.—In this section:

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

1 (A) the Committee on Foreign Affairs and
2 the Committee on Appropriations of the House
3 of Representatives; and

4 (B) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate.

7 (2) ASSOCIATED FORCES.—The term “associ-
8 ated forces” includes forces of the Government of
9 the Russian Federation, the Government of the Is-
10 lamic Republic of Iran, Iranian-backed proxy mili-
11 tias, and Hezbollah.

12 (3) DIRECTLY OR INDIRECTLY.—The term “di-
13 rectly or indirectly” includes assistance to multilat-
14 eral institutions and international governmental or-
15 ganizations, such as the United Nations and related
16 agencies, the International Monetary Fund, and the
17 World Bank.

18 **SEC. 5. REPORT ON DELIVERY OF UNITED STATES HUMANI-**
19 **TARIAN ASSISTANCE TO SYRIA.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of State
22 and the Administrator of the United States Agency for
23 International Development shall submit to the appropriate
24 congressional committees a report on delivery of United
25 States humanitarian assistance to Syria.

1 (b) MATTERS TO BE INCLUDED.—The report re-
2 quired by subsection (a) shall include the following:

3 (1) A description of the challenges of access to
4 areas of Syria controlled by the Government of Syria
5 or associated forces for purposes of providing United
6 States humanitarian assistance, including assistance
7 funded through multilateral institutions and inter-
8 national governmental organizations.

9 (2) A description of where such United States
10 humanitarian assistance has been able to be deliv-
11 ered in such areas.

12 (3) A description of where such United States
13 humanitarian assistance has been denied access in
14 such areas.

15 (4) A description of how the United States Gov-
16 ernment is working to improve access to such areas.

17 (5) A description of the roles and responsibil-
18 ities of United States allies and partners and other
19 countries in the region in ensuring access to such
20 areas.

21 (6) A description of how such United States hu-
22 manitarian assistance and implementing partners of
23 such assistance are monitored and evaluated.

24 (7) A description of the major challenges that
25 the United States faces in monitoring such United

1 States humanitarian assistance and how the United
2 States is working to overcome such challenges.

3 (8) A description of the strategy of the United
4 States to deliver humanitarian assistance to areas of
5 Syria controlled by the Government of Syria or asso-
6 ciated forces and in which the Government of Syria
7 or associated forces is impeding access to such
8 areas.

9 (c) DEFINITIONS.—In this section, the term “appro-
10 priate congressional committees” and “associated forces”
11 have the meanings given such terms in section 4(f).

Passed the House of Representatives April 24, 2018.

Attest:

KAREN L. HAAS,

Clerk.