H. R. 31

To require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. Engel (for himself, Mr. McCaul, Mr. Deutch, Mr. Kinzinger, Mr. Cicilline, Mr. Yoho, Mr. Connolly, Mr. Fitzpatrick, Mr. Hastings, Mr. Wilson of South Carolina, Mr. Panetta, Mr. Hill of Arkansas, Mr. Brendan F. Boyle of Pennsylvania, Mr. Weber of Texas, Ms. Meng, Mr. Chabot, Mr. Kildee, Mrs. Wagner, Mr. Suozzi, Mrs. Brooks of Indiana, Mr. Moulton, Mr. Meadows, Mr. Ted Lieu of California, Mr. Rooney of Florida, Mr. Lipinski, Mr. Stivers, Mr. Carson of Indiana, Mr. Hurd of Texas, Mr. Schneider, Mr. Gallagher, Mr. Keating, Ms. Frankel, Mr. Langevin, Mr. Levin of California, Mr. Shires, Ms. Kelly of Illinois, and Ms. Eshoo) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, 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 require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Caesar Syria Civilian Protection Act of 2019”.

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

SEC. 101. MEASURES WITH RESPECT TO CENTRAL BANK OF SYRIA.

(a) Determination Regarding Central Bank of Syria.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall determine, under section 5318A of title 31, United States Code, whether reasonable grounds exist for concluding that the Central Bank of Syria is a financial institution of primary money laundering concern.

(b) Enhanced Due Diligence and Reporting Requirements.—If the Secretary of the Treasury determines under subsection (a) that reasonable grounds exist for concluding that the Central Bank of Syria is a financial institution of primary money laundering concern, the Secretary, in consultation with the Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), shall impose one or more of the special measures described in section 5318A(b) of
title 31, United States Code, with respect to the Central Bank of Syria.

(c) Report Required.—

(1) In general.—Not later than 90 days after making a determination under subsection (a) as to whether or not the Central Bank of Syria is a financial institution of primary money laundering concern, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that includes the reasons for the determination.

(2) Form.—A report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

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

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

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate.
SEC. 102. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date that is 180 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person, on or after such date of enactment, knowingly engages 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 provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with—

(i) the Government of Syria (including any entity owned or controlled by the Government of Syria) or a senior political figure of the Government of Syria;

(ii) a foreign person that is a military contractor, mercenary, or a paramilitary force knowingly operating in a military ca-
capacity inside Syria for or on behalf of the
Government of Syria, the Government of
the Russian Federation, or the Govern-
ment of Iran; or

(iii) a foreign person subject to sanc-
tions pursuant to the International Emer-
1701 et seq.) with respect to Syria or any
other provision of law that imposes sanc-
tions with respect to Syria;

(B) knowingly sells or provides significant
goods, services, technology, information, or
other support that significantly facilitates the
maintenance or expansion of the Government of
Syria’s domestic production of natural gas, pet-
troleum, or petroleum products;

(C) knowingly sells or provides aircraft or
spare aircraft parts that are used for military
purposes in Syria for or on behalf of the Gov-
ernment of Syria to any foreign person oper-
ating in an area directly or indirectly controlled
by the Government of Syria or foreign forces
associated with the Government of Syria;

(D) knowingly provides significant goods
or services associated with the operation of air-

craft that are used for military purposes in
Syria for or on behalf of the Government of
Syria to any foreign person operating in an
area described in subparagraph (C); or

(E) knowingly, directly or indirectly, pro-
vides significant construction or engineering
services to the Government of Syria.

(3) SENSE OF CONGRESS.—It is the sense of
Congress that, in implementing this section, the
President should consider financial support under
paragraph (2)(A) to include the provision of loans,
credits, or export credits.

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions to be imposed
with respect to a foreign person subject to sub-
section (a) are the following:

(A) BLOCKING OF PROPERTY.—The Presi-
dent shall exercise all of the powers granted to
the President under the International Emer-
seq.) to the extent necessary to block and pro-
hibit all transactions in property and interests
in property of the foreign person if such prop-
erty 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.

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

(i) 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, has knowingly engaged in any activity described in subsection (a)(2) 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.).

(ii) Current visas revoked.—

(I) In general.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland
Security (or a designee of one of such
Secretaries) shall, in accordance with
section 221(i) of the Immigration and
Nationality Act (8 U.S.C. 1201(i)),
revoke any visa or other entry docu-
mentation issued to an alien described
in clause (i) regardless of when the
visa or other entry documentation is
issued.

(II) Effect of Revocation.—

A revocation under subclause (I)—

(aa) shall take effect imme-
diately; and

(bb) shall automatically can-
cel any other valid visa or entry
documentation that is in the
alien’s possession.

(2) Penalties.—The penalties provided for in
subsections (b) and (c) of section 206 of the Inter-
national Emergency Economic Powers Act (50
U.S.C. 1705) shall apply to a person that violates,
attempts to violate, conspires to violate, or causes a
violation of regulations promulgated under section
303(b) to carry out paragraph (1)(A) to the same
extent that such penalties apply to a person that
commits an unlawful act described in section 206(a)
of that Act.

(3) Exception to comply with United Na-
tions headquarters agreement.—Sanctions
under paragraph (1)(B) shall not apply with respect
to an alien if admitting or paroling 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 No-
vember 21, 1947, between the United Nations and
the United States, or other applicable international
obligations.

TITLE II—ASSISTANCE FOR THE
PEOPLE OF SYRIA

SEC. 201. CODIFICATION OF CERTAIN SERVICES IN SUP-
PORT OF NONGOVERNMENTAL ORGANIZA-
TIONS’ ACTIVITIES AUTHORIZED.

(a) In General.—Except as provided in subsection
(b), section 542.516 of title 31, Code of Federal Regu-
lations (relating to certain services in support of nongovern-
mental organizations’ activities authorized), as in effect on
the day before the date of the enactment of this Act,
shall—
(1) remain in effect on and after such date of enactment; and

(2) 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, 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 organization on the day before such date of enactment.

(b) EXCEPTION.—

(1) IN GENERAL.—Section 542.516 of title 31, Code of Federal Regulations, as codified under subsection (a), shall not apply with respect to a foreign person that has been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), or otherwise designated as a terrorist organization, by the Secretary of State, in consultation with or upon the request of the Attorney General or the Secretary of Homeland Security.

(2) EFFECTIVE DATE.—Paragraph (1) shall apply with respect to a foreign person on and after the date on which the designation of that person as
a terrorist organization is published in the Federal Register.

SEC. 202. BRIEFING ON STRATEGY TO FACILITATE HUMANITARIAN ASSISTANCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall brief the appropriate congressional committees on the strategy of the President to help facilitate the ability of humanitarian organizations to access financial services to help facilitate the safe and timely delivery of assistance to communities in need in Syria.

(b) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the strategy required by subsection (a), the President shall consider credible data already obtained by other countries and nongovernmental organizations, including organizations operating in Syria.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives; and
(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate.

**TITLE III—GENERAL PROVISIONS**

**SEC. 301. SUSPENSION OF SANCTIONS.**

(a) In General.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this Act for periods not to exceed 180 days if the President determines that the following criteria have been met in Syria:

1. The air space over Syria is no longer being utilized by the Government of Syria or the Government of the Russian Federation to target civilian populations through the use of incendiary devices, including barrel bombs, chemical weapons, and conventional arms, including air-delivered missiles and explosives.

2. Areas besieged by the Government of Syria, the Government of the Russian Federation, the Government of Iran, or a foreign person described in section 102(a)(2)(A)(ii) are no longer cut off from international aid and have regular access to humani-
tarian assistance, freedom of travel, and medical care.

(3) The Government of Syria is releasing all political prisoners forcibly held within the prison system of the regime of Bashar al-Assad and the Government of Syria is releasing full access to the same facilities for investigations by appropriate international human rights organizations.

(4) The forces of the Government of Syria, the Government of the Russian Federation, the Government of Iran, and any foreign person described in section 102(a)(2)(A)(ii) are no longer engaged in deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets, in violation of international norms.

(5) The Government of Syria is—

(A) taking steps to verifiably fulfill its commitments under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997 (commonly known as the “Chemical Weapons Convention”), and the Treaty on the Non-Proliferation of Nuclear Weapons, done at Wash-
ingston, London, and Moscow July 1, 1968, and
entered into force March 5, 1970 (21 UST 483); and

(B) making tangible progress toward be-
coming a signatory to the Convention on the
Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and
Toxin Weapons and on their Destruction, done
at Washington, London, and Moscow April 10,
1972, and entered into force March 26, 1975
(26 UST 583).

(6) The Government of Syria is permitting the
safe, voluntary, and dignified return of Syrians dis-
placed by the conflict.

(7) The Government of Syria is taking
verifiable steps to establish meaningful account-
ability for perpetrators of war crimes in Syria and
justice for victims of war crimes committed by the
Assad regime, including by participation in a cred-
ible and independent truth and reconciliation proc-
есс.

(b) BRIEFING REQUIRED.—Not later than 30 days
after the President makes a determination described in
subsection (a), the President shall provide a briefing to
the appropriate congressional committees on the deter-
mination and the suspension of sanctions pursuant to the
determination.

(c) Reimposition of Sanctions.—Any sanctions
suspended under subsection (a) shall be reimposed if the
President determines that the criteria described in that
subsection are no longer being met.

(d) Rule of Construction.—Nothing in this sec-
tion shall be construed to limit the authority of the Presi-
dent to terminate the application of sanctions under sec-
tion 102 with respect to a person that no longer engages
in activities described in subsection (a)(2) of that section.

(e) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congres-
sional committees” means—

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

(2) the Committee on Foreign Relations, the
Committee on Banking, Housing, and Urban Af-
fairs, the Committee on the Judiciary, and the Com-
mittee on Appropriations of the Senate.
SEC. 302. 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 law enforcement, national security, or intelligence activities of the United States.

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

(A) 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;

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

(C) any other international agreement to which the United States is a party.

(b) WAIVER.—

(1) IN GENERAL.—The President may, for periods not to exceed 180 days, waive the application of any provision of this Act with respect to a foreign person if the President certifies to the appropriate
congressional committees that such a waiver is in
the national security interests of the United States.

(2) **Briefing.**—Not later than 90 days after
the issuance of a waiver under paragraph (1), and
every 180 days thereafter while the waiver remains
in effect, the President shall brief the appropriate
congressional committees on the reasons for the
waiver.

(e) **Humanitarian Waiver.**—

(1) **In general.**—The President may waive,
for renewable periods not to exceed 2 years, the ap-
lication of any provision of this Act with respect to
a nongovernmental organization providing humani-
tarian assistance not covered by the authorization
described in section 201 if the President certifies to
the appropriate congressional committees that such
a waiver is important to address a humanitarian
need and is consistent with the national security in-
terests of the United States.

(2) **Briefing.**—Not later than 90 days after
the issuance of a waiver under paragraph (1), and
every 180 days thereafter while the waiver remains
in effect, the President shall brief the appropriate
congressional committees on the reasons for the
waiver.
(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—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, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives; and

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

SEC. 303. IMPLEMENTATION AND REGULATORY AUTHORITIES.

(a) IMPLEMENTATION AUTHORITY.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this Act.

(b) REGULATORY AUTHORITY.—The President shall, not later than 180 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act.
SEC. 304. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law.

SEC. 305. SUNSET.

This Act shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.