

116TH CONGRESS  
1ST SESSION

# H. R. 1706

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2019

Mr. ENGEL (for himself, Mr. KINZINGER, Mr. McCAUL, and Mr. BRENDAN F. BOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on 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

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Assistance for  
5 Assad Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Seven years into the conflict in Syria, over  
2           11 million Syrians have been displaced from their  
3           homes and more than 470,000 have been killed.

4           (2) Since the conflict in Syria began, the  
5           United States has provided more than \$7.7 billion to  
6           meet humanitarian needs of the Syrian people, mak-  
7           ing the United States the world’s single largest  
8           donor to the Syrian humanitarian response.

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

11          (4) According to the 2018 Transparency Inter-  
12          national Corruption Index, Syria is among the most  
13          corrupt countries in the world.

14          (5) In August 2017, the Government of the  
15          People’s Republic of China hosted a trade fair in  
16          Syria, and a Chinese-Arab business group an-  
17          nounced a \$2 billion commitment from the Chinese  
18          Government to fund the construction of industrial  
19          parks in Syria.

20          (6) The Russian Federation’s Chamber of Com-  
21          merce and Industry stated that Russian businesses  
22          will have first “priority” in the allotment of recon-  
23          struction funds that Syria receives, and Russia  
24          signed a bilateral agreement with Syria giving Rus-

1       sia exclusive oil and gas rights in areas under Assad  
2       regime control.

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

4       It is the policy of the United States that United  
5 States foreign assistance made available for reconstruction  
6 or stabilization in Syria should be used only in a demo-  
7 cratic Syria or in areas of Syria not controlled by a gov-  
8 ernment led by Bashar al-Assad or associated forces.

9 **SEC. 4. LIMITATION ON ASSISTANCE FOR AREAS OF SYRIA**  
10                   **CONTROLLED BY THE GOVERNMENT OF**  
11                   **SYRIA OR ASSOCIATED FORCES.**

12       (a) LIMITATION.—

13           (1) IN GENERAL.—Except as provided in sub-  
14 section (c), for each of the fiscal years 2020 through  
15 2024, amounts authorized to be appropriated or oth-  
16 erwise made available for assistance described in  
17 paragraph (2) may not be provided, directly or indi-  
18 rectly, for any area of Syria controlled by the Gov-  
19 ernment of Syria or associated forces, as determined  
20 by the Secretary of State, unless a certification de-  
21 scribed in subsection (b) is in effect.

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

24           (A) Assistance to carry out stabilization  
25 activities for the relevant area.

1           (B) Assistance to carry out reconstruction  
2           activities for the relevant area.

3           (b) CERTIFICATION.—

4           (1) IN GENERAL.—A certification described in  
5           this subsection is a certification submitted by the  
6           President to the appropriate congressional commit-  
7           tees that contains a determination that the following  
8           criteria have been met:

9           (A) The air space over Syria is no longer  
10           being utilized by the Government of Syria or  
11           the Government of the Russian Federation to  
12           target civilian populations through the use of  
13           incendiary devices, including barrel bombs,  
14           chemical weapons, and conventional arms, in-  
15           cluding air-delivered missiles and explosives.

16           (B) Areas of Syria besieged by the forces  
17           of the Government of Syria, the Government of  
18           the Russian Federation, the Government of  
19           Iran, or associated forces are no longer cut off  
20           from international aid and have regular access  
21           to humanitarian assistance, freedom of travel,  
22           and medical care.

23           (C) The Government of Syria is releasing  
24           all political prisoners forcibly held within the  
25           prison system of the regime of Bashar al-Assad

1 and the Government of Syria is allowing full ac-  
2 cess to the same facilities for investigations by  
3 appropriate international human rights organi-  
4 zations.

5 (D) The forces of the Government of  
6 Syria, the Government of the Russian Federa-  
7 tion, the Government of Iran, and associated  
8 forces are no longer engaged in deliberate tar-  
9 geting of medical facilities, schools, residential  
10 areas, and community gathering places, includ-  
11 ing markets, in violation of international norms.

12 (E) The Government of Syria is—

13 (i) taking steps to verifiably fulfill its  
14 commitments under the Convention on the  
15 Prohibition of the Development, Produc-  
16 tion, Stockpiling and Use of Chemical  
17 Weapons and on their Destruction, done at  
18 Geneva September 3, 1992, and entered  
19 into force April 29, 1997 (commonly  
20 known as the “Chemical Weapons Conven-  
21 tion”), and the Treaty on the Non-Pro-  
22 liferation of Nuclear Weapons, done at  
23 Washington, London, and Moscow July 1,  
24 1968, and entered into force March 5,  
25 1970 (21 UST 483); and

1                   (ii) making tangible progress toward  
2                   becoming a signatory to the Convention on  
3                   the Prohibition of the Development, Pro-  
4                   duction and Stockpiling of Bacteriological  
5                   (Biological) and Toxin Weapons and on  
6                   their Destruction, done at Washington,  
7                   London, and Moscow April 10, 1972, and  
8                   entered into force March 26, 1975 (26  
9                   UST 583).

10                  (F) The Government of Syria is permitting  
11                  the safe, voluntary, and dignified return of Syr-  
12                  ians displaced by the conflict.

13                  (G) The Government of Syria is taking  
14                  verifiable steps to establish meaningful account-  
15                  ability for perpetrators of war crimes in Syria  
16                  and justice for victims of war crimes committed  
17                  by the Assad regime, including by participation  
18                  in a credible and independent truth and rec-  
19                  onciliation process.

20                  (H) The Government of Syria has halted  
21                  the development and deployment of ballistic and  
22                  cruise missiles.

23                  (2) EFFECTIVE PERIOD.—A certification shall  
24                  be in effect under this subsection for a period of 90  
25                  days beginning on the date on which the President

1 submits the certification to the appropriate congres-  
2 sional committees.

3 (3) RENEWAL OR REPORT.—Not later than 90  
4 days after the date on which the President submits  
5 to the appropriate congressional committees a cer-  
6 tification under this subsection the President shall  
7 submit to the appropriate congressional committees  
8 either—

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

12 (B) a report that—

13 (i) describes why the President is un-  
14 able to make a new certification under this  
15 subsection; and

16 (ii) contains a certification that no  
17 funds will be obligated or expended to pro-  
18 vide assistance described in subsection (a)  
19 in contravention of subsection (a).

20 (c) EXCEPTION.—

21 (1) IN GENERAL.—The limitation on assistance  
22 under subsection (a) shall not apply with respect  
23 to—

24 (A) assistance for projects to be adminis-  
25 tered by local organizations that reflect the

1 aims, needs, and priorities of local communities  
2 in Syria;

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

5 (i) drought relief;

6 (ii) assistance to refugees, internally  
7 displaced persons, and conflict victims;

8 (iii) the distribution of food and medi-  
9 cine; and

10 (iv) the provision of health services;

11 and

12 (C) assistance to carry out the activities  
13 described in subsection (b)(1)(E).

14 (2) REPORT AND DETERMINATION.—The Presi-  
15 dent shall submit to the appropriate congressional  
16 committees a report and determination for each of  
17 the fiscal years 2020 through 2024 on each project  
18 with respect to which this subsection applies during  
19 the preceding fiscal year, including—

20 (A) a description of the project;

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

23 (C) the geographic location or locations of  
24 the project; and

1 (D) a determination with respect to wheth-  
2 er the project benefitted an official of the Assad  
3 regime.

4 (3) SENSE OF CONGRESS.—It is the sense of  
5 Congress that, to the greatest extent practicable, the  
6 United States should not fund projects described in  
7 this subsection with respect to which the Govern-  
8 ment of Syria, any official of the Government of  
9 Syria, and any immediate family member of an offi-  
10 cial of the Government of Syria have a financial or  
11 material interest or are affiliated with the imple-  
12 menting partner of the project.

13 (d) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
15 TEES.—The term “appropriate congressional com-  
16 mittees” means—

17 (A) the Committee on Foreign Affairs and  
18 the Committee on Appropriations of the House  
19 of Representatives; and

20 (B) the Committee on Foreign Relations  
21 and the Committee on Appropriations of the  
22 Senate.

23 (2) ASSOCIATED FORCES.—The term “associ-  
24 ated forces” includes forces of the Government of

1 the Russian Federation, the Government of Iran,  
2 Iranian-backed proxy militias, and Hezbollah.

3 (3) DIRECTLY OR INDIRECTLY.—The term “di-  
4 rectly or indirectly” includes assistance to multilat-  
5 eral institutions and international governmental or-  
6 ganizations, such as the United Nations and related  
7 agencies, the International Monetary Fund, and the  
8 World Bank.

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

11 (a) IN GENERAL.—Not later than 180 days after the  
12 date of the enactment of this Act, the Secretary of State  
13 and the Administrator of the United States Agency for  
14 International Development shall submit to the appropriate  
15 congressional committees a report on delivery of United  
16 States humanitarian assistance to Syria.

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

19 (1) A description of the challenges of access to  
20 areas of Syria controlled by the Government of Syria  
21 or associated forces for purposes of providing United  
22 States humanitarian assistance, including assistance  
23 funded through multilateral institutions and inter-  
24 national governmental organizations.

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

4           (3) A description of where such United States  
5 humanitarian assistance has been denied access in  
6 such areas.

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

9           (5) A description of the roles and responsibil-  
10 ities of United States allies and partners and other  
11 countries in the region in ensuring access to such  
12 areas.

13           (6) A description of how such United States hu-  
14 manitarian assistance and implementing partners of  
15 such assistance are monitored and evaluated.

16           (7) A description of the major challenges that  
17 the United States faces in monitoring such United  
18 States humanitarian assistance and how the United  
19 States is working to overcome such challenges.

20           (8) A description of the strategy of the United  
21 States to deliver humanitarian assistance to areas of  
22 Syria controlled by the Government of Syria or asso-  
23 ciated forces and in which the Government of Syria  
24 or associated forces is impeding access to such  
25 areas.

1           (c) DEFINITIONS.—In this section, the term “appro-  
2   priate congressional committees” and “associated forces”  
3   have the meanings given such terms in section 4(d).

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