

112TH CONGRESS
1ST SESSION

H. R. 2106

To strengthen sanctions against the Government of Syria, to enhance multilateral commitment to address the Government of Syria's threatening policies, to establish a program to support a transition to a democratically elected government in Syria, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2011

Ms. ROS-LEHTINEN (for herself and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, Financial Services, and Oversight and Government Reform, 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 strengthen sanctions against the Government of Syria, to enhance multilateral commitment to address the Government of Syria's threatening policies, to establish a program to support a transition to a democratically elected government in Syria, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Syria Freedom Support Act”.

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

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—STRENGTHENING UNITED STATES SANCTIONS AGAINST
 SYRIA

- Sec. 101. Findings.
 Sec. 102. Declarations of policy.
 Sec. 103. Codification of existing sanctions and continuation of restrictions
 against the Government of Syria.
 Sec. 104. Mandatory sanctions with respect to development of weapons of mass
 destruction or other military capabilities.
 Sec. 105. Amendment to the Syria Accountability and Lebanese Sovereignty
 Restoration Act of 2003.

TITLE II—SANCTIONS TARGETING SYRIA'S ENERGY SECTOR

- Sec. 201. Findings.
 Sec. 202. Sense of Congress.
 Sec. 203. Declaration of policy.
 Sec. 204. Multilateral regime.
 Sec. 205. Imposition of sanctions.
 Sec. 206. Description of sanctions.
 Sec. 207. Advisory opinions.
 Sec. 208. Termination of sanctions.
 Sec. 209. Duration of sanctions.
 Sec. 210. Reports required.
 Sec. 211. Determinations not reviewable.
 Sec. 212. Exclusion of certain activities.
 Sec. 213. Effective date.

TITLE III—SYRIA NUCLEAR WEAPONS PREVENTION

- Sec. 301. Findings.
 Sec. 302. Actions within the International Atomic Energy Agency.
 Sec. 303. Restrictions on nuclear cooperation with countries assisting the nu-
 clear program of Syria.
 Sec. 304. Exclusion from the United States of senior officials of foreign persons
 who have aided the nuclear program of Syria.

TITLE IV—DIPLOMATIC EFFORTS TO ISOLATE THE
 GOVERNMENT OF SYRIA

- Sec. 401. Sense of Congress relating to bilateral efforts.
 Sec. 402. Opposition to Syria's membership and candidacy for leadership posts
 in United Nations institutions.
 Sec. 403. Report on assistance to, and commerce with, Syria.

TITLE V—ASSISTANCE TO SUPPORT DEMOCRACY IN SYRIA

- Sec. 501. Declarations of policy.
 Sec. 502. Assistance to support a transition to democracy in Syria.
 Sec. 503. Condemnation of Syrian human rights abuses.

Sec. 504. Imposition of sanctions on certain persons responsible for or complicit in human rights abuses committed against citizens of Syria or their family members.

Sec. 505. Imposition of sanctions with respect to the transfer of goods or technologies to Syria that may be used to commit human rights abuses.

Sec. 506. Comprehensive strategy to promote internet freedom and access to information in Syria.

TITLE VI—GENERAL PROVISIONS

Sec. 601. Denial of visas for Government of Syria.

Sec. 602. Sunset.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ACT OF INTERNATIONAL TERRORISM.**—The
4 term “act of international terrorism” means an
5 act—

6 (A) which is violent or dangerous to
7 human life and that is a violation of the crimi-
8 nal laws of the United States or of any State
9 or that would be a criminal violation if com-
10 mitted within the jurisdiction of the United
11 States or any State; and

12 (B) which appears to be intended—

13 (i) to intimidate or coerce a civilian
14 population;

15 (ii) to influence the policy of a govern-
16 ment by intimidation or coercion; or

17 (iii) to affect the conduct of a govern-
18 ment by assassination or kidnapping.

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate Congressional com-
3 mittees” means the Committee on Foreign Affairs
4 and the Committee on Appropriations of the House
5 of Representatives; and the Committee on Foreign
6 Relations and the Committee on Appropriations of
7 the Senate.

8 (3) COMPONENT PART.—The term “component
9 part” has the meaning given that term in section
10 11A(e)(1) of the Export Administration Act of 1979
11 (50 U.S.C. App. 2410a(e)(1)).

12 (4) DEVELOP AND DEVELOPMENT.—To “de-
13 velop”, or the “development” of, petroleum resources
14 means the exploration for, or the extraction, refin-
15 ing, or transportation by pipeline of, petroleum re-
16 sources.

17 (5) FINANCIAL INSTITUTION.—The term “fi-
18 nancial institution” includes—

19 (A) a depository institution (as defined in
20 section 3(e)(1) of the Federal Deposit Insur-
21 ance Act), including a branch or agency of a
22 foreign bank (as defined in section 1(b)(7) of
23 the International Banking Act of 1978);

24 (B) a credit union;

1 (C) a securities firm, including a broker or
2 dealer;

3 (D) an insurance company, including an
4 agency or underwriter;

5 (E) any other company that provides fi-
6 nancial services including, but not limited to
7 joint ventures, partnerships or investments with
8 Syrian government-controlled entities or affili-
9 ated entities.

10 (6) FINISHED PRODUCT.—The term “finished
11 product” has the meaning given that term in section
12 11A(e)(2) of the Export Administration Act of 1979
13 (50 U.S.C. App. 2410a(e)(2)) and includes any Syr-
14 ian-origin petroleum or petroleum product.

15 (7) FOREIGN PERSON.—The term “foreign per-
16 son” means—

17 (A) an individual who is not a United
18 States person or an alien lawfully admitted for
19 permanent residence into the United States; or

20 (B) a corporation, partnership, joint ven-
21 ture, cooperative ventures or other nongovern-
22 mental entity which is not a United States per-
23 son.

24 (8) GOODS AND TECHNOLOGY.—The terms
25 “goods” and “technology” have the meanings given

1 those terms in section 16 of the Export Administra-
2 tion Act of 1979 (50 U.S.C. App. 2415).

3 (9) INVESTMENT.—The term “investment”
4 means any of the following activities if such activity
5 is undertaken pursuant to an agreement, or pursu-
6 ant to the exercise of rights under such an agree-
7 ment, that is entered into with the Government of
8 Syria or a nongovernmental entity in Syria on or
9 after the date of the enactment of this Act:

10 (A) The entry into a contract that includes
11 responsibility for the development of petroleum
12 resources located in Syria, or the entry into a
13 contract providing for the general supervision
14 and guarantee of another person’s performance
15 of such a contract.

16 (B) The purchase of a share of ownership,
17 including an equity interest, in that develop-
18 ment.

19 (C) The entry into a contract providing for
20 the participation in royalties, earnings, or prof-
21 its in that development, without regard to the
22 form of the participation.

23 The term “investment” does not include the entry
24 into, performance, or financing of a contract to sell
25 or purchase goods, services, or technology. For pur-

1 poses of this paragraph, an amendment or other
2 modification that is made, on or after the date of en-
3 actment of this Act, to an agreement or contract
4 shall be treated as the entry of an agreement or con-
5 tract.

6 (10) SYRIA.—The term “Syria” includes any
7 agency or instrumentality of Syria, including any
8 Syrian-linked or Syrian-controlled entity.

9 (11) SYRIAN DIPLOMATS AND REPRESENTA-
10 TIVES OF OTHER GOVERNMENT AND MILITARY OR
11 QUASI-GOVERNMENTAL INSTITUTIONS OF SYRIA.—
12 The term “Syrian diplomats and representatives of
13 other government and military or quasi-govern-
14 mental institutions of Syria” includes employees,
15 representatives, affiliates, agents, instrumentalities,
16 or persons of the Government of Syria.

17 (12) KNOWINGLY.—The term “knowingly”,
18 with respect to conduct, a circumstance, or a result,
19 means that a person has actual knowledge, or should
20 have known, of the conduct, the circumstance, or the
21 result.

22 (13) NUCLEAR EXPLOSIVE DEVICE.—The term
23 “nuclear explosive device” means any device, wheth-
24 er assembled or disassembled, that is designed to
25 produce an instantaneous release of an amount of

1 nuclear energy from special nuclear material (as de-
2 fined in section 11(aa) of the Atomic Energy Act of
3 1954) that is greater than the amount of energy
4 that would be released from the detonation of one
5 pound of trinitrotoluene (TNT).

6 (14) PERSON.—The term “person” means—

7 (A) a natural person;

8 (B) a corporation, business association,
9 partnership, society, trust, financial institution,
10 insurer, underwriter, guarantor, and any other
11 business organization, any other nongovern-
12 mental entity, organization, or group, and any
13 governmental entity operating as a business en-
14 terprise, a sole proprietorship, organization, as-
15 sociation, corporation, partnership, limited li-
16 ability company, venture, joint venture, or other
17 entity, its subsidiary, or affiliate;

18 (C) a company owned or controlled, either
19 directly or indirectly, by the government of a
20 foreign country, that is established or organized
21 under the laws of, or has its principal place of
22 business in, such foreign country and includes
23 United States subsidiaries of the same;

24 (D) any individual or entity that directly
25 or indirectly controls, is controlled by, or is

1 under common control with, the company, in-
2 cluding without limitation direct and indirect
3 subsidiaries of a company; and

4 (E) any successor to any entity described
5 in subparagraph (B).

6 The term “person” does not include a government
7 or governmental entity that is not operating as a
8 business enterprise.

9 (15) PETROLEUM RESOURCES.—The term “pe-
10 troleum resources” includes petroleum and natural
11 gas resources petroleum, refined petroleum products,
12 oil or liquefied natural gas, natural gas resources, oil
13 or liquefied natural gas tankers, and products used
14 to construct or maintain pipelines used to transport
15 oil or liquefied natural gas.

16 (16) REFINED PETROLEUM PRODUCTS.—The
17 term “refined petroleum products” means diesel,
18 gasoline, jet fuel (including naphtha-type and ker-
19 osene-type jet fuel), and aviation gasoline.

20 (17) UNITED STATES OR STATE.—The term
21 “United States” or “State” means the several
22 States, the District of Columbia, the Commonwealth
23 of Puerto Rico, the Commonwealth of the Northern
24 Mariana Islands, American Samoa, Guam, the

1 United States Virgin Islands, and any other terri-
2 tory or possession of the United States.

3 (18) UNITED STATES PERSON.—The term
4 “United States person” means—

5 (A) a natural person who is a citizen of the
6 United States or who owes permanent alle-
7 giance to the United States; and

8 (B) a corporation or other legal entity
9 which is organized under the laws of the United
10 States, any State or territory thereof, or the
11 District of Columbia, if natural persons de-
12 scribed in subparagraph (A) own, directly or in-
13 directly, more than 50 percent of the out-
14 standing capital stock or other beneficial inter-
15 est in such legal entity.

16 (19) UNITED STATES ASSISTANCE.—The term
17 “United States assistance” means—

18 (A) any assistance under the Foreign As-
19 sistance Act of 1961 (22 U.S.C. 2151 et seq.),
20 other than urgent humanitarian assistance or
21 medicine;

22 (B) sales and assistance under the Arms
23 Export Control Act (22 U.S.C. 2751 et seq.);

1 (C) financing by the Commodity Credit
2 Corporation for export sales of agricultural
3 commodities; or

4 (D) financing under the Export-Import
5 Bank Act of 1945 (12 U.S.C. 635 et seq.).

6 (20) ADMITTED; ALIEN.—The terms “admit-
7 ted” and “alien” have the meanings given those
8 terms in section 101(a) of the Immigration and Na-
9 tionality Act (8 U.S.C. 1101(a)).

10 **TITLE I—STRENGTHENING**
11 **UNITED STATES SANCTIONS**
12 **AGAINST SYRIA**

13 **SEC. 101. FINDINGS.**

14 Congress makes the following findings:

15 (1) On April 29, 2011, the President trans-
16 mitted to Congress a message continuing the na-
17 tional emergency with respect to Syria, stating that
18 “[the Government of Syria’s] actions and policies,
19 including continuing support for terrorist organiza-
20 tions, damaging the Lebanese government’s ability
21 to function, and pursuit of weapons of mass destruc-
22 tion and missile programs, continue to pose an un-
23 usual and extraordinary threat to the national secu-
24 rity, foreign policy, and economy of the United
25 States.”.

1 (2) United Nations Security Council Resolution
2 1373 (2001) mandates that all states “refrain from
3 providing any form of support, active or passive, to
4 entities or persons involved in terrorist acts”, take
5 “the necessary steps to prevent the commission of
6 terrorist acts”, and “deny safe haven to those who
7 finance, plan, support, or commit terrorist acts”.

8 (3) The Government of Syria is currently pro-
9 hibited by United States law from receiving United
10 States assistance because it has repeatedly provided
11 support for acts of international terrorism, as deter-
12 mined by the Secretary of State for purposes of sec-
13 tion 6(j)(1) of the Export Administration Act of
14 1979 (50 U.S.C. App. 2405(j)(1)) and other rel-
15 evant provisions of law.

16 (4) The Department of State’s “Country Re-
17 ports on Terrorism” for 2009 state that “Syria
18 continue[s] to provide safe-haven as well as political
19 and other support to a number of designated Pales-
20 tinian terrorist groups, including HAMAS, Pales-
21 tinian Islamic Jihad (PIJ), and the Popular Front
22 for the Liberation of Palestine-General Command
23 (PFLP–GC) . . . The operational leadership of
24 many of these groups is headquartered or sheltered
25 in Damascus . . . Syria allows terrorist groups resi-

1 dent in its territory to receive and ship goods, in-
2 cluding weapons, in and out of the country. Addi-
3 tionally, the Syrian government provided diplomatic,
4 political and material support to Hizballah in Leb-
5 anon and allowed Iran to supply this organization
6 with weapons. Weapons flow from Iran through
7 Syria, and directly from Syria, to Hizballah despite
8 UN Security Council resolution 1701 of 2006, which
9 imposes an arms embargo on Lebanon except with
10 the consent of the Lebanese government . . . Syria
11 has maintained its ties with its strategic ally, and
12 fellow state sponsor of terrorism, Iran.”.

13 (5) The Department of State’s “Country Re-
14 ports on Terrorism” for 2009 state that “The exist-
15 ence of foreign fighter facilitation networks in Syria
16 [for entry into Iraq] . . . remains troubling . . .
17 Syria has long provided sanctuary and political sup-
18 port for certain former Iraqi regime elements (FRE)
19 . . . In 2008, the United States designated several
20 Iraqis and Iraqi-owned entities residing in Syria
21 under Executive Order 13438 for providing finan-
22 cial, material, and technical support for acts of vio-
23 lence that threatened the peace and stability of Iraq
24 . . . Additionally, the United States designated one
25 Syria-based individual in 2007 under E.O. 13224 for

1 providing financial and material support to AQI and
2 six others under E.O. 13315 as FRE or family
3 members of FRE, some of whom had provided fi-
4 nancial assistance to the Iraqi insurgency.”.

5 (6) According to the “Message and Notice from
6 the President on the Continuation of the National
7 Emergency with Respect to Syria” dated April 29,
8 2011, the Government of Syria is “damaging the
9 Lebanese government’s ability to function”.

10 (7) According to the Office of the Director of
11 National Intelligence’s “Unclassified Report to Con-
12 gress on the Acquisition of Technology Relating to
13 Weapons of Mass Destruction and Advanced Con-
14 ventional Munitions” for the year 2010, “Syria . . .
15 was engaged for more than a decade in a covert nu-
16 clear program with North Korean assistance. The
17 program involved construction of a nuclear reactor
18 at Al Kibar without informing the IAEA and while
19 taking measures to preserve the site’s secrecy. We
20 assess the reactor would have been capable of pro-
21 ducing plutonium for nuclear weapons. The reactor
22 was destroyed in September 2007, before it became
23 operational, and Syria went to great lengths to try
24 to eradicate evidence of its existence and remains
25 generally uncooperative with the IAEA investigation.

1 The covert nature of the program, the characteris-
2 tics of the reactor, and Syria’s extreme efforts to
3 deny and destroy evidence of the reactor after its de-
4 struction are inconsistent with peaceful nuclear ap-
5 plications.”.

6 (8) According to the Office of the Director of
7 National Intelligence’s “Unclassified Report to Con-
8 gress on the Acquisition of Technology Relating to
9 Weapons of Mass Destruction and Advanced Con-
10 ventional Munitions” for the year 2010, “Syria pos-
11 sesses one of the largest ballistic missile forces in
12 the Middle East, including liquid-propellant Scud
13 SRBMs and Scud-class variants such as Scud C and
14 D. Syria also fields the SS–21 solid-propellant
15 SRBM. Syria remains dependent on foreign sup-
16 pliers such as North Korea and Iran for some bal-
17 listic missile technology; however, Syria has growing
18 domestic capabilities and poses the risk of missile
19 proliferation.”.

20 (9) According to the Office of the Director of
21 National Intelligence’s “Unclassified Report to Con-
22 gress on the Acquisition of Technology Relating to
23 Weapons of Mass Destruction and Advanced Con-
24 ventional Munitions” for the year 2010, “Syria
25 continue[s] to seek dual-use technology from foreign

1 sources . . . Syria has had a [chemical weapons]
2 program for many years and has a stockpile of
3 [chemical weapons] agents, which can be delivered
4 by aerial bombs, ballistic missiles, and artillery rock-
5 ets . . . Syria’s biotechnical infrastructure is capa-
6 ble of supporting [biological weapons] agent develop-
7 ment.”.

8 (10) Under the Treaty on the NonProliferation
9 of Nuclear Weapons (21 U.S.T. 483), which entered
10 force on March 5, 1970, and to which Syria is a
11 party, Syria has undertaken not to acquire or
12 produce nuclear weapons and has accepted full scope
13 safeguards of the International Atomic Energy
14 Agency to detect diversions of nuclear materials
15 from peaceful activities to the production of nuclear
16 weapons or other nuclear explosive devices.

17 (11) Syria is not a party to the Chemical Weap-
18 ons Convention or the Biological Weapons Conven-
19 tion, which entered into force on April 29, 1997, and
20 on March 26, 1975, respectively.

21 (12) According to the Department of State’s
22 2010 Country Reports on Human Rights Practices,
23 “[Syria is] under the authoritarian regime of Presi-
24 dent Bashar al-Asad . . . [In 2010, t]he government
25 systematically repressed citizens’ ability to change

1 their government. The security forces committed ar-
2 bitrary or unlawful killings, caused politically moti-
3 vated disappearances, and tortured and physically
4 abused prisoners and detainees with impunity. Secu-
5 rity forces arrested and detained individuals under
6 poor conditions without due process. Lengthy pre-
7 trial and incommunicado detention remained a seri-
8 ous problem. The judiciary was not independent.
9 There were political prisoners and detainees, and
10 during the year the government sentenced to prison
11 several high-profile members of the human rights
12 and civil society communities. The government vio-
13 lated citizens' privacy rights. The government im-
14 posed severe restrictions on civil liberties: freedoms
15 of speech and press, including Internet and aca-
16 demic freedom; freedoms of assembly and of associa-
17 tion, including severe restrictions on nongovern-
18 mental organizations (NGOs); and freedoms of reli-
19 gion and movement. An atmosphere of corruption
20 pervaded the government. Violence and societal dis-
21 crimination against women continued, as did sexual
22 exploitation, increasingly of Iraqi refugees, including
23 minors. The government discriminated against mi-
24 norities, particularly Kurds, and severely restricted
25 workers rights.”.

1 (13) Since March of 2011, the Government of
2 Syria has expanded its repression and human rights
3 violations, killing hundreds of Syrians and reportedly
4 detaining or imprisoning many others.

5 (14) In May of 2011, the European Union im-
6 posed sanctions on a number of Syrian officials, in-
7 cluding the President of Syria, and other Syrian per-
8 sons for their role in human rights abuses.

9 (15) The Government of Syria remains depend-
10 ent on Syria's energy sector for revenue, even as
11 Syria's petroleum production has largely declined in
12 recent years due to diminishing reserves and limited
13 refining capacity.

14 (16) The Government of Syria's ability to gen-
15 erate additional revenue for its threatening activi-
16 ties, via expanding Syria's refining capacity and sig-
17 nificantly increasing petroleum production and ex-
18 ports, is heavily dependent on obtaining increased
19 foreign investment in Syria's energy sector.

20 **SEC. 102. DECLARATIONS OF POLICY.**

21 Congress makes the following declarations of policy:

22 (1) The actions of the Government of the Syria,
23 including its support for, and facilitation of, terrorist
24 activities, including inside of Iraq, its development of
25 long-range missiles and weapons of mass destruction

1 programs and capabilities, its continued interference
2 with the internal affairs of the Lebanese Republic in
3 violation of multiple United Nations Security Coun-
4 cil resolutions and of its international obligations,
5 and its massive, systematic, and extraordinary viola-
6 tions of human rights of the Syrian people, are a
7 threat to the national security of the United States
8 and international peace.

9 (2) The policy of the United States shall be to
10 deny the Government of Syria the ability to carry
11 out the following:

12 (A) To finance, provide safe-haven, or oth-
13 erwise support terrorist organizations.

14 (B) To develop chemical, biological, radio-
15 logical, or nuclear weapons and long-range bal-
16 listic missiles.

17 (C) To continue to interfere in the affairs
18 of the Government of Lebanon in contravention
19 of multiple United Nations Security Council
20 resolutions and other pertinent obligations.

21 (D) To continue to oppress the people of
22 Syria.

23 (3) The President should advocate for, and
24 should instruct the United States Permanent Rep-
25 resentative to the United Nations to propose and

1 seek within the United Nations Security Council, a
2 mandatory international embargo against the Gov-
3 ernment of Syria, pursuant to Article 41 of the
4 Charter of the United Nations.

5 (4) Any effort by a country that is a recipient
6 of United States assistance to facilitate, directly or
7 indirectly, the development of Syria's chemical, bio-
8 logical, radiological, or nuclear weapons capabilities,
9 long-range ballistic missile development programs, or
10 to help make operational any nuclear facility in
11 Syria will have a detrimental impact on United
12 States assistance to, or commercial and financial re-
13 lations with, such country.

14 **SEC. 103. CODIFICATION OF EXISTING SANCTIONS AND**
15 **CONTINUATION OF RESTRICTIONS AGAINST**
16 **THE GOVERNMENT OF SYRIA.**

17 (a) RESTRICTIONS RELATING TO CERTAIN PROVI-
18 SIONS OF LAW.—Restrictions against the Government of
19 Syria, and on persons by reason of their direction of, or
20 contribution to, activities of the Government of Syria, that
21 were imposed pursuant to the Code of Federal Regula-
22 tions, sections 4 and 5 of Executive Order 12938, sections
23 1, 2, and 3 of Executive Order 13338, section 1 of Execu-
24 tive Order 13399, sections 1 and 2 of Executive Order
25 13460, Executive Order 13572, Executive Order 13573,

1 section 311 of the USA PATRIOT Act (Public Law 107–
2 56, 115 Stat. 272), the Export Administration Act of
3 1979 (Public Law 96–72, 50 U.S.C. App. 2401 et seq.),
4 the Syria Accountability and Lebanese Sovereignty Res-
5 toration Act of 2003 (Public Law 108–175, 22 U.S.C.
6 2151 note), the Iran, North Korea, and Syria Non-
7 proliferation Act (Public Law 106–178, 50 U.S.C. 1701
8 note), or any similar provision of law, as in effect on the
9 date of the enactment of this Act, shall remain in effect
10 and may not be lifted pursuant to such provisions of law
11 until the President certifies to the appropriate congres-
12 sional committees that the Government of Syria—

13 (1) has ceased all support for terrorism, includ-
14 ing by meeting the requirements of paragraphs (2),
15 (3), and (4) of subsection (b), and has not provided
16 such support during the preceding 5-year period and
17 has not been determined by the Secretary of State,
18 for the purposes of section 6(j) of the Export Ad-
19 ministration Act of 1979, section 620A of the For-
20 eign Assistance Act of 1961, section 40 of the Arms
21 Export Control Act, or any other provision of law,
22 to be a government that has repeatedly provided
23 support for acts of international terrorism at any
24 time during such 5-year period;

1 (2)(A) has permanently dismantled Syria’s
2 chemical, biological, radiological, and nuclear weap-
3 ons programs;

4 (B) has ceased all efforts to design, develop,
5 manufacture, or acquire—

6 (i) a nuclear explosive device or related
7 materials and technology;

8 (ii) chemical, biological, and radiological
9 weapons; and

10 (iii) ballistic missiles and ballistic missile
11 launch technology; and

12 (C) has taken demonstrable steps to combat the
13 proliferation of such weapons;

14 (3) does not pose a threat to United States na-
15 tional security, United States interests, and United
16 States allies in the region;

17 (4) respects the boundaries, sovereignty, and
18 right to exist of all neighboring countries;

19 (5) upholds and defends the human rights and
20 civil liberties of its people;

21 (6) has legalized all political activity;

22 (7) has made public commitments to organizing
23 free and fair elections for a new government—

24 (A) to be held within a period not to ex-
25 ceed 180 days after the date on which the

1 President makes the determination and certifi-
2 cation to the appropriate congressional commit-
3 tees under this subsection;

4 (B) with the participation of multiple inde-
5 pendent political parties that have full access to
6 the media on an equal basis, including (in the
7 case of radio, television, or other telecommuni-
8 cations media) in terms of allotments of time
9 for such access and the times of day such allot-
10 ments are given; and

11 (C) to be conducted under the supervision
12 of internationally recognized observers; and

13 (8) made public commitments to and is making
14 demonstrable progress in—

15 (A) establishing an independent judiciary;
16 and

17 (B) respecting internationally recognized
18 human rights and basic freedoms as recognized
19 in the Universal Declaration of Human Rights.

20 (b) RESTRICTIONS RELATING TO STATE SPONSOR OF
21 TERRORISM DETERMINATION.—Restrictions against the
22 Government of Syria that were imposed by reason of a
23 determination by the Secretary of State that the Govern-
24 ment of Syria, for purposes of section 6(j) of the Export
25 Administration Act of 1979 (as continued in effect pursu-

1 ant to the International Emergency Economic Powers
2 Act), section 40 of the Arms Export Control Act, section
3 620A of the Foreign Assistance Act of 1961, or other pro-
4 vision of law, is a government that has repeatedly provided
5 support for acts of international terrorism, shall remain
6 in effect, and shall not be lifted pursuant to such provi-
7 sions of law, unless the President certifies to the appro-
8 priate congressional committees that the Government of
9 Syria—

10 (1) is not engaged in the illegal transfer of mis-
11 sile or nuclear technology to the Government of
12 North Korea or to any country the government of
13 which the Secretary of State has determined, for
14 purposes of any of the provisions of law specified in
15 the matter preceding this paragraph, is a govern-
16 ment that has repeatedly provided support for acts
17 of international terrorism;

18 (2) is no longer engaged in training, harboring,
19 supplying, financing, or supporting in any way—

20 (A) Hamas, Hezbollah, Palestinian Islamic
21 Jihad, the Popular Front for the Liberation of
22 Palestine, the Popular Front for the Liberation
23 of Palestine-General Command, the Democratic
24 Front for the Liberation of Palestine, Fatah al-
25 Intifada, or Fatah al-Islam;

1 (B) any other organization designated by
2 the Secretary of State as a foreign terrorist or-
3 ganization in accordance with section 219(a) of
4 the Immigration and Nationality Act (8 U.S.C.
5 1189(a));

6 (C) any person included on the Annex to
7 Executive Order 13224 (September 23, 2001)
8 and any other person identified under section 1
9 of that Executive Order whose property and in-
10 terests in property are blocked by such section
11 (commonly known as a “specially designated
12 global terrorist”);

13 (D) any person designated under section 3
14 of Executive Order 13338 (May 13, 2004) or
15 under section 1 of Executive Order 13438 (July
16 17, 2007);

17 (E) the Syrian Social Nationalist Party;

18 (F) any other person or organization con-
19 tributing to instability in Lebanon or Iraq; and

20 (G) any agency, instrumentality, affiliate,
21 or successor organization of the organizations
22 listed in subparagraph (A), (B), (C), (D), (E),
23 or (F);

24 (3) has immediately and unconditionally
25 stopped facilitating transit from Syria to Iraq of in-

1 individuals, military equipment, and all lethal items,
2 except as authorized by the representative, inter-
3 nationally recognized Government of Iraq; and

4 (4) has ceased its support for “volunteers” and
5 terrorists who are traveling from and through Syria
6 into Iraq to launch attacks.

7 **SEC. 104. MANDATORY SANCTIONS WITH RESPECT TO DE-**
8 **VELOPMENT OF WEAPONS OF MASS DE-**
9 **STRUCTION OR OTHER MILITARY CAPABILI-**
10 **TIES.**

11 (a) IN GENERAL.—Notwithstanding any other provi-
12 sion of law, the President shall impose the sanctions de-
13 scribed in subsection (b) if the President determines that
14 a person has, on or after the date of the enactment of
15 this Act exported, transferred, or otherwise provided to
16 Syria any goods, services, technology, or other items know-
17 ing that the provision of such goods, services, technology,
18 or other items would contribute materially to the ability
19 of Syria to—

20 (1) acquire or develop chemical, biological, or
21 nuclear weapons or related technologies; or

22 (2) acquire or develop destabilizing numbers
23 and types of advanced conventional weapons.

24 (b) SANCTIONS.—The sanctions to be imposed on a
25 person described in subsection (a) are the following:

1 (1) EXPORT-IMPORT BANK ASSISTANCE FOR
2 EXPORTS TO SANCTIONED PERSONS.—The President
3 may direct the Export-Import Bank of the United
4 States not to give approval to the issuance of any
5 guarantee, insurance, extension of credit, or partici-
6 pation in the extension of credit in connection with
7 the export of any goods or services to any sanctioned
8 person.

9 (2) EXPORT SANCTION.—

10 (A) IN GENERAL.—The President may
11 order the United States Government not to
12 issue any specific license and not to grant any
13 other specific permission or authority to export
14 any goods or technology to a sanctioned person
15 under—

16 (i) the Export Administration Act of
17 1979;

18 (ii) the Arms Export Control Act;

19 (iii) the Atomic Energy Act of 1954;

20 or

21 (iv) any other statute that requires
22 the prior review and approval of the
23 United States Government as a condition
24 for the export or re-export of goods or
25 services.

1 (B) EXCEPTIONS.—The prohibition in sub-
2 paragraph (A) does not apply to exports to
3 Syria of—

4 (i) agricultural commodities, food,
5 medicine, or medical devices;

6 (ii) articles exported to Syria to pro-
7 vide humanitarian assistance to the people
8 of Syria;

9 (iii) information or informational ma-
10 terials; or

11 (iv) goods, services, or technologies
12 necessary to ensure the safe operation of
13 commercial passenger aircraft produced in
14 the United States if the exportation of
15 such goods, services, or technologies is ap-
16 proved by the Secretary of the Treasury, in
17 consultation with the Secretary of Com-
18 merce, pursuant to regulations for licens-
19 ing the exportation of such goods, services,
20 or technologies, if appropriate.

21 (3) LOANS FROM UNITED STATES FINANCIAL
22 INSTITUTIONS.—The United States Government
23 may prohibit any United States financial institution
24 from making loans or providing credits to any sanc-
25 tioned person totaling more than \$2,000,000 in any

1 12-month period unless such person is engaged in
2 activities to relieve human suffering and the loans or
3 credits are provided for such activities.

4 (4) PROHIBITIONS ON FINANCIAL INSTITU-
5 TIONS.—The following prohibitions may be imposed
6 against a sanctioned person that is a financial insti-
7 tution:

8 (A) PROHIBITION ON DESIGNATION AS
9 PRIMARY DEALER.—Neither the Board of Gov-
10 ernors of the Federal Reserve System nor the
11 Federal Reserve Bank of New York may des-
12 ignate, or permit the continuation of any prior
13 designation of, such financial institution as a
14 primary dealer in United States Government
15 debt instruments.

16 (B) PROHIBITION ON SERVICE AS A RE-
17 POSITORY OF GOVERNMENT FUNDS.—Such fi-
18 nancial institution may not serve as agent of
19 the United States Government or serve as re-
20 pository for United States Government funds.

21 (5) PROCUREMENT SANCTION.—The United
22 States Government may not procure, or enter into
23 any contract for the procurement of, any goods or
24 services from a sanctioned person.

1 (6) FOREIGN EXCHANGE.—The President shall
2 prohibit any transactions in foreign exchange that
3 are subject to the jurisdiction of the United States
4 and in which the sanctioned person has any interest.

5 (7) BANKING TRANSACTIONS.—The President
6 shall prohibit any transfers of credit or payments be-
7 tween financial institutions or by, through, or to any
8 financial institution, to the extent that such trans-
9 fers or payments are subject to the jurisdiction of
10 the United States and involve any interest of the
11 sanctioned person.

12 (8) PROPERTY TRANSACTIONS.—The President
13 shall prohibit any person from—

14 (A) acquiring, holding, withholding, using,
15 transferring, withdrawing, transporting, import-
16 ing, or exporting any property that is subject to
17 the jurisdiction of the United States and with
18 respect to which the sanctioned person has any
19 interest;

20 (B) dealing in or exercising any right,
21 power, or privilege with respect to such prop-
22 erty; or

23 (C) conducting any transaction involving
24 such property.

1 (9) ADDITIONAL SANCTIONS.—The President
2 may impose sanctions, as appropriate, to restrict im-
3 ports with respect to a sanctioned person, in accord-
4 ance with the International Emergency Economic
5 Powers Act (50 U.S.C. 1701 and following).

6 (c) ADDITIONAL MANDATORY SANCTIONS RELATING
7 TO TRANSFER OF NUCLEAR TECHNOLOGY.—

8 (1) IN GENERAL.—Except as provided in para-
9 graphs (2) and (3), in any case in which a person
10 is subject to sanctions under subsection (a) because
11 of an activity described in that subsection that re-
12 lates to the acquisition or development of nuclear
13 weapons or related technology or of missiles or ad-
14 vanced conventional weapons that are designed or
15 modified to deliver a nuclear weapon, with respect to
16 the country the government of which has primary ju-
17 risdiction over the person, the following shall apply:

18 (A) No license may be issued for the ex-
19 port, and no approval may be given for the
20 transfer or retransfer, directly or indirectly, to
21 such country of any nuclear material, facilities,
22 components, or other goods, services, or tech-
23 nology that are or would be subject to an agree-
24 ment for cooperation between the United States
25 and that government.

1 (B) The United States Government shall
2 suspend compliance with its obligations under
3 any memorandum of understanding with such
4 country for the codevelopment or coproduction
5 of any item on the United States Munitions
6 List (established under section 38 of the Arms
7 Export Control Act (22 U.S.C. 2778)), includ-
8 ing any obligation for implementation of such
9 memorandum of understanding through the
10 sale to such country of technical data or assist-
11 ance or the licensing for export to such country
12 of any component part.

13 (C) No item on the United States Muni-
14 tions List (established pursuant to section 38 of
15 the Arms Export Control Act) may be exported
16 to such country.

17 (D) The United States Government shall
18 not issue any license for any export by or to
19 such country.

20 (E) The President shall ban the importa-
21 tion of any article that is a product of such
22 country.

23 (F) The Secretary of the Treasury shall in-
24 struct the United States Executive Director at
25 each international financial institution (as de-

1 fined in section 1701(c)(2) of the International
2 Financial Institutions Act) to oppose and vote
3 against the extension by such institution of any
4 financial or technical assistance to such coun-
5 try.

6 (G) The United States Government shall
7 suspend compliance with its obligations under
8 any technical exchange agreement involving
9 military and dual-use technology between the
10 United States and such country that does not
11 directly contribute to the national security of
12 the United States, and no military or dual-use
13 technology may be exported from the United
14 States to such country pursuant to such agree-
15 ment during such period.

16 (2) EXCEPTION.—The sanctions described in
17 paragraph (1) shall not apply with respect to a
18 country the government of which has primary juris-
19 diction over a person that engages in an activity de-
20 scribed in that subparagraph if the President deter-
21 mines and notifies the appropriate congressional
22 committees that the government of the country—

23 (A) does not know or have reason to know
24 about the activity; and

1 (B) has taken, or is taking, all reasonable
2 steps necessary to prevent a recurrence of the
3 activity and to penalize the person for the activ-
4 ity.

5 (3) INDIVIDUAL APPROVAL.—Notwithstanding
6 paragraph (1), the President may, on a case-by-case
7 basis, approve the issuance of a license for the ex-
8 port, or approve the transfer or retransfer, of any
9 nuclear material, facilities, components, or other
10 goods, services, or technology that are or would be
11 subject to an agreement for cooperation, to a person
12 in a country to which paragraph (1) applies (other
13 than a person that is subject to the sanctions under
14 paragraph (1)) if the President—

15 (A) determines that failure to approve the
16 issuance of such license, or to approve such
17 transfer or retransfer, would cause extraor-
18 dinary harm to the vital national security inter-
19 ests of the United States; and

20 (B) not later than 15 days before issuing
21 such license or approving such transfer or re-
22 transfer, submits to the Committee on Foreign
23 Affairs of the House of Representatives and the
24 Committee on Foreign Relations of the Senate

1 the justification for approving such license,
2 transfer, or retransfer.

3 (4) CONSTRUCTION.—The restrictions in para-
4 graph (1) shall apply in addition to all other applica-
5 ble procedures, requirements, and restrictions con-
6 tained in the Atomic Energy Act of 1954 and other
7 related laws.

8 (5) DEFINITION.—In this subsection, the term
9 “agreement for cooperation” has the meaning given
10 that term in section 11 b. of the Atomic Energy Act
11 of 1954 (42 U.S.C. 2014 b.).

12 (6) APPLICABILITY.—The sanctions under
13 paragraph (1) shall apply only in a case in which a
14 person is subject to sanctions under subsection (a)
15 because of an activity described in that subsection in
16 which the person engages on or after the date of the
17 enactment of this Act.

18 (d) PERSONS AGAINST WHICH THE SANCTIONS ARE
19 TO BE IMPOSED.—The sanctions described in subsection
20 (a) shall be imposed on—

21 (1) any person the President determines has
22 carried out the activities described in subsection (a);
23 and

24 (2) any person that—

1 (A) is a successor entity to the person re-
2 ferred to in paragraph (1);

3 (B) owns or controls the person referred to
4 in paragraph (1), if the person that owns or
5 controls the person referred to in paragraph (1)
6 had actual knowledge or should have known
7 that the person referred to in paragraph (1) en-
8 gaged in the activities referred to in that para-
9 graph; or

10 (C) is owned or controlled by, or under
11 common ownership or control with, the person
12 referred to in paragraph (1), if the person
13 owned or controlled by, or under common own-
14 ership or control with (as the case may be), the
15 person referred to in paragraph (1) knowingly
16 engaged in the activities referred to in that
17 paragraph.

18 For purposes of this Act, any person or entity de-
19 scribed in this subsection shall be referred to as a
20 “sanctioned person”.

21 **SEC. 105. AMENDMENT TO THE SYRIA ACCOUNTABILITY**
22 **AND LEBANESE SOVEREIGNTY RESTORATION**
23 **ACT OF 2003.**

24 Section 5 of the Syria Accountability and Lebanese
25 Sovereignty Restoration Act is amended—

1 (1) in subsection (a), in paragraph (2), by
2 striking “two” and inserting “four”; and

3 (2) by striking subsection (b) and redesignating
4 subsections (c) and (d) as subsections (b) and (c),
5 respectively.

6 **TITLE II—SANCTIONS TARGETING SYRIA’S ENERGY SEC-**
7 **TOR**

9 **SEC. 201. FINDINGS.**

10 Congress makes the following findings:

11 (1) The efforts of the Government of Syria to
12 acquire nuclear weapons capabilities, develop and ex-
13 pand existing unconventional weapons capabilities
14 and the means to deliver them, both through bal-
15 listic missile and asymmetric means, and its support
16 for foreign terrorist organizations and other extrem-
17 ists endanger the national security and foreign pol-
18 icy interests of the United States and those coun-
19 tries with which the United States shares common
20 strategic and foreign policy objectives.

21 (2) The objective of preventing the proliferation
22 of nuclear weapons capabilities, other unconventional
23 weapons and activities of foreign terrorist organiza-
24 tions and other extremists through existing multilat-
25 eral and bilateral initiatives requires additional ef-

1 forts to deny Syria the financial means to sustain its
2 nuclear, chemical, biological, and missile weapons
3 programs.

4 (3) The Government of Syria uses its diplo-
5 matic facilities and quasi-governmental institutions
6 outside of Syria to support foreign terrorist organi-
7 zations and other extremists, and assist its nuclear,
8 unconventional weapons and missile programs.

9 **SEC. 202. SENSE OF CONGRESS.**

10 It is the sense of Congress that the United States
11 shall fully implement the sanctions against Syria con-
12 tained in this title.

13 **SEC. 203. DECLARATION OF POLICY.**

14 The Congress declares that it is the policy of the
15 United States to deny Syria the ability to support acts
16 of foreign terrorist organizations and extremists, develop
17 unconventional weapons and ballistic missiles, and to fund
18 the development and acquisition of nuclear capabilities
19 and the means to deliver them by limiting the development
20 of Syria's ability to explore for, extract, refine, or trans-
21 port by pipeline petroleum resources of Syria.

22 **SEC. 204. MULTILATERAL REGIME.**

23 (a) MULTILATERAL NEGOTIATIONS.—In order to
24 further the objectives of section 102, the Congress urges
25 the President to commence immediately diplomatic efforts,

1 both in appropriate international fora such as the United
2 Nations, and bilaterally with allies of the United States,
3 to establish a multilateral sanctions regime against Syria,
4 including provisions limiting the development of petroleum
5 resources, that will inhibit Syria's efforts to carry out ac-
6 tivities described in section 203.

7 (b) REPORTS TO CONGRESS.—The President shall re-
8 port to the appropriate congressional committees, not later
9 than 1 year after the date of the enactment of this Act,
10 and annually thereafter, on the extent that diplomatic ef-
11 forts described in subsection (a) have been successful.
12 Each report shall include—

13 (1) the countries that have agreed to undertake
14 measures to further the objectives of section 102
15 with respect to Syria, and a description of those
16 measures; and

17 (2) the countries that have not agreed to meas-
18 ures described in paragraph (1), and, with respect to
19 those countries, other measures the President rec-
20 ommends that the United States take to further the
21 objectives of section 203 with respect to Syria.

22 (c) INTERIM REPORT ON MULTILATERAL SANC-
23 TIONS; MONITORING.—The President, not later than 90
24 days after the date of the enactment of this Act, shall re-
25 port to the appropriate congressional committees on—

1 (1) which countries have legislative or adminis-
2 trative standards providing for the imposition of
3 trade sanctions on persons or their affiliates doing
4 business or having investments in Syria;

5 (2) the extent and duration of each instance of
6 the application of such sanctions; and

7 (3) the disposition of any decision with respect
8 to such sanctions by the World Trade Organization
9 or its predecessor organization.

10 (d) INVESTIGATIONS.—

11 (1) IN GENERAL.—The President shall initiate
12 an investigation into the possible imposition of sanc-
13 tions under section 205 against a person upon re-
14 ceipt by the United States of credible information
15 indicating that such person is engaged in an activity
16 described in such section.

17 (2) CREDIBLE INFORMATION.—The term “cred-
18 ible information” means, with respect to a person,
19 such person’s public announcement of an activity de-
20 scribed in section 205, Syrian governmental an-
21 nouncements of such an activity, reports to stock-
22 holders, annual reports, industry reports, Govern-
23 ment Accountability Office products, and trade pub-
24 lications.

1 (3) DETERMINATION AND NOTIFICATION.—Not
2 later than 180 days after an investigation is initi-
3 ated in accordance with paragraph (1), the Presi-
4 dent shall (unless paragraph (3) applies) determine,
5 pursuant to section 205, if a person has engaged in
6 an activity described in such section and shall notify
7 the appropriate congressional committees of the
8 basis for any such determination.

9 (4) BRIEFING.—Not later than 30 days after
10 the date of the enactment of this Act, and quarterly
11 thereafter, the Secretary of State shall—

12 (A) brief the appropriate congressional
13 committees regarding investigations initiated
14 under this section; and

15 (B) furnish to the appropriate congress-
16 sional committees, pursuant to section 15(b) of
17 the State Department Basic Authorities Act of
18 1956 (22 U.S.C. 2680(b)), all requested infor-
19 mation relating to investigations or reviews ini-
20 tiated under this Act.

21 **SEC. 205. IMPOSITION OF SANCTIONS.**

22 (a) SANCTIONS WITH RESPECT TO THE DEVELOP-
23 MENT OF PETROLEUM RESOURCES OF SYRIA, PRODUC-
24 TION OF REFINED PETROLEUM PRODUCTS IN SYRIA, AND

1 EXPORTATION OF REFINED PETROLEUM PRODUCTS TO
2 SYRIA.—

3 (1) DEVELOPMENT OF PETROLEUM RESOURCES
4 OF SYRIA.—

5 (A) IN GENERAL.—Except as provided in
6 subsection (g) or (h), the President shall impose
7 the sanctions described in section 206(a) with
8 respect to a person if the President determines
9 that the person knowingly, on or after the date
10 of the enactment of this Act—

11 (i) makes an investment described in
12 subparagraph (B) of \$5,000,000 or more;
13 or

14 (ii) makes a combination of invest-
15 ments described in subparagraph (B) in a
16 12-month period if each such investment is
17 of at least \$2,000,000 and such invest-
18 ments equal or exceed \$5,000,000 in the
19 aggregate.

20 (B) INVESTMENT DESCRIBED.—An invest-
21 ment described in this subparagraph is an in-
22 vestment that directly and significantly contrib-
23 utes to the enhancement of Syria’s ability to de-
24 velop petroleum resources.

1 (2) PRODUCTION OF REFINED PETROLEUM
2 PRODUCTS.—

3 (A) IN GENERAL.—Except as provided in
4 subsection (g) or (h), the President shall impose
5 the sanctions described in section 206(a) with
6 respect to a person if the President determines
7 that the person knowingly, on or after the date
8 of the enactment of this Act sells, leases, or
9 provides to Syria goods, services, technology, in-
10 formation, or support described in subpara-
11 graph (B)—

12 (i) any of which has a fair market
13 value of \$1,000,000 or more; or

14 (ii) that, during a 12-month period,
15 have an aggregate fair market value of
16 \$2,000,000 or more.

17 (B) GOODS, SERVICES, TECHNOLOGY, IN-
18 FORMATION, OR SUPPORT DESCRIBED.—Goods,
19 services, technology, information, or support de-
20 scribed in this subparagraph are goods, serv-
21 ices, technology, information, or support that
22 could directly and significantly facilitate the
23 maintenance or expansion of Syria’s domestic
24 production of refined petroleum products, in-
25 cluding any direct and significant assistance

1 with respect to the construction, modernization,
2 or repair of petroleum refineries.

3 (3) EXPORTATION OF REFINED PETROLEUM
4 PRODUCTS TO SYRIA.—

5 (A) IN GENERAL.—Except as provided in
6 subsection (g) or (h), the President shall impose
7 3 or more of the sanctions described in section
8 206(a) with respect to a person if the President
9 determines that the person knowingly, on or
10 after the date of the enactment of this Act—

11 (i) sells or provides to Syria refined
12 petroleum products—

13 (I) that have a fair market value
14 of \$1,000,000 or more; or

15 (II) that, during a 12-month pe-
16 riod, have an aggregate fair market
17 value of \$5,000,000 or more; or

18 (ii) sells, leases, or provides to Syria
19 goods, services, technology, information, or
20 support described in subparagraph (B)—

21 (I) any of which has a fair mar-
22 ket value of \$1,000,000 or more; or

23 (II) that, during a 12-month pe-
24 riod, have an aggregate fair market
25 value of \$5,000,000 or more.

1 (B) GOODS, SERVICES, TECHNOLOGY, IN-
2 FORMATION, OR SUPPORT DESCRIBED.—Goods,
3 services, technology, information, or support de-
4 scribed in this subparagraph are goods, serv-
5 ices, technology, information, or support that
6 could directly and significantly contribute to the
7 enhancement of Syria’s ability to import refined
8 petroleum products, including—

9 (i) except as provided in subparagraph
10 (C), underwriting or entering into a con-
11 tract to provide insurance or reinsurance
12 for the sale, lease, or provision of such
13 goods, services, service contracts, tech-
14 nology, information, or support;

15 (ii) financing or brokering such sale,
16 lease, or provision;

17 (iii) entering into an agreement with
18 Syria to purchase or provide future deliv-
19 ery of Syrian petroleum resources;

20 (iv) purchasing, subscribing to, or fa-
21 cilitating the issuance of Syrian sovereign
22 debt; or

23 (v) providing ships or shipping serv-
24 ices (to include infrastructure develop-

1 ment) to deliver refined petroleum prod-
2 ucts to Syria.

3 (C) EXCEPTION FOR UNDERWRITERS AND
4 INSURANCE PROVIDERS EXERCISING DUE DILI-
5 GENCE.—The President may not impose sanc-
6 tions under this paragraph with respect to a
7 person that provides underwriting services or
8 insurance or reinsurance if the President deter-
9 mines that the person has exercised due dili-
10 gence in establishing and enforcing official poli-
11 cies, procedures, and controls to ensure that the
12 person does not underwrite or enter into a con-
13 tract to provide insurance or reinsurance for
14 the sale, lease, or provision of goods, services,
15 technology, information, or support described in
16 subparagraph (B).

17 (b) PERSONS AGAINST WHICH THE SANCTIONS ARE
18 TO BE IMPOSED.—The sanctions described in subsection
19 shall be imposed on—

20 (1) any person the President determines has
21 carried out the activities described in subsection (a);
22 and

23 (2) any person that—

24 (A) is a successor entity to the person re-
25 ferred to in paragraph (1);

1 (B) owns or controls the person referred to
2 in paragraph (1), if the person that owns or
3 controls the person referred to in paragraph (1)
4 had actual knowledge or should have known
5 that the person referred to in paragraph (1) en-
6 gaged in the activities referred to in that para-
7 graph; or

8 (C) is owned or controlled by, or under
9 common ownership or control with, the person
10 referred to in paragraph (1), if the person
11 owned or controlled by, or under common own-
12 ership or control with (as the case may be), the
13 person referred to in paragraph (1) knowingly
14 engaged in the activities referred to in that
15 paragraph.

16 For purposes of this Act, any person or entity de-
17 scribed in this subsection shall be referred to as a
18 “sanctioned person”.

19 (c) PUBLICATION IN FEDERAL REGISTER.—The
20 President shall cause to be published in the Federal Reg-
21 ister a current list of persons and entities on which sanc-
22 tions have been imposed under this Act. The removal of
23 persons or entities from, and the addition of persons and
24 entities to, the list, shall also be so published.

1 (d) PUBLICATION OF PROJECTS.—The President
2 shall cause to be published in the Federal Register a list
3 of all significant projects which have been publicly ten-
4 dered in the oil and gas sector in Syria.

5 (e) EXCEPTIONS.—The President shall not be re-
6 quired to apply or maintain the sanctions under subsection

7 (a)—

8 (1) in the case of procurement of defense arti-
9 cles or defense services—

10 (A) under existing contracts or sub-
11 contracts, including the exercise of options for
12 production quantities to satisfy requirements
13 essential to the national security of the United
14 States;

15 (B) if the President determines in writing
16 that the person to which the sanctions would
17 otherwise be applied is a sole source supplier of
18 the defense articles or services, that the defense
19 articles or services are essential, and that alter-
20 native sources are not readily or reasonably
21 available; or

22 (C) if the President determines in writing
23 that such articles or services are essential to the
24 national security under defense coproduction
25 agreements;

1 (2) in the case of procurement, to eligible prod-
2 ucts, as defined in section 308(4) of the Trade
3 Agreements Act of 1979 (19 U.S.C. 2518(4)), of
4 any foreign country or instrumentality designated
5 under section 301(b) of that Act (19 U.S.C.
6 2511(b));

7 (3) to products, technology, or services provided
8 under contracts entered into before the date on
9 which the President publishes in the Federal Reg-
10 ister the name of the person on which the sanctions
11 are to be imposed;

12 (4) to—

13 (A) spare parts which are essential to
14 United States products or production;

15 (B) component parts, but not finished
16 products, essential to United States products or
17 production; or

18 (C) routine servicing and maintenance of
19 products, to the extent that alternative sources
20 are not readily or reasonably available;

21 (5) to information and technology essential to
22 United States products or production; or

23 (6) to medicines, medical supplies, or other hu-
24 manitarian items.

1 (f) WAIVER.—The President may waive the applica-
2 tion of the sanctions listed in subsection (a) on a case-
3 by-case basis if, 15 days before the waiver is issued, the
4 President certifies to the appropriate congressional com-
5 mittees that failure to issue the waiver would cause ex-
6 traordinary harm to the vital national security interests
7 of the United States.

8 (g) GROUNDS FOR EXCLUSION.—The Secretary of
9 State shall deny a visa to, and the Secretary of Homeland
10 Security shall exclude from the United States, any alien
11 whom the Secretary of State determines is an alien who,
12 on or after the date of the enactment of this Act is a—

13 (1) corporate officer, principal, or shareholder
14 with a controlling interest of a person against whom
15 sanctions have been imposed pursuant to this sec-
16 tion;

17 (2) corporate officer, principal, or shareholder
18 with a controlling interest of a successor entity to or
19 a parent or subsidiary of such a person;

20 (3) corporate officer, principal, or shareholder
21 with a controlling interest of an affiliate of such a
22 sanctioned person, if such affiliate engaged in a
23 sanctionable activity described in subsection (a) or
24 (b) of this section, and if such affiliate is controlled
25 in fact by such a person;

1 (4) spouse, minor child, or agent of a person
2 excludable under paragraph (1), (2), or (3);

3 (5) senior official of a foreign government that
4 is identified as a person against whom sanctions
5 have been imposed pursuant to this section;

6 (6) senior official of a foreign government with
7 primary jurisdiction over such a person; or

8 (7) spouse, minor child, or agent of a person
9 excludable under paragraph (5) or (6).

10 (h) EXCEPTION.—The President may waive the sanc-
11 tions described in subsection (a) with respect to a person
12 specified in paragraph (5), (6), or (7) of subsection (g)
13 if the President determines and certifies in writing to the
14 appropriate congressional committees, on a case by case
15 basis, that the foreign government with primary jurisdic-
16 tion over such a person against whom sanctions have been
17 imposed pursuant to this section has made and continues
18 to make clear, specific efforts to stop and deter a
19 sanctionable activity described in subsection (a) or (b).

20 **SEC. 206. DESCRIPTION OF SANCTIONS.**

21 (a) IN GENERAL.—The sanctions to be imposed on
22 a sanctioned person under section 205 are as follows:

23 (1) EXPORT-IMPORT BANK ASSISTANCE FOR
24 EXPORTS TO SANCTIONED PERSONS.—The President
25 may direct the Export-Import Bank of the United

1 States not to give approval to the issuance of any
2 guarantee, insurance, extension of credit, or partici-
3 pation in the extension of credit in connection with
4 the export of any goods or services to any sanctioned
5 person.

6 (2) EXPORT SANCTION.—The President may
7 order the United States Government not to issue
8 any specific license and not to grant any other spe-
9 cific permission or authority to export any goods or
10 technology to a sanctioned person under—

11 (A) the Export Administration Act of
12 1979;

13 (B) the Arms Export Control Act;

14 (C) the Atomic Energy Act of 1954; or

15 (D) any other statute that requires the
16 prior review and approval of the United States
17 Government as a condition for the export or re-
18 export of goods or services.

19 (3) EXCEPTIONS.—The prohibition in sub-
20 section (a) does not apply to exports to Syria of—

21 (A) agricultural commodities, food, medi-
22 cine, or medical devices;

23 (B) articles exported to Syria to provide
24 humanitarian assistance to the people of Syria;

1 (C) information or informational materials;

2 or

3 (D) goods, services, or technologies nec-
4 essary to ensure the safe operation of commer-
5 cial passenger aircraft produced in the United
6 States if the exportation of such goods, services,
7 or technologies is approved by the Secretary of
8 the Treasury, in consultation with the Secretary
9 of Commerce, pursuant to regulations for li-
10 censing the exportation of such goods, services,
11 or technologies, if appropriate.

12 (4) LOANS FROM UNITED STATES FINANCIAL
13 INSTITUTIONS.—The United States Government
14 may prohibit any United States financial institution
15 from making loans or providing credits to any sanc-
16 tioned person totaling more than \$2,000,000 in any
17 12-month period unless such person is engaged in
18 activities to relieve human suffering and the loans or
19 credits are provided for such activities.

20 (5) PROHIBITIONS ON FINANCIAL INSTITU-
21 TIONS.—The following prohibitions may be imposed
22 against a sanctioned person that is a financial insti-
23 tution:

24 (A) PROHIBITION ON DESIGNATION AS
25 PRIMARY DEALER.—Neither the Board of Gov-

1 errors of the Federal Reserve System nor the
2 Federal Reserve Bank of New York may des-
3 ignate, or permit the continuation of any prior
4 designation of, such financial institution as a
5 primary dealer in United States Government
6 debt instruments.

7 (B) PROHIBITION ON SERVICE AS A RE-
8 POSITORY OF GOVERNMENT FUNDS.—Such fi-
9 nancial institution may not serve as agent of
10 the United States Government or serve as re-
11 pository for United States Government funds.

12 (6) PROCUREMENT SANCTION.—The United
13 States Government may not procure, or enter into
14 any contract for the procurement of, any goods or
15 services from a sanctioned person.

16 (7) FOREIGN EXCHANGE.—The President shall
17 prohibit any transactions in foreign exchange that
18 are subject to the jurisdiction of the United States
19 and in which the sanctioned person has any interest.

20 (8) BANKING TRANSACTIONS.—The President
21 shall prohibit any transfers of credit or payments be-
22 tween financial institutions or by, through, or to any
23 financial institution, to the extent that such trans-
24 fers or payments are subject to the jurisdiction of

1 the United States and involve any interest of the
2 sanctioned person.

3 (9) PROPERTY TRANSACTIONS.—The President
4 shall prohibit any person from—

5 (A) acquiring, holding, withholding, using,
6 transferring, withdrawing, transporting, import-
7 ing, or exporting any property that is subject to
8 the jurisdiction of the United States and with
9 respect to which the sanctioned person has any
10 interest;

11 (B) dealing in or exercising any right,
12 power, or privilege with respect to such prop-
13 erty; or

14 (C) conducting any transaction involving
15 such property.

16 (10) ADDITIONAL SANCTIONS.—The President
17 may impose sanctions, as appropriate, to restrict im-
18 ports with respect to a sanctioned person, in accord-
19 ance with the International Emergency Economic
20 Powers Act (50 U.S.C. 1701 and following).

21 (b) ADDITIONAL MEASURE RELATING TO GOVERN-
22 MENT CONTRACTS.—

23 (1) MODIFICATION OF FEDERAL ACQUISITION
24 REGULATION.—Not later than 90 days after the
25 date of the enactment of this Act, the Federal Ac-

1 quisition Regulation issued pursuant to section 25 of
2 the Office of Federal Procurement Policy Act (41
3 U.S.C. 421) shall be revised to require a certifi-
4 cation from each person that is a prospective con-
5 tractor that the person does not engage in any activ-
6 ity for which sanctions may be imposed under sec-
7 tion 205.

8 (2) REMEDIES.—

9 (A) IN GENERAL.—If the head of an execu-
10 tive agency determines that a person has sub-
11 mitted a false certification under paragraph (1)
12 after the date on which the Federal Acquisition
13 Regulation is revised to implement the require-
14 ments of this subsection, the head of that execu-
15 tive agency shall terminate a contract with
16 such person or debar or suspend such person
17 from eligibility for Federal contracts for a pe-
18 riod of not more than 3 years. Any such debar-
19 ment or suspension shall be subject to the pro-
20 cedures that apply to debarment and suspen-
21 sion under the Federal Acquisition Regulation
22 under subpart 9.4 of part 9 of title 48, Code of
23 Federal Regulations.

24 (B) INCLUSION ON LIST OF PARTIES EX-
25 CLUDED FROM FEDERAL PROCUREMENT AND

1 NONPROCUREMENT PROGRAMS.—The Adminis-
2 trator of General Services shall include on the
3 List of Parties Excluded from Federal Procure-
4 ment and Nonprocurement Programs main-
5 tained by the Administrator under part 9 of the
6 Federal Acquisition Regulation issued pursuant
7 to section 25 of the Office of Federal Procure-
8 ment Policy Act (41 U.S.C. 421) each person
9 that is debarred, suspended, or proposed for de-
10 barment or suspension by the head of an execu-
11 tive agency on the basis of a determination of
12 a false certification under subparagraph (A).

13 (3) CLARIFICATION REGARDING CERTAIN PROD-
14 UCTS.—The remedies set forth in paragraph (2)
15 shall not apply with respect to the procurement of
16 eligible products, as defined in section 308(4) of the
17 Trade Agreements Act of 1974 (19 U.S.C. 2518(4)),
18 of any foreign country or instrumentality designated
19 under section 301(b) of that Act (19 U.S.C.
20 2511(b)).

21 (4) RULE OF CONSTRUCTION.—This subsection
22 shall not be construed to limit the use of other rem-
23 edies available to the head of an executive agency or
24 any other official of the Federal Government on the

1 basis of a determination of a false certification
2 under paragraph (1).

3 (5) EXECUTIVE AGENCY DEFINED.—In this
4 subsection, the term “executive agency” has the
5 meaning given that term in section 204 of the Office
6 of Federal Procurement Policy Act (41 U.S.C. 403).

7 **SEC. 207. ADVISORY OPINIONS.**

8 The Secretary of State may, upon the request of any
9 person, issue an advisory opinion to that person as to
10 whether a proposed activity by that person would subject
11 that person to sanctions under this Act. Any person who
12 relies in good faith on such an advisory opinion which
13 states that the proposed activity would not subject a per-
14 son to such sanctions, and any person who thereafter en-
15 gages in such activity, will not be made subject to such
16 sanctions on account of such activity.

17 **SEC. 208. TERMINATION OF SANCTIONS.**

18 The requirement under section 205 to impose sanc-
19 tions shall no longer have force or effect with respect to
20 Syria if the President determines and certifies to the ap-
21 propriate congressional committees that the Government
22 of Syria—

23 (1) has ceased all support for terrorism, includ-
24 ing that the Government of Syria—

1 (A) is not engaged in the illegal transfer of
2 missile or nuclear technology to the Government
3 of North Korea or to any country the govern-
4 ment of which the Secretary of State has deter-
5 mined, for purposes of any of the provisions of
6 law specified in the matter preceding this para-
7 graph, is a government that has repeatedly pro-
8 vided support for acts of international ter-
9 rorism;

10 (B) is no longer engaged in training, har-
11 boring, supplying, financing, or supporting in
12 any way—

13 (i) Hamas, Hezbollah, Palestinian Is-
14 lamic Jihad, the Popular Front for the
15 Liberation of Palestine, the Popular Front
16 for the Liberation of Palestine-General
17 Command, the Democratic Front for the
18 Liberation of Palestine, Fatah al-Intifada,
19 or Fatah al-Islam;

20 (ii) any other organization designated
21 by the Secretary of State as a foreign ter-
22 rorist organization in accordance with sec-
23 tion 219(a) of the Immigration and Na-
24 tionality Act (8 U.S.C. 1189(a));

1 (iii) any person included on the Annex
2 to Executive Order 13224 (September 23,
3 2001) and any other person identified
4 under section 1 of that Executive Order
5 whose property and interests in property
6 are blocked by such section (commonly
7 known as a “specially designated global
8 terrorist”);

9 (iv) any person designated under sec-
10 tion 3 of Executive Order 13338 (May 13,
11 2004) or under section 1 of Executive
12 Order 13438 (July 17, 2007);

13 (v) the Syrian Social Nationalist
14 Party;

15 (vi) any other person or organization
16 contributing to instability in Lebanon or
17 Iraq; and

18 (vii) any agency, instrumentality, af-
19 filiate, or successor organization of the or-
20 ganizations listed in subparagraph (A),
21 (B), (C), (D), (E), or (F);

22 (C) has immediately and unconditionally
23 stopped facilitating transit from Syria to Iraq
24 of individuals, military equipment, and all lethal
25 items, except as authorized by the representa-

1 tive, internationally recognized Government of
2 Iraq; and

3 (D) has ceased its support for “volunteers”
4 and terrorists who are traveling from and
5 through Syria into Iraq to launch attacks;

6 (2) has not provided such support during the
7 preceding 5-year period and has not been deter-
8 mined by the Secretary of State, for the purposes of
9 section 6(j) of the Export Administration Act of
10 1979, section 620A of the Foreign Assistance Act of
11 1961, section 40 of the Arms Export Control Act,
12 or any other provision of law, to be a government
13 that has repeatedly provided support for acts of
14 international terrorism at any time during such 5-
15 year period;

16 (3)(A) has permanently dismantled Syria’s
17 chemical, biological, radiological, and nuclear weap-
18 ons programs;

19 (B) has ceased all efforts to design, develop,
20 manufacture, or acquire—

21 (i) a nuclear explosive device or related
22 materials and technology;

23 (ii) chemical, biological, and radiological
24 weapons; and

1 (iii) ballistic missiles and ballistic missile
2 launch technology; and

3 (C) has taken demonstrable steps to combat the
4 proliferation of such weapons;

5 (4) does not pose a threat to United States na-
6 tional security, United States interests, and United
7 States allies in the region;

8 (5) respects the boundaries, sovereignty, and
9 right to exist of all neighboring countries;

10 (6) upholds and defends the human rights and
11 civil liberties of its people;

12 (7) has legalized all political activity;

13 (8) has made public commitments to organizing
14 free and fair elections for a new government, to be
15 held in a timely manner, and with the participation
16 of multiple independent political parties that have
17 full access to the media on an equal basis, including
18 (in the case of radio, television, or other tele-
19 communications media) in terms of allotments of
20 time for such access and the times of day such allot-
21 ments are given, and to be conducted under the su-
22 pervision of internationally recognized observers; and
23 (9) has made public commitments to and is
24 making demonstrable progress in—

1 (A) establishing an independent judiciary;

2 and

3 (B) respecting internationally recognized

4 human rights and basic freedoms as recognized

5 in the Universal Declaration of Human Rights.

6 **SEC. 209. DURATION OF SANCTIONS.**

7 (a) DELAY OF SANCTIONS.—

8 (1) CONSULTATIONS.—If the President makes a
9 determination described in section 205 with respect
10 to a foreign person, the Congress urges the Presi-
11 dent to initiate consultations immediately with the
12 government with primary jurisdiction over that for-
13 eign person with respect to the imposition of sanc-
14 tions under this Act.

15 (2) ACTIONS BY GOVERNMENT OF JURISDIC-
16 TION.—In order to pursue consultations under para-
17 graph (1) with the government concerned, the Presi-
18 dent may delay imposition of sanctions under this
19 Act for up to 90 days. Following such consultations,
20 the President shall immediately impose sanctions un-
21 less the President determines and certifies to Con-
22 gress that the government has taken specific and ef-
23 fective actions, including, as appropriate, the imposi-
24 tion of appropriate penalties, to terminate the in-
25 volvement of the foreign person in the activities that

1 resulted in the determination by the President under
2 section 205 concerning such person.

3 (3) ADDITIONAL DELAY IN IMPOSITION OF
4 SANCTIONS.—The President may delay the imposi-
5 tion of sanctions for up to an additional 90 days if
6 the President determines and certifies to Congress
7 that the government with primary jurisdiction over
8 the person concerned is in the process of taking the
9 actions described in paragraph (2).

10 (4) REPORT TO CONGRESS.—Not later than 90
11 days after making a determination under section
12 205, the President shall submit to the appropriate
13 congressional committees a report on the status of
14 consultations with the appropriate foreign govern-
15 ment under this subsection, and the basis for any
16 determination under paragraph (3).

17 (b) DURATION OF SANCTIONS.—A sanction imposed
18 under section 205 shall remain in effect—

19 (1) for a period of not less than 2 years from
20 the date on which it is imposed; or

21 (2) until such time as the President determines
22 and certifies to Congress that the person whose ac-
23 tivities were the basis for imposing the sanction is
24 no longer engaging in such activities and that the
25 President has received reliable assurances that such

1 person will not knowingly engage in such activities
2 in the future, except that such sanction shall remain
3 in effect for a period of at least 1 year.

4 **SEC. 210. REPORTS REQUIRED.**

5 (a) REPORT ON CERTAIN INTERNATIONAL INITIA-
6 TIVES.—Not later than 6 months after the date of the en-
7 actment of this Act, and every 6 months thereafter, the
8 President shall transmit a report to the appropriate con-
9 gressional committees describing—

10 (1) the efforts of the President to mount a mul-
11 tilateral campaign to persuade all countries to pres-
12 sure Syria to cease its nuclear, chemical, biological,
13 and missile weapons programs and its support of
14 acts of international terrorism;

15 (2) the efforts of the President to persuade
16 other governments to ask Syria to reduce the pres-
17 ence of Syrian diplomats and representatives of
18 other government and military or quasi-govern-
19 mental institutions of Syria;

20 (3) the extent to which the International Atom-
21 ic Energy Agency has established regular inspections
22 of all nuclear facilities in Syria, including those pres-
23 ently under construction; and

24 (4) Syria's use of Syrian diplomats and rep-
25 resentatives of other government and military or

1 quasi-governmental institutions of Syria to promote
2 acts of international terrorism or to develop or sus-
3 tain Syria’s nuclear, chemical, biological, and missile
4 weapons programs.

5 (b) REPORT ON EFFECTIVENESS OF ACTIONS
6 UNDER THIS ACT.—Not earlier than 24 months, and not
7 later than 30 months, after the date of the enactment this
8 Act, and annually thereafter, the President shall transmit
9 to Congress a report that describes—

10 (1) the extent to which actions relating to trade
11 taken pursuant to this Act—

12 (A) have been effective in achieving the ob-
13 jectives of section 203 and any other foreign
14 policy or national security objectives of the
15 United States with respect to Syria; and

16 (B) have affected humanitarian interests
17 in Syria, the country in which the sanctioned
18 person is located, or in other countries; and

19 (2) the impact of actions relating to trade taken
20 pursuant to this Act on other national security, eco-
21 nomic, and foreign policy interests of the United
22 States, including relations with countries friendly to
23 the United States, and on the United States econ-
24 omy.

1 The President may include in the report the President's
2 recommendation on whether or not this Act should be ter-
3 minated or modified.

4 (c) OTHER REPORTS.—The President shall ensure
5 the continued transmittal to Congress of reports describ-
6 ing—

7 (1) the nuclear and other military capabilities
8 of Syria, as required by section 601(a) of the Nu-
9 clear NonProliferation Act of 1978 and section 1607
10 of the National Defense Authorization Act for Fiscal
11 Year 1993; and

12 (2) the support provided by Syria for acts of
13 international terrorism, as part of the Department
14 of State's annual report on international terrorism.

15 (d) REPORTS ON GLOBAL TRADE RELATING TO
16 SYRIA.—Not later than 90 days after the date of the en-
17 actment of this Act, and annually thereafter, the President
18 shall transmit to the appropriate congressional committees
19 a report, with respect to the most recent 12-month period
20 for which data are available, on the dollar value amount
21 of trade, including in the energy sector, between Syria and
22 each country maintaining membership in the Group of 20
23 Finance Ministers and Central Bank Governors.

1 **SEC. 211. DETERMINATIONS NOT REVIEWABLE.**

2 A determination to impose sanctions under this Act
3 shall not be reviewable in any court.

4 **SEC. 212. EXCLUSION OF CERTAIN ACTIVITIES.**

5 Nothing in this Act shall apply to any activities sub-
6 ject to the reporting requirements of title V of the Na-
7 tional Security Act of 1947.

8 **SEC. 213. EFFECTIVE DATE.**

9 This title shall take effect on the date of the enact-
10 ment of this Act.

11 **TITLE III—SYRIA NUCLEAR**
12 **WEAPONS PREVENTION**

13 **SEC. 301. FINDINGS.**

14 Congress finds the following:

15 (1) On September 6, 2007, Israeli warplanes
16 bombed a site at al-Kibar in northeastern Syria,
17 which the Syrians subsequently worked to conceal.
18 On April 24, 2008, senior United States intelligence
19 officials briefed Congress and the press about the al-
20 Kibar site, citing detailed information showing that
21 the al-Kibar facility was a nuclear reactor, built with
22 North Korean assistance.

23 (2) Following the briefing, Syria granted Inter-
24 national Atomic Energy Agency (IAEA) inspectors
25 access to the al-Kibar site (but denied them access
26 to three other sites), where they took environmental

1 samples on June 23, 2008. After the visit, Syria
2 suspended cooperation with the IAEA, which later
3 revealed that soil samples taken from the al-Kibar
4 site revealed “a significant number of natural ura-
5 nium particles” that were produced by human action
6 rather than being already present in the environ-
7 ment.

8 (3) The natural uranium found by the IAEA is
9 the type of fuel that would be fed into a reactor to
10 produce plutonium, which after extraction in a re-
11 processing facility, could fuel a nuclear bomb.

12 (4) The Director-General of the IAEA reported
13 to the IAEA Board of Governors on May 24, 2011,
14 that “[the IAEA] assesses that it is very likely that
15 the building destroyed at the [al-Kibar] site was a
16 nuclear reactor”.

17 (5) Syria’s safeguards agreement with the
18 IAEA requires notification to the agency in advance
19 of construction of any nuclear facility, regardless of
20 the presence of nuclear material, and, as a result,
21 Syria’s construction of a reactor violated its IAEA
22 obligations.

1 **SEC. 302. ACTIONS WITHIN THE INTERNATIONAL ATOMIC**
2 **ENERGY AGENCY.**

3 (a) STATEMENT OF POLICY.—It shall be the policy
4 of the United States to oppose the development or acquisi-
5 tion by Syria of a nuclear capability.

6 (b) UNITED STATES ACTIONS.—The President shall
7 instruct the United States Permanent Representative to
8 the International Atomic Energy Agency to—

9 (1) seek the adoption of a resolution declaring
10 Syria to be in violation of its IAEA obligations un-
11 less Syria immediately—

12 (A) declares all nuclear-related facilities;

13 (B) immediately and unconditionally sus-
14 pends any activity which could be used to de-
15 velop nuclear-weapons capability; and

16 (C) provides IAEA inspectors with full ac-
17 cess to its nuclear-related facilities;

18 (2) use all available political, economic, and dip-
19 lomatic tools, and shall use the voice, vote, and in-
20 fluence of the United States in all international or-
21 ganizations and associations of which it is a mem-
22 ber, including the IAEA and the Nuclear Suppliers
23 Group, to—

24 (A) block the development or acquisition
25 by Syria of a capacity to fabricate nuclear fuel;

1 (B) block the allocation of funds for any
2 IAEA development, environmental, or nuclear
3 science assistance or activity to Syria;

4 (C) block the allocation of funds for IAEA
5 development, environmental, or nuclear-related
6 assistance or activity to the Government of
7 Syria, including any agency or instrumentality
8 thereof; and

9 (D) block membership of the Government
10 of Syria on the Board of Governors of the
11 IAEA; and

12 (3) shall withhold from United States contribu-
13 tions to the IAEA an amount equal to that which
14 the IAEA expends on assistance to Syria.

15 **SEC. 303. RESTRICTIONS ON NUCLEAR COOPERATION WITH**
16 **COUNTRIES ASSISTING THE NUCLEAR PRO-**
17 **GRAM OF SYRIA.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law or any international agreement, no agreement
20 for cooperation between the United States and the govern-
21 ment of any country that is assisting the nuclear program
22 of Syria or transferring advanced conventional weapons or
23 missiles to Syria may be submitted to Congress pursuant
24 to section 123 of the Atomic Energy Act of 1954 (42
25 U.S.C. 2153), no such agreement may enter into force

1 with such country, no license may be issued for export di-
2 rectly or indirectly to such country of any nuclear mate-
3 rial, facilities, components, or other goods, services, or
4 technology that would be subject to such agreement, and
5 no approval may be given for the transfer or retransfer
6 directly or indirectly to such country of any nuclear mate-
7 rial, facilities, components, or other goods, services, or
8 technology that would be subject to such agreement, until
9 the President determines and reports to the Committee
10 on Foreign Affairs of the House of Representatives and
11 the Committee on Foreign Relations of the Senate that
12 the government of such country that is assisting the nu-
13 clear program of Syria or transferring advanced conven-
14 tional weapons or missiles to Syria—

15 (1) has suspended all nuclear assistance to
16 Syria or suspended transferring advanced conven-
17 tional weapons or missiles to Syria (as the case may
18 be); and

19 (2) is committed to maintaining such suspen-
20 sion.

21 (b) RULES OF CONSTRUCTION.—The restrictions de-
22 scribed in subsection (a)—

23 (1) shall apply in addition to all other applica-
24 ble procedures, requirements, and restrictions re-

1 quired by the Atomic Energy Act of 1954 and any
2 other law; and

3 (2) shall not be construed as affecting the valid-
4 ity of agreements for cooperation that are in effect
5 on the date of the enactment of this Act.

6 (c) DEFINITIONS.—In this section:

7 (1) AGREEMENT FOR COOPERATION.—The term
8 “agreement for cooperation” has the meaning given
9 such term in section 11 b. of the Atomic Energy Act
10 of 1954 (42 U.S.C. 2014 b.).

11 (2) ASSISTING THE NUCLEAR PROGRAM OF
12 SYRIA.—The term “assisting the nuclear program of
13 Syria” means the intentional transfer to Syria by a
14 government, or by a person subject to the jurisdic-
15 tion of a government with the knowledge and acqui-
16 escence of such government, of goods, services, or
17 technology listed on the Nuclear Suppliers Group
18 Guidelines for the Export of Nuclear Material,
19 Equipment and Technology (published by the Inter-
20 national Atomic Energy Agency as Information Cir-
21 cular INFCIRC/254/Rev. 3/Part 1, and subsequent
22 revisions) or Guidelines for Transfers of Nuclear-
23 related Dual-Use Equipment, Material, and Related
24 Technology (published by the International Atomic

1 Energy Agency as Information Circular INFCIR/
2 254/Rev. 3/Part 2, and subsequent revisions).

3 (3) COUNTRY THAT IS ASSISTING THE NU-
4 CLEAR PROGRAM OF SYRIA OR TRANSFERRING AD-
5 VANCED CONVENTIONAL WEAPONS OR MISSILES TO
6 SYRIA.—The term “country that is assisting the nu-
7 clear program of Syria or transferring advanced con-
8 ventional weapons or missiles to Syria” means any
9 country determined by the President to be assisting
10 the nuclear program of Syria or transferring ad-
11 vanced conventional weapons or missiles to Syria.

12 (d) WAIVER.—The President may waive the applica-
13 tion of the sanctions described in subsection (a) if the
14 President—

15 (1) determines that such a waiver is vital to the
16 national security of the United States; and

17 (2) submits to the appropriate congressional
18 committees a report describing the reasons for such
19 determination.

20 **SEC. 304. EXCLUSION FROM THE UNITED STATES OF SEN-**
21 **IOR OFFICIALS OF FOREIGN PERSONS WHO**
22 **HAVE AIDED THE NUCLEAR PROGRAM OF**
23 **SYRIA.**

24 (a) GROUNDS FOR EXCLUSION.—Except as provided
25 in subsection (b), the Secretary of State shall deny a visa

1 to, and the Secretary of Homeland Security shall exclude
2 from the United States, any alien whom the Secretary of
3 State determines is an alien who, on or after the date of
4 the enactment of this Act, is a—

5 (1) person, agent, instrumentality, or official of,
6 is affiliated with, or is serving as a representative of,
7 the Government of Syria identified in a report sub-
8 mitted pursuant to section 2(a) of the Iran, North
9 Korea, and Syria Nonproliferation Act (Public Law
10 106–178);

11 (2) corporate officer, principal, or shareholder
12 with a controlling interest of a foreign person identi-
13 fied in such a report;

14 (3) corporate officer, principal, or shareholder
15 with a controlling interest of a successor entity to,
16 or a parent or subsidiary of, a foreign person identi-
17 fied in such a report;

18 (4) corporate officer, principal, or shareholder
19 with a controlling interest of an affiliate of a foreign
20 person identified in such a report, if such affiliate
21 engaged in the activities referred to in such report,
22 and if such affiliate is controlled in fact by the for-
23 eign person identified in such report;

24 (5) spouse, minor child, or agent of a person
25 excludable under paragraph (1), (2), (3), or (4);

1 (6) senior official of a foreign government iden-
2 tified in such a report;

3 (7) senior official of a foreign government with
4 primary jurisdiction over a foreign person identified
5 in such a report; or

6 (8) spouse, minor child, or agent of a person
7 excludable under paragraph (6) or (7).

8 (b) EXCEPTION.—The President may waive the sanc-
9 tions described in subsection (a) with respect to a person
10 specified in paragraph (5), (6), or (7) of such subsection
11 if the President determines and certifies in writing to the
12 appropriate congressional committees, on a case by case
13 basis, that the foreign government with primary jurisdic-
14 tion over such person has made and continues to make
15 clear, specific efforts to stop and deter the transfer or re-
16 transfer of, or the permitting, hosting, or other facilitating
17 of transshipments that may enable the transfer or re-
18 transfer of, goods or technology that contribute to the ef-
19 forts by Syria, as the case may be, to acquire or develop
20 advanced conventional weapons, or to acquire, develop,
21 produce, or stockpile radiological or nuclear weapons.

22 (c) DEFINITIONS.—In subsection (b):

23 (1) TRANSFER.—The term “transfer” means
24 the conveyance of technological or intellectual prop-
25 erty, or the conversion of intellectual or technological

1 advances into marketable goods, services, or articles
2 of value, developed and generated in one place, to
3 another through illegal or illicit means to a country,
4 the government of which the Secretary of State has
5 determined, for purposes of section 6(j)(1)(A) of the
6 Export Administration Act of 1979 (as in effect pur-
7 suant to the International Emergency Economic
8 Powers Act), section 40(d) of the Arms Export Con-
9 trol Act (22 U.S.C. 2780(d)), and section 620A of
10 the Foreign Assistance Act of 1961 (22 U.S.C.
11 2371), is a government that has repeatedly provided
12 support for acts of international terrorism.

13 (2) TRANSSHIPMENT.—The term “trans-
14 shipment” means the export from one country to an-
15 other that passes through a third country, in which
16 cargo is off-loaded and there is some change to con-
17 veyance.

18 **TITLE IV—DIPLOMATIC EF-**
19 **FORTS TO ISOLATE THE GOV-**
20 **ERNMENT OF SYRIA**

21 **SEC. 401. SENSE OF CONGRESS RELATING TO BILATERAL**
22 **EFFORTS.**

23 It is the sense of Congress that the Secretary of State
24 shall ensure that United States diplomatic personnel
25 abroad understand and, in their contacts with foreign offi-

1 cials, are communicating the reasons for United States
2 policy and sanctions against the Government of Syria, and
3 are urging foreign governments to cooperate more effec-
4 tively with the Government of the United States in com-
5 pelling the Government of Syria to cease policies and ac-
6 tivities that threaten global peace and security.

7 **SEC. 402. OPPOSITION TO SYRIA'S MEMBERSHIP AND CAN-**
8 **DIDACY FOR LEADERSHIP POSTS IN UNITED**
9 **NATIONS INSTITUTIONS.**

10 The President shall direct the United States Perma-
11 nent Representative to the United Nations, United Na-
12 tions organizations and entities, and United Nations-affili-
13 ated agencies and bodies, to continue to use the voice,
14 vote, and influence of the United States to oppose Syria's
15 membership and candidacy for leadership posts in such
16 institutions, and engage in diplomatic efforts to secure
17 multilateral support for such efforts.

18 **SEC. 403. REPORT ON ASSISTANCE TO, AND COMMERCE**
19 **WITH, SYRIA.**

20 (a) REPORT.—Not later than 90 days after the date
21 of the enactment of this Act and annually thereafter, the
22 President shall transmit to the appropriate congressional
23 committees a report on assistance to, and commerce with,
24 Syria by other foreign countries during the preceding 12-
25 month period.

1 (b) CONTENTS.—Each report required under sub-
2 section (a) shall, for the period covered by the report, con-
3 tain the following information, to the extent such informa-
4 tion is available:

5 (1) A description of all bilateral assistance pro-
6 vided to Syria by other foreign countries, including
7 humanitarian assistance.

8 (2) A description of Syria's commerce with
9 other foreign countries, including an identification of
10 Syria's trading partners and the extent of such
11 trade.

12 (3) A description of the joint ventures com-
13 pleted, or under consideration, by foreign nationals,
14 business firms, and persons involving facilities in
15 Syria, including an identification of the location of
16 the facilities involved and a description of the terms
17 of agreement of the joint ventures and the names of
18 the parties that are involved.

19 (4) A determination of the amount of debt of
20 the Government of Syria that is owed to each for-
21 eign country, including—

22 (A) the amount of debt exchanged, for-
23 given, or reduced under the terms of each in-
24 vestment or operation in Syria involving foreign
25 nationals; and

1 (B) the amount of debt owed to the foreign
2 country that has been exchanged, forgiven, or
3 reduced in return for a grant by the Govern-
4 ment of Syria of an equity interest in a prop-
5 erty, investment, or operation of the Govern-
6 ment of Syria or of a Syrian national.

7 (5) A description of the steps taken to assure
8 that raw materials and semifinished or finished
9 goods produced by facilities in Syria involving for-
10 eign nationals do not enter the United States mar-
11 ket, either directly or through third countries or par-
12 ties.

13 (6) An identification of countries and entities
14 that provide, or have provided, arms or military sup-
15 plies from Syria or that otherwise have entered into
16 agreements with Syria that could have a military ap-
17 plication, including—

18 (A) a description of the military supplies,
19 equipment, or other material sold, bartered, or
20 exchanged between Syria and such countries;

21 (B) a listing of the goods, services, credits,
22 or other consideration received by Syria in ex-
23 change for military supplies, equipment, or ma-
24 terial; and

1 (C) the terms or conditions of any such
2 agreement.

3 (c) FORM.—The report submitted under subsection
4 (a) shall be in unclassified form but may include a classi-
5 fied annex.

6 **TITLE V—ASSISTANCE TO**
7 **SUPPORT DEMOCRACY IN SYRIA**

8 **SEC. 501. DECLARATIONS OF POLICY.**

9 It shall be the policy of the United States to—

10 (1) support independent human rights and pro-
11 democracy forces in Syria to promote the emergence
12 of a democratic government in Syria that will—

13 (A) denounce and combat extremism;

14 (B) verifiably dismantle its chemical, bio-
15 logical, radiological, and nuclear weapons pro-
16 grams and commit to combating the prolifera-
17 tion of such weapons;

18 (C) respect the boundaries, sovereignty,
19 and right to exist of its neighbors and live in
20 peace and security with all the countries in the
21 region; and

22 (D) uphold and defend the human rights
23 and civil liberties of its citizens;

1 (2) seek the adoption of a resolution by the
2 Community of Democracies to promote the emer-
3 gence of a democratic government in Syria; and

4 (3) seek the establishment of a consultative
5 group between the United States and the European
6 Union to promote the emergence of a democratic
7 government in Syria.

8 **SEC. 502. ASSISTANCE TO SUPPORT A TRANSITION TO DE-**
9 **MOCRACY IN SYRIA.**

10 (a) **AUTHORIZATION.**—The President is authorized to
11 provide financial and political assistance (including the
12 award of grants) to foreign and domestic individuals, orga-
13 nizations, and entities that support democracy and the
14 promotion of democracy in Syria. Such assistance may in-
15 clude the award of grants to eligible independent pro-de-
16 mocracy radio and television broadcasting organizations
17 that broadcast into Syria.

18 (b) **ELIGIBILITY FOR ASSISTANCE.**—Financial and
19 political assistance under this section may be provided
20 only to an individual, organization, or entity that—

21 (1) officially opposes the use of violence and
22 terrorism and has not been designated as a foreign
23 terrorist organization under section 219(a) of the
24 Immigration and Nationality Act (8 U.S.C. 1189(a))
25 at any time during the preceding 4 years;

1 (2) advocates the adherence by Syria to non-
2 proliferation regimes for nuclear, chemical, and bio-
3 logical weapons and materiel;

4 (3) is dedicated to democratic values and sup-
5 ports the adoption of a democratic form of Govern-
6 ment in Syria;

7 (4) is dedicated to respect for human rights, in-
8 cluding the fundamental equality of women;

9 (5) works to establish equality of opportunity
10 for people; and

11 (6) supports freedom of the press, freedom of
12 speech, freedom of association, and freedom of reli-
13 gion.

14 (c) FUNDING.—The President shall only provide as-
15 sistance to democracy promotion in Syria section using—

16 (1) funds available to the Middle East Partner-
17 ship Initiative (MEPI), the Broader Middle East
18 and North Africa Initiative, and the Human Rights
19 and Democracy Fund; and

20 (2) amounts made available pursuant to the au-
21 thorization of appropriations under subsection (f).

22 (d) NOTIFICATION.—Not later than 15 days before
23 each obligation of assistance under this section, and in ac-
24 cordance with the procedures under section 634A of the
25 Foreign Assistance Act of 1961 (22 U.S.C. 2394–l), the

1 President shall notify the Committee on Foreign Affairs
2 and the Committee on Appropriations of the House of
3 Representatives and the Committee on Foreign Relations
4 and the Committee on Appropriations of the Senate. Such
5 notification shall include, as practicable, the types of pro-
6 grams supported by such assistance and the recipients of
7 such assistance.

8 (e) SENSE OF CONGRESS REGARDING DIPLOMATIC
9 ASSISTANCE.—It is the sense of Congress that—

10 (1) contacts should be expanded with opposition
11 groups in Syria that meet the criteria under sub-
12 section (b);

13 (2) support for a transition to democracy in
14 Syria should be expressed by United States rep-
15 resentatives and officials in all appropriate inter-
16 national fora;

17 (3) efforts to bring a halt to the nuclear weap-
18 ons program of Syria, including steps to end the
19 supply of nuclear, chemical or biological components,
20 including short and intermediate-range missiles, and
21 ballistic missile components or fuel to Syria, should
22 be intensified; and

23 (4) officials and representatives of the United
24 States should—

1 (A) strongly and unequivocally support in-
2 digenous efforts in Syria calling for free, trans-
3 parent, and democratic elections; and

4 (B) draw international attention to viola-
5 tions by the Government of Syria of human
6 rights, freedom of religion, freedom of assem-
7 bly, and freedom of the press.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Department of State
10 such sums as may be necessary to carry out this section.

11 **SEC. 503. CONDEMNATION OF SYRIAN HUMAN RIGHTS**
12 **ABUSES.**

13 (a) STATEMENT OF POLICY.—It shall be the policy
14 of the United States—

15 (1) to condemn the consistent pattern of gross
16 violations of internationally recognized human rights
17 by the Government of Syria in all appropriate inter-
18 national fora;

19 (2) to introduce and work toward the adoption
20 of resolutions at appropriate United Nations fora
21 which detail and condemn the dismal human rights
22 record of Syria;

23 (3) to support the people of Syria in their daily
24 struggle for freedom, respect for human rights and

1 civil liberties, democratic self-governance, and the es-
2 tablishment of the rule of law; and

3 (4) to reach out to dissidents, human rights ac-
4 tivists, and the nonviolent democratic opposition in
5 Syria, and to assist them in their efforts.

6 (b) ACTIONS AT APPROPRIATE UNITED NATIONS
7 FORA.—The President shall direct the United States Per-
8 manent Representative to the United Nations to take the
9 necessary steps to secure support for the adoption of reso-
10 lutions at appropriate United Nations fora holding the
11 Government of Syria accountable for its systematic viola-
12 tions of human rights of Syrian and Lebanese citizens and
13 calling for the appointment of a United Nations Special
14 Rapporteur to investigate such human rights violations.

15 **SEC. 504. IMPOSITION OF SANCTIONS ON CERTAIN PER-**
16 **SONS RESPONSIBLE FOR OR COMPLICIT IN**
17 **HUMAN RIGHTS ABUSES COMMITTED**
18 **AGAINST CITIZENS OF SYRIA OR THEIR FAM-**
19 **ILY MEMBERS.**

20 (a) IN GENERAL.—The President shall impose sanc-
21 tions described in subsection (c) with respect to each per-
22 son on the list required by subsection (b).

23 (b) LIST OF PERSONS WHO ARE RESPONSIBLE FOR
24 OR COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

25 (1) LIST.—

1 (A) IN GENERAL.—Not later than 90 days
2 after the date of the enactment of this Act, the
3 President shall transmit to the appropriate con-
4 gressional committees a list of persons who are
5 officials of the Government of Syria, including
6 the President, Members of the Cabinet, Mem-
7 bers of the Ministry of Defense, Members of the
8 Ministry of the Interior, Members of the Gen-
9 eral Intelligence Directorate, Members of the
10 Political Security Directorate, or any Member
11 of the Syrian military or associated entities
12 with the rank of brigadier general or above or
13 the equivalent rank thereof, including members
14 of paramilitary organizations, or persons acting
15 on behalf of the Government of Syria.

16 (B) CERTIFICATION.—The President shall
17 impose on the persons specified in the list
18 under subparagraph (A) the sanctions described
19 in subsection (c). The President shall exempt
20 any such person from such imposition if the
21 President determines and certifies to the appro-
22 priate congressional committees that such per-
23 son, based on credible evidence, is not respon-
24 sible for or complicit in, or responsible for or-
25 dering, controlling, or otherwise directing, the

1 commission of serious human rights abuses
2 against citizens of Syria or their family mem-
3 bers, regardless of whether such abuses oc-
4 curred in Syria.

5 (2) FORM; PUBLIC AVAILABILITY.—

6 (A) FORM.—The list required by para-
7 graph (1) shall be submitted in unclassified
8 form but may contain a classified annex.

9 (B) PUBLIC AVAILABILITY.—The unclassi-
10 fied portion of the list required by paragraph
11 (1) shall be made available to the public and
12 posted on the Web site of the Department of
13 the Treasury and the Department of State.

14 (3) CONSIDERATION OF DATA FROM OTHER
15 COUNTRIES AND NONGOVERNMENTAL ORGANIZA-
16 TIONS.—In preparing the list required by paragraph
17 (1), the President shall consider credible data al-
18 ready obtained by other countries and nongovern-
19 mental organizations, including organizations in
20 Syria, that monitor the human rights abuses of the
21 Government of Syria.

22 (c) SANCTIONS DESCRIBED.—The sanctions de-
23 scribed in this subsection are ineligibility for a visa to
24 enter the United States and sanctions pursuant to the
25 International Emergency Economic Powers Act (50

1 U.S.C. 1701 et seq.), including blocking of property and
2 restrictions or prohibitions on financial transactions and
3 the exportation and importation of property, subject to
4 such regulations as the President may prescribe, including
5 regulatory exceptions to permit the United States to com-
6 ply with the Agreement between the United Nations and
7 the United States of America regarding the Headquarters
8 of the United Nations, signed June 26, 1947, and entered
9 into force November 21, 1947, and other applicable inter-
10 national obligations.

11 (d) TERMINATION OF SANCTIONS.—The provisions of
12 this section shall terminate on the date on which the Presi-
13 dent determines and certifies to the appropriate congress-
14 sional committees that the Government of Syria has—

15 (1) unconditionally released all political pris-
16 oners;

17 (2) ceased its practices of violence, unlawful de-
18 tention, torture, and abuse of citizens of Syria while
19 engaging in peaceful political activity;

20 (3) conducted a transparent investigation into
21 the practices described in paragraph (2) and pros-
22 ecuted the individuals responsible for such violence,
23 unlawful detention, torture, and abuse; and

24 (4) made public commitments to, and is making
25 demonstrable progress toward—

1 (A) establishing an independent judiciary;

2 and

3 (B) respecting the human rights and basic

4 freedoms recognized in the Universal Declara-

5 tion of Human Rights.

6 **SEC. 505. IMPOSITION OF SANCTIONS WITH RESPECT TO**

7 **THE TRANSFER OF GOODS OR TECH-**

8 **NOLOGIES TO SYRIA THAT MAY BE USED TO**

9 **COMMIT HUMAN RIGHTS ABUSES.**

10 (a) INVESTIGATIONS; DETERMINATIONS.—

11 (1) IN GENERAL.—Except as provided in para-

12 graph (3), upon receiving credible information that

13 a person may have engaged in an activity described

14 in paragraph (2), the President shall initiate an in-

15 vestigation and, not later than 180 days after initi-

16 ating the investigation, make a determination with

17 respect to whether that person engaged in that activ-

18 ity.

19 (2) ACTIVITY DESCRIBED.—

20 (A) IN GENERAL.—A person engages in an

21 activity described in this subparagraph if the

22 person, on or after the date of the enactment

23 of this Act—

1 (i) transfers, or facilitates the transfer
2 of, goods or technologies described in sub-
3 paragraph (C) to Syria; or

4 (ii) provides services with respect to
5 goods or technologies described in subpara-
6 graph (C) after such goods or technologies
7 are transferred to Syria.

8 (B) APPLICABILITY TO CONTRACTS AND
9 OTHER AGREEMENTS.—A person engages in an
10 activity described in subparagraph (A) without
11 regard to whether or not the activity is carried
12 out pursuant to a contract or other agreement
13 entered into before, on, or after the date of the
14 enactment of this Act.

15 (C) GOODS OR TECHNOLOGIES DE-
16 SCRIBED.—Goods or technologies described in
17 this subparagraph are—

18 (i) firearms or ammunition (as those
19 terms are defined in section 921 of title
20 18, United States Code), accessories for
21 firearms, rubber bullets, clubs, batons, po-
22 lice sticks, mace, stun grenades, tasers or
23 other electroshock weapons, tear gas, water
24 cannons, motoreycles, cranes, or surveil-
25 lance technology;

- 1 (ii) sensitive technology; and
2 (iii) other goods or technologies that
3 the President determines may be used by
4 the Government of Syria to commit human
5 rights abuses against the people of Syria.

6 (3) SPECIAL RULE TO ALLOW FOR TERMI-
7 NATION OF SANCTIONABLE ACTIVITY.—The Presi-
8 dent shall not be required to initiate an investiga-
9 tion, and may terminate an investigation, under this
10 subsection if the President certifies in writing to the
11 appropriate congressional committees that—

12 (A) the person whose activity was the basis
13 for the investigation is no longer engaging in
14 the activity or has taken significant verifiable
15 steps toward stopping the activity; and

16 (B) the President has received reliable as-
17 surances that the person will not knowingly en-
18 gage in an activity described in paragraph (2)
19 in the future.

20 (b) LIST.—

21 (1) IN GENERAL.—The President shall transmit
22 to the appropriate congressional committees a list of
23 each person the President determines has engaged in
24 an activity described in subsection (a)(2)—

1 (A) not later than 210 days after the date
2 of the enactment of this Act, and every 180
3 days thereafter; and

4 (B) as new information becomes available.

5 (2) FORM OF LIST.—The list required by para-
6 graph (1) shall be submitted in unclassified form but
7 may contain a classified annex.

8 (c) ASSET FREEZE.—The President shall freeze and
9 prohibit all transactions in all property and interests in
10 property of a person on the list required by subsection (b)
11 if such property and interests in property are in the
12 United States, come within the United States, or are or
13 come within the possession or control of a United States
14 person.

15 **SEC. 506. COMPREHENSIVE STRATEGY TO PROMOTE**
16 **INTERNET FREEDOM AND ACCESS TO INFOR-**
17 **MATION IN SYRIA.**

18 Not later than 90 days after the date of the enact-
19 ment of this Act, and annually thereafter, the Secretary
20 of State shall submit to the Committees on Foreign Af-
21 fairs and Appropriations of the House of Representatives
22 and the Committees on Foreign Relations and Appropria-
23 tions of the Senate a comprehensive strategy to—

1 (1) help the people of Syria produce, access,
2 and share information freely and safely via the
3 Internet;

4 (2) support the development of counter-censor-
5 ship technologies that enable the citizens of Syria to
6 undertake Internet activities without interference
7 from their government;

8 (3) increase the capabilities and availability of
9 secure mobile communications among human rights
10 and democracy activists in Syria;

11 (4) provide resources for digital safety training
12 for media, unions, and academic and civil society or-
13 ganizations in Syria;

14 (5) increase the amount of accurate Internet
15 content in local languages in Syria;

16 (6) increase emergency resources for the most
17 vulnerable human rights advocates seeking to orga-
18 nize, share information, and support human rights
19 in Syria;

20 (7) expand surrogate radio, television, live
21 stream, and social network communications inside
22 Syria;

23 (8) expand activities to safely assist and train
24 human rights, civil society, and union activists in
25 Syria to operate effectively and securely;

1 (9) defeat all attempts by the Government of
2 Syria to jam or otherwise deny international satellite
3 broadcasting signals; and

4 (10) expand worldwide United States embassy
5 and consulate programming for and outreach to Syr-
6 ian dissident communities.

7 **TITLE VI—GENERAL**
8 **PROVISIONS**

9 **SEC. 601. DENIAL OF VISAS FOR GOVERNMENT OF SYRIA.**

10 (a) IN GENERAL.—The Secretary of State may not
11 issue a visa to a person of a country designated as sup-
12 porting acts of international terrorism pursuant to section
13 6(j)(1)(A) of the Export Administration Act of 1979 (as
14 in effect pursuant to the International Emergency Eco-
15 nomic Powers Act; 50 U.S.C. 1701 et seq.), section 40(d)
16 of the Arms Export Control Act (22 U.S.C. 2780(d)), sec-
17 tion 620A of the Foreign Assistance Act of 1961 (22
18 U.S.C. 2371), if the Secretary determines that such na-
19 tional—

20 (1) is an agent, instrumentality, or official of,
21 is affiliated with, or is serving as a representative of
22 the government of Syria;

23 (2) provides material support to the policies of
24 the Governments of Syria; or

1 (3) presents a threat to the United States or
2 who has committed, ordered, assisted, or otherwise
3 participated in the terrorist acts, or directly or indi-
4 rectly affiliated with terrorist organizations.

5 (b) **WAIVER.**—The Secretary of State may, on a case-
6 by-case basis, waive the prohibition in subsection (a) if the
7 Secretary certifies to the appropriate congressional com-
8 mittees that it is vital to the national security interests
9 of the United States to do so, and provides the appropriate
10 congressional committees with a detailed justification for
11 that certification.

12 (c) **RESTRICTIONS.**—The Secretary of State shall re-
13 strict diplomats in Washington, DC, and at the United
14 Nations in New York City, to travel only within a 25-mile
15 radius of Washington, DC, or the United Nations head-
16 quarters building, respectively, of any person who is an
17 agent, instrumentality, or official of, is affiliated with, or
18 is serving as a representative of the Government of Syria.

19 **SEC. 602. SUNSET.**

20 (a) **SUNSET.**—The provisions of this Act shall termi-
21 nate, and shall cease to be effective, on the date that is
22 30 days after the date on which the President certifies
23 to Congress that the Government of Syria—

24 (1) has ceased all support for terrorism, includ-
25 ing that the Government of Syria—

1 (A) is not engaged in the illegal transfer of
2 missile or nuclear technology to the Government
3 of North Korea or to any country the govern-
4 ment of which the Secretary of State has deter-
5 mined, for purposes of any of the provisions of
6 law specified in the matter preceding this para-
7 graph, is a government that has repeatedly pro-
8 vided support for acts of international ter-
9 rorism;

10 (B) is no longer engaged in training, har-
11 boring, supplying, financing, or supporting in
12 any way—

13 (i) Hamas, Hezbollah, Palestinian Is-
14 lamic Jihad, the Popular Front for the
15 Liberation of Palestine, the Popular Front
16 for the Liberation of Palestine-General
17 Command, the Democratic Front for the
18 Liberation of Palestine, Fatah al-Intifada,
19 or Fatah al-Islam;

20 (ii) any other organization designated
21 by the Secretary of State as a foreign ter-
22 rorist organization in accordance with sec-
23 tion 219(a) of the Immigration and Na-
24 tionality Act (8 U.S.C. 1189(a));

1 (iii) any person included on the Annex
2 to Executive Order 13224 (September 23,
3 2001) and any other person identified
4 under section 1 of that Executive Order
5 whose property and interests in property
6 are blocked by such section (commonly
7 known as a “specially designated global
8 terrorist”);

9 (iv) any person designated under sec-
10 tion 3 of Executive Order 13338 (May 13,
11 2004) or under section 1 of Executive
12 Order 13438 (July 17, 2007);

13 (v) the Syrian Social Nationalist
14 Party;

15 (vi) any other person or organization
16 contributing to instability in Lebanon or
17 Iraq; or

18 (vii) any agency, instrumentality, af-
19 filiate, or successor organization of the or-
20 ganizations listed in subparagraph (A),
21 (B), (C), (D), (E), or (F).

22 (C) has immediately and unconditionally
23 stopped facilitating transit from Syria to Iraq
24 of individuals, military equipment, and all lethal
25 items, except as authorized by the representa-

1 tive, internationally recognized Government of
2 Iraq; and

3 (D) has ceased its support for “volunteers”
4 and terrorists who are traveling from and
5 through Syria into Iraq to launch attacks;

6 (2) has not provided such support during the
7 preceding 5-year period and has not been deter-
8 mined by the Secretary of State, for the purposes of
9 section 6(j) of the Export Administration Act of
10 1979, section 620A of the Foreign Assistance Act of
11 1961, section 40 of the Arms Export Control Act,
12 or any other provision of law, to be a government
13 that has repeatedly provided support for acts of
14 international terrorism at any time during such 5-
15 year period;

16 (3)(A) has permanently dismantled Syria’s
17 chemical, biological, radiological, and nuclear weap-
18 ons programs;

19 (B) has ceased all efforts to design, develop,
20 manufacture, or acquire—

21 (i) a nuclear explosive device or related
22 materials and technology;

23 (ii) chemical, biological, and radiological
24 weapons; and

1 (iii) ballistic missiles and ballistic missile
2 launch technology; and

3 (C) has taken demonstrable steps to combat the
4 proliferation of such weapons;

5 (4) does not pose a threat to United States na-
6 tional security, United States interests, and United
7 States allies in the region;

8 (5) respects the boundaries, sovereignty, and
9 right to exist of all neighboring countries;

10 (6) upholds and defends the human rights and
11 civil liberties of its people;

12 (7) has legalized all political activity;

13 (8) has made public commitments to organizing
14 free and fair elections for a new government, to be
15 held in a timely manner, and with the participation
16 of multiple independent political parties that have
17 full access to the media on an equal basis, including
18 (in the case of radio, television, or other tele-
19 communications media) in terms of allotments of
20 time for such access and the times of day such allot-
21 ments are given, and to be conducted under the su-
22 pervision of internationally recognized observers; and
23 (9) has made public commitments to and is
24 making demonstrable progress in—

1 (A) establishing an independent judiciary;

2 and

3 (B) respecting internationally recognized

4 human rights and basic freedoms as recognized

5 in the Universal Declaration of Human Rights.

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