

114TH CONGRESS  
2D SESSION

# H. R. 5732

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2016

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

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## AN ACT

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

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

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

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

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings.
- Sec. 3. Sense of Congress.
- Sec. 4. Statement of policy.

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

- Sec. 101. Sanctions with respect to Central Bank of Syria and foreign persons that engage in certain transactions.
- Sec. 102. Prohibitions with respect to the transfer of arms and related materials to Syria.
- Sec. 103. Rule of construction.

TITLE II—AMENDMENTS TO SYRIA HUMAN RIGHTS  
ACCOUNTABILITY ACT OF 2012

- Sec. 201. Imposition of sanctions with respect to certain persons who are responsible for or complicit in human rights abuses committed against citizens of Syria or their family members.
- Sec. 202. Imposition of sanctions with respect to the transfer of goods or technologies to Syria that are likely to be used to commit human rights abuses.
- Sec. 203. Imposition of sanctions with respect to persons who hinder humanitarian access.

TITLE III—REPORTS AND WAIVER FOR HUMANITARIAN-RELATED  
ACTIVITIES WITH RESPECT TO SYRIA

- Sec. 301. Report on monitoring and evaluating of ongoing assistance programs in Syria and to the Syrian people.
- Sec. 302. Report on certain persons who are responsible for or complicit in certain human rights violations in Syria.
- Sec. 303. Assessment of potential effectiveness of and requirements for the establishment of safe zones or a no-fly zone in Syria.
- Sec. 304. Assistance to support entities taking actions relating to gathering evidence for investigations into war crimes or crimes against humanity in Syria since March 2011.

TITLE IV—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA

- Sec. 401. Suspension of sanctions with respect to Syria.
- Sec. 402. Waivers and exemptions.

TITLE V—REGULATORY AUTHORITY, COST LIMITATION, AND  
SUNSET

Sec. 501. Regulatory authority.  
Sec. 502. Cost limitation.  
Sec. 503. Sunset.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Over 14,000,000 Syrians have become refu-  
4 gees or internally displaced persons over the last 5  
5 years.

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

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

17 (4) In a June 16, 2015, hearing of the Com-  
18 mittee on Foreign Affairs of the House of Rep-  
19 resentatives, United States Permanent Representa-  
20 tive to the United Nations, Samantha Power, testi-  
21 fied that there are alarming and grave reports that  
22 the Assad regime has been turning chlorine into a  
23 chemical weapon, and on June 16, 2015, Secretary  
24 of State John Kerry stated that he was “absolutely

1 certain” that the Assad regime has used chlorine  
2 against his people.

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

8 (6) The course of the Syrian transition and its  
9 future leadership may depend on what the United  
10 States and its partners do now to save Syrian lives,  
11 alleviate suffering, and help Syrians determine their  
12 own future.

13 **SEC. 3. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) Bashar al-Assad’s murderous actions  
16 against the people of Syria have caused the deaths  
17 of more than 400,000 civilians, led to the destruc-  
18 tion of more than 50 percent of Syria’s critical in-  
19 frastructure, and forced the displacement of more  
20 than 14,000,000 people, precipitating the worst hu-  
21 manitarian crisis in more than 60 years;

22 (2) international actions to date have been in-  
23 sufficient in protecting vulnerable populations from  
24 being attacked by uniformed and irregular forces, in-  
25 cluding Hezbollah, associated with the Assad regime,

1 on land and from the air, through the use of barrel  
2 bombs, chemical weapons, mass starvation cam-  
3 paigns, industrial-scale torture and execution of po-  
4 litical dissidents, sniper attacks on pregnant women,  
5 and the deliberate targeting of medical facilities,  
6 schools, residential areas, and community gathering  
7 places, including markets;

8 (3) Assad's use of chemical weapons, including  
9 chlorine, against the Syrian people violates the  
10 Chemical Weapons Convention; and

11 (4) Assad's continued claim of leadership and  
12 actions in Syria are a rallying point for the extrem-  
13 ist ideology of the Islamic State, Jabhat al-Nusra,  
14 and other terrorist organizations.

15 **SEC. 4. STATEMENT OF POLICY.**

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

1 **TITLE I—ADDITIONAL ACTIONS**  
2 **IN CONNECTION WITH THE**  
3 **NATIONAL EMERGENCY WITH**  
4 **RESPECT TO SYRIA**

5 **SEC. 101. SANCTIONS WITH RESPECT TO CENTRAL BANK**  
6 **OF SYRIA AND FOREIGN PERSONS THAT EN-**  
7 **GAGE IN CERTAIN TRANSACTIONS.**

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

13 (b) BLOCKING PROPERTY OF FOREIGN PERSONS  
14 THAT ENGAGE IN CERTAIN TRANSACTIONS.—

15 (1) IN GENERAL.—Beginning on and after the  
16 date that is 30 days after the date of the enactment  
17 of this Act, the President shall impose on a foreign  
18 person the sanctions described in subsection (c) if  
19 the President determines that such foreign person  
20 has, on or after such date of enactment, knowingly  
21 engaged in an activity described in paragraph (2).

22 (2) ACTIVITIES DESCRIBED.—A foreign person  
23 engages in an activity described in this paragraph if  
24 the foreign person—

1 (A) knowingly provided significant finan-  
2 cial, material or technological support to (in-  
3 cluding engaging in or facilitating a significant  
4 transaction or transactions with) or provided  
5 significant financial services for—

6 (i) the Government of Syria (including  
7 Syria’s intelligence and security services or  
8 its armed forces or government entities op-  
9 erating as a business enterprise) and the  
10 Central Bank of Syria, or any of its agents  
11 or affiliates; or

12 (ii) a foreign person subject to sanc-  
13 tions pursuant to—

14 (I) the International Emergency  
15 Economic Powers Act (50 U.S.C.  
16 1701 et seq.) with respect to Syria or  
17 any other provision of law that im-  
18 poses sanctions with respect to Syria;  
19 or

20 (II) a resolution that is agreed to  
21 by the United Nations Security Coun-  
22 cil that imposes sanctions with respect  
23 to Syria;

24 (B) knowingly—

1 (i) sold or provided significant goods,  
2 services, technology, information, or other  
3 support that could directly and signifi-  
4 cantly facilitate the maintenance or expan-  
5 sion of Syria's domestic production of nat-  
6 ural gas or petroleum or petroleum prod-  
7 ucts of Syrian origin in areas controlled by  
8 the Government of Syria;

9 (ii) sold or provided to Syria crude oil  
10 or condensate, refined petroleum products,  
11 liquefied natural gas, or petrochemical  
12 products that have a fair market value of  
13 \$500,000 or more or that during a 12-  
14 month period have an aggregate fair mar-  
15 ket value of \$2,000,000 or more in areas  
16 controlled by the Government of Syria;

17 (iii) sold or provided civilian aircraft  
18 or spare parts, or provides significant  
19 goods, services, or technologies associated  
20 with the operation of aircraft or airlines to  
21 any foreign person operating in areas con-  
22 trolled by the Government of Syria; or

23 (iv) sold or provided significant goods,  
24 services, or technology to a foreign person  
25 operating in the shipping (including ports

1 and free trade zones), transportation, or  
2 telecommunications sectors in areas con-  
3 trolled by the Government of Syria;

4 (C) knowingly facilitated efforts by a for-  
5 eign person to carry out an activity described in  
6 subparagraph (A) or (B);

7 (D) knowingly provided loans, credits, in-  
8 cluding export credits, or financing to carry out  
9 an activity described in subparagraph (A) or  
10 (B); and

11 (E) is owned or controlled by a foreign  
12 person that engaged in the activities described  
13 in subparagraphs (A) through (C).

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

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

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

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

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

11 (i) inadmissible to the United States;

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

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

20 (B) CURRENT VISAS REVOKED.—

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

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

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

6 (I) shall take effect immediately;

7 and

8 (II) shall automatically cancel

9 any other valid visa or entry docu-

10 mentation that is in the alien's pos-

11 session.

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

22 (4) PENALTIES.—The penalties provided for in  
23 subsections (b) and (c) of section 206 of the Inter-  
24 national Emergency Economic Powers Act (50  
25 U.S.C. 1705) shall apply to a person that knowingly

1 violates, attempts to violate, conspires to violate, or  
2 causes a violation of regulations promulgated under  
3 section 501(a) to carry out paragraph (1) of this  
4 subsection to the same extent that such penalties  
5 apply to a person that knowingly commits an unlaw-  
6 ful act described in section 206(a) of that Act.

7 (d) DEFINITIONS.—In this section:

8 (1) ADMITTED; ALIEN.—The terms “admitted”  
9 and “alien” have the meanings given such terms in  
10 section 101 of the Immigration and Nationality Act  
11 (8 U.S.C. 1101).

12 (2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL  
13 SUPPORT.—The term “financial, material, or techno-  
14 logical support” has the meaning given such term in  
15 section 542.304 of title 31, Code of Federal Regula-  
16 tions, as such section was in effect on the date of  
17 the enactment of this Act.

18 (3) GOVERNMENT OF SYRIA.—The term “Gov-  
19 ernment of Syria” has the meaning given such term  
20 in section 542.305 of title 31, Code of Federal Reg-  
21 ulations, as such section was in effect on the date  
22 of the enactment of this Act.

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

1       tion was in effect on the date of the enactment of  
2       this Act.

3           (5) PETROLEUM OR PETROLEUM PRODUCTS OF  
4       SYRIAN ORIGIN.—The term “petroleum or petroleum  
5       products of Syrian origin” has the meaning given  
6       such term in section 542.314 of title 31, Code of  
7       Federal Regulations, as such section was in effect on  
8       the date of the enactment of this Act.

9           (6) SIGNIFICANT TRANSACTION OR TRANS-  
10       ACTIONS; SIGNIFICANT FINANCIAL SERVICES.—A  
11       transaction or transactions or financial services shall  
12       be determined to be a significant for purposes of this  
13       section in accordance with section 566.404 of title  
14       31, Code of Federal Regulations, as such section  
15       was in effect on the date of the enactment of this  
16       Act.

17           (7) SYRIA.—The term “Syria” has the meaning  
18       given such term in section 542.316 of title 31, Code  
19       of Federal Regulations, as such section was in effect  
20       on the date of the enactment of this Act.

21       **SEC. 102. PROHIBITIONS WITH RESPECT TO THE TRANSFER**  
22                       **OF ARMS AND RELATED MATERIALS TO**  
23                       **SYRIA.**

24           (a) SANCTIONS.—

1           (1) IN GENERAL.—Beginning on and after the  
2           date that is 30 days after the date of the enactment  
3           of this Act, the President shall impose on a foreign  
4           person the sanctions described in subsection (b) if  
5           the President determines that such foreign person  
6           has, on or after such date of enactment, knowingly  
7           exported, transferred, or provided significant finan-  
8           cial, material, or technological support to the Gov-  
9           ernment of Syria to—

10                   (A) acquire or develop chemical, biological,  
11                   or nuclear weapons or related technologies;

12                   (B) acquire or develop ballistic or cruise  
13                   missile capabilities;

14                   (C) acquire or develop destabilizing num-  
15                   bers and types of advanced conventional weap-  
16                   ons;

17                   (D) acquire defense articles, defense serv-  
18                   ices, or defense information (as such terms are  
19                   defined under the Arms Export Control Act (22  
20                   U.S.C. 2751 et seq.)); or

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

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

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

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

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

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

22           (2) ALIENS INELIGIBLE FOR VISAS, ADMISSION,  
23      OR PAROLE.—

24                   (A) VISAS, ADMISSION, OR PAROLE.—An  
25      alien who the Secretary of State or the Sec-

1           retary of Homeland Security (or a designee of  
2           one of such Secretaries) knows, or has reason  
3           to believe, meets any of the criteria described in  
4           subsection (a) is—

5                   (i) inadmissible to the United States;

6                   (ii) ineligible to receive a visa or other  
7           documentation to enter the United States;  
8           and

9                   (iii) otherwise ineligible to be admitted  
10          or paroled into the United States or to re-  
11          ceive any other benefit under the Immigra-  
12          tion and Nationality Act (8 U.S.C. 1101 et  
13          seq.).

14          (B) CURRENT VISAS REVOKED.—

15                   (i) IN GENERAL.—The issuing con-  
16          sular officer, the Secretary of State, or the  
17          Secretary of Homeland Security (or a des-  
18          ignee of one of such Secretaries) shall re-  
19          voke any visa or other entry documentation  
20          issued to an alien who meets any of the  
21          criteria described in subsection (a) regard-  
22          less of when issued.

23                   (ii) EFFECT OF REVOCATION.—A rev-  
24          ocation under clause (i)—

1 (I) shall take effect immediately;  
2 and  
3 (II) shall automatically cancel  
4 any other valid visa or entry docu-  
5 mentation that is in the alien's pos-  
6 session.

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

17 (4) PENALTIES.—A person that violates, at-  
18 tempts to violate, conspires to violate, or causes a  
19 violation of any regulation, license, or order issued  
20 to carry out this section shall be subject to the pen-  
21 alties set forth in subsections (b) and (c) of section  
22 206 of the International Emergency Economic Pow-  
23 ers Act (50 U.S.C. 1705) to the same extent as a  
24 person that commits an unlawful act described in  
25 subsection (a) of that section.

1 (c) DEFINITIONS.—In this section:

2 (1) ADMITTED; ALIEN.—The terms “admitted”  
3 and “alien” have the meanings given such terms in  
4 section 101 of the Immigration and Nationality Act  
5 (8 U.S.C. 1101).

6 (2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL  
7 SUPPORT.—The term “financial, material, or techno-  
8 logical support” has the meaning given such term in  
9 section 542.304 of title 31, Code of Federal Regula-  
10 tions, as such section was in effect on the date of  
11 the enactment of this Act.

12 (3) FOREIGN PERSON.—The term “foreign per-  
13 son” has the meaning given such term in section  
14 594.304 of title 31, Code of Federal Regulations, as  
15 such section was in effect on the date of the enact-  
16 ment of this Act.

17 (4) KNOWINGLY.—The term “knowingly” has  
18 the meaning given such term in section 566.312 of  
19 title 31, Code of Federal Regulations, as such sec-  
20 tion was in effect on the date of the enactment of  
21 this Act.

22 (5) SYRIA.—The term “Syria” has the meaning  
23 given such term in section 542.316 of title 31, Code  
24 of Federal Regulations, as such section was in effect  
25 on the date of the enactment of this Act.

1           (6) UNITED STATES PERSON.—The term  
 2           “United States person” has the meaning given such  
 3           term in section 542.319 of title 31, Code of Federal  
 4           Regulations, as such section was in effect on the  
 5           date of the enactment of this Act.

6 **SEC. 103. RULE OF CONSTRUCTION.**

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

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

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

19           (a) IN GENERAL.—Section 702(c) of the Syria  
 20           Human Rights Accountability Act of 2012 (22 U.S.C.  
 21           8791(c)) is amended to read as follows:

22           “(c) SANCTIONS DESCRIBED.—

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

1 seq.) (except that the requirements of section 202 of  
2 such Act (50 U.S.C. 1701) shall not apply) to the  
3 extent necessary to freeze and prohibit all trans-  
4 actions in all property and interests in property of  
5 a person on the list required by subsection (b) if  
6 such property and interests in property are in the  
7 United States, come within the United States, or are  
8 or come within the possession or control of a United  
9 States person.

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

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

18 “(i) inadmissible to the United States;

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

22 “(iii) otherwise ineligible to be admit-  
23 ted or paroled into the United States or to  
24 receive any other benefit under the Immi-

1           gration and Nationality Act (8 U.S.C.  
2           1101 et seq.).

3           “(B) CURRENT VISAS REVOKED.—

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

12                “(ii) EFFECT OF REVOCATION.—A  
13          revocation under clause (i)—

14                   “(I) shall take effect imme-  
15                  diately; and

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

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

1        nomic Powers Act (50 U.S.C. 1705) to the same ex-  
2        tent as a person that commits an unlawful act de-  
3        scribed in subsection (a) of that section.

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

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

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

1       (b) SERIOUS HUMAN RIGHTS ABUSES DESCRIBED.—  
2 Section 702 of the Syria Human Rights Accountability  
3 Act of 2012 (22 U.S.C. 8791) is amended by adding at  
4 the end the following:

5       “(d) SERIOUS HUMAN RIGHTS ABUSES DE-  
6 SCRIBED.—In subsection (b), the term ‘serious human  
7 rights abuses’ includes—

8               “(1) the deliberate targeting of civilian infra-  
9 structure to include schools, hospitals, and markets;  
10 and

11              “(2) hindering the prompt and safe access for  
12 all actors engaged in humanitarian relief activities,  
13 including across conflict lines and borders.”.

14       (c) EFFECTIVE DATE.—The amendments made by  
15 subsections (a) and (b) shall take effect on the date of  
16 the enactment of this Act and shall apply with respect to  
17 the imposition of sanctions under section 702(a) of the  
18 Syria Human Rights Accountability Act of 2012 on after  
19 such date of enactment.

1 **SEC. 202. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
2 **THE TRANSFER OF GOODS OR TECH-**  
3 **NOLOGIES TO SYRIA THAT ARE LIKELY TO BE**  
4 **USED TO COMMIT HUMAN RIGHTS ABUSES.**

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

- 8 (1) in clause (i), by striking “or” at the end;  
9 (2) in clause (ii), by striking the period at the  
10 end and inserting a semicolon; and  
11 (3) by adding at the end the following:

12 “(iii) any article designated by the  
13 President for purposes of the United  
14 States Munitions List under section  
15 38(a)(1) of the Arms Export Control Act  
16 (22 U.S.C. 2778(a)(1)); or  
17 “(iv) other goods or technologies that  
18 the President determines may be used by  
19 the Government of Syria to commit human  
20 rights abuses against the people of Syria.”.

21 **SEC. 203. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
22 **PERSONS WHO HINDER HUMANITARIAN AC-**  
23 **CESS.**

24 The Syria Human Rights Accountability Act of 2012  
25 (22 U.S.C. 8791 et seq.) is amended—

1 (1) by redesignating sections 705 and 706 as  
2 sections 706 and 707, respectively;

3 (2) by inserting after section 704 the following:

4 **“SEC. 705. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
5 **PERSONS WHO HINDER HUMANITARIAN AC-**  
6 **CESS.**

7 “(a) IN GENERAL.—The President shall impose sanc-  
8 tions described in section 702(c) with respect to each per-  
9 son on the list required by subsection (b).

10 “(b) LIST OF PERSONS WHO HINDER HUMANI-  
11 TARIAN ACCESS.—

12 “(1) IN GENERAL.—Not later than 120 days  
13 after the date of the enactment of the Caesar Syria  
14 Civilian Protection Act of 2016, the President shall  
15 submit to the appropriate congressional committees  
16 a list of persons that the President determines have  
17 engaged in hindering the prompt and safe access for  
18 the United Nations, its specialized agencies and im-  
19 plementing partners, national and international non-  
20 governmental organizations, and all other actors en-  
21 gaged in humanitarian relief activities in Syria, in-  
22 cluding across conflict lines and borders.

23 “(2) UPDATES OF LIST.—The President shall  
24 submit to the appropriate congressional committees  
25 an updated list under paragraph (1)—

1           “(A) not later than 300 days after the date  
2           of the enactment of the Caesar Syria Civilian  
3           Protection Act of 2016 and every 180 days  
4           thereafter; and

5           “(B) as new information becomes avail-  
6           able.

7           “(3) FORM OF REPORT; PUBLIC AVAIL-  
8           ABILITY.—

9           “(A) FORM.—The list required by para-  
10          graph (1) shall be submitted in unclassified  
11          form but may contain a classified annex.

12          “(B) PUBLIC AVAILABILITY.—The unclas-  
13          sified portion of the list required by paragraph  
14          (1) shall be made available to the public and  
15          posted on the websites of the Department of the  
16          Treasury and the Department of State.”; and

17          (3) in section 706 (as so redesignated), by  
18          striking “or 704” and inserting “704, or 705”.

1 **TITLE III—REPORTS AND WAIV-**  
2 **ER FOR HUMANITARIAN-RE-**  
3 **LATED ACTIVITIES WITH RE-**  
4 **SPECT TO SYRIA**

5 **SEC. 301. REPORT ON MONITORING AND EVALUATING OF**  
6 **ONGOING ASSISTANCE PROGRAMS IN SYRIA**  
7 **AND TO THE SYRIAN PEOPLE.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of the enactment of this Act, the Secretary of State  
10 and the Administrator of the United States Agency for  
11 International Development shall submit to the Committee  
12 on Foreign Affairs of the House of Representatives and  
13 the Committee on Foreign Relations of the Senate a re-  
14 port on the monitoring and evaluation of ongoing assist-  
15 ance programs in Syria and to the Syrian people.

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

18 (1) the specific project monitoring and evalua-  
19 tion plans, including measurable goals and perform-  
20 ance metrics for assistance in Syria; and

21 (2) the major challenges to monitoring and  
22 evaluating programs in Syria.

1 **SEC. 302. REPORT ON CERTAIN PERSONS WHO ARE RE-**  
2 **SPONSIBLE FOR OR COMPLICIT IN CERTAIN**  
3 **HUMAN RIGHTS VIOLATIONS IN SYRIA.**

4 (a) IN GENERAL.—Not later than 120 days after the  
5 date of the enactment of this Act, the President shall sub-  
6 mit to the appropriate congressional committees a detailed  
7 report with respect to whether each person described in  
8 subsection (b) is a person that meets the requirements de-  
9 scribed in section 702(b) of the Syria Human Rights Ac-  
10 countability Act of 2012 (22 U.S.C. 8791(b) for purposes  
11 of inclusion on the list of persons who are responsible for  
12 or complicit in certain human rights abuses under such  
13 section. For any such person who is not included in such  
14 report, the President should include in the report a de-  
15 scription of the reasons why the person was not included,  
16 including information on whether sufficient credible evi-  
17 dence of responsibility for such abuses was found.

18 (b) PERSONS DESCRIBED.—The persons described in  
19 this subsection are the following:

- 20 (1) Bashar Al-Assad.  
21 (2) Asma Al-Assad.  
22 (3) Rami Makhlouf.  
23 (4) Bouthayna Shaaban.  
24 (5) Walid Moallem.  
25 (6) Ali Al-Salim.  
26 (7) Wael Nader Al-Halqi.

- 1 (8) Jamil Hassan.
- 2 (9) Suhail Hassan.
- 3 (10) Ali Mamluk.
- 4 (11) Muhammed Khadour, Deir Ez Zor Mili-  
5 tary and Security.
- 6 (12) Jamal Razzouq, Security Branch 243.
- 7 (13) Munzer Ghanam, Air Force Intelligence.
- 8 (14) Daas Hasan Ali, Branch 327.
- 9 (15) Jassem Ali Jassem Hamad, Political Secu-  
10 rity.
- 11 (16) Samir Muhammad Youssef, Military Intel-  
12 ligence.
- 13 (17) Ali Ahmad Dayoub, Air Force Intelligence.
- 14 (18) Khaled Muhsen Al-Halabi, Security  
15 Branch 335.
- 16 (19) Mahmoud Kahila, Political Security.
- 17 (20) Zuhair Ahmad Hamad, Provincial Secu-  
18 rity.
- 19 (21) Wafiq Nasser, Security Branch 245.
- 20 (22) Qussay Mayoub, Air Force Intelligence.
- 21 (23) Muhammad Ammar Sardini, Political Se-  
22 curity.
- 23 (24) Fouad Hammouda, Military Security.
- 24 (25) Hasan Daaboul, Branch 261.
- 25 (26) Yahia Wahbi, Air Force Intelligence.

- 1 (27) Okab Saqer, Security Branch 318.
- 2 (28) Husam Luqa, Political Security.
- 3 (29) Sami Al-Hasan, Security Branch 219.
- 4 (30) Yassir Deeb, Political Security.
- 5 (31) Ibrahim Darwish, Security Branch 220.
- 6 (32) Nasser Deeb, Political Security.
- 7 (33) Abdullatif Al-Fahed, Security Branch 290.
- 8 (34) Adeeb Namer Salamah, Air Force Intel-
- 9 ligence.
- 10 (35) Akram Muhammed, State Security.
- 11 (36) Reyad Abbas, Political Security.
- 12 (37) Ali Abdullah Ayoub, Syrian Armed Forces.
- 13 (38) Fahd Jassem Al-Freij, Defense Ministry.
- 14 (39) Issam Halaq, Air Force.
- 15 (40) Ghassan Al-Abdullah, General Intelligence
- 16 Directorate.
- 17 (41) Maher Al-Assad, Republican Guard.
- 18 (42) Fahad Al-Farouch.
- 19 (43) Rafiq Shahada, Military Intelligence.
- 20 (44) Loay Al-Ali, Military Intelligence.
- 21 (45) Nawfal Al-Husayn, Military Intelligence.
- 22 (46) Muhammad Zamrini, Military Intelligence.
- 23 (47) Muhammad Mahallah, Military Intel-
- 24 ligence.
- 25 (c) FORM OF REPORT; PUBLIC AVAILABILITY.—

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

4           (2) PUBLIC AVAILABILITY.—The unclassified  
5       portion of the list required by paragraph (1) shall be  
6       made available to the public and posted on the Web  
7       sites of the Department of the Treasury and the De-  
8       partment of State.

9           (d) DEFINITION.—In this section, the term “appro-  
10   prate congressional committees” means—

11           (1) the Committee on Foreign Affairs, the  
12       Committee on Financial Services, the Committee on  
13       Ways and Means, and the Committee on the Judici-  
14       ary of the House of Representatives; and

15           (2) the Committee on Foreign Relations, the  
16       Committee on Banking, Housing, and Urban Af-  
17       fairs, and the Committee on the Judiciary of the  
18       Senate.

19   **SEC. 303. ASSESSMENT OF POTENTIAL EFFECTIVENESS OF**  
20                           **AND REQUIREMENTS FOR THE ESTABLISH-**  
21                           **MENT OF SAFE ZONES OR A NO-FLY ZONE IN**  
22                           **SYRIA.**

23           (a) IN GENERAL.—Not later than 90 days after the  
24   date of the enactment of this Act, the President shall sub-

1 mit to the appropriate congressional committee a report  
2 that—

3 (1) assesses the potential effectiveness, risks,  
4 and operational requirements of the establishment  
5 and maintenance of a no-fly zone over part or all of  
6 Syria, including—

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

10 (B) the impact a no-fly zone in Syria  
11 would have on humanitarian and counterter-  
12 rorism efforts in Syria and the surrounding re-  
13 gion; and

14 (C) the potential for force contributions  
15 from other countries to establish a no-fly zone  
16 in Syria; and

17 (2) assesses the potential effectiveness, risks,  
18 and operational requirements for the establishment  
19 of one or more safe zones in Syria for internally dis-  
20 placed persons or for the facilitation of humani-  
21 tarian assistance, including—

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

1 (B) the impact one or more safe zones in  
 2 Syria would have on humanitarian and counter-  
 3 terrorism efforts in Syria and the surrounding  
 4 region; and

5 (C) the potential for contributions from  
 6 other countries and vetted non-state actor part-  
 7 ners to establish and maintain one or more safe  
 8 zones in Syria.

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

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

14 (1) the Committee on Foreign Affairs and the  
 15 Committee on Armed Services of the House of Rep-  
 16 resentatives; and

17 (2) the Committee on Foreign Relations and  
 18 the Committee on Armed Services of the Senate.

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

24 (a) IN GENERAL.—The Secretary of State, acting  
 25 through the Assistant Secretary for Democracy, Human

1 Rights and Labor and the Assistant Secretary for Inter-  
2 national Narcotics and Law Enforcement Affairs, is au-  
3 thorized to provide assistance to support entities that are  
4 conducting criminal investigations, building Syrian inves-  
5 tigative capacity, supporting prosecutions in national  
6 courts, collecting evidence and preserving the chain of evi-  
7 dence for eventual prosecution against those who have  
8 committed war crimes or crimes against humanity in  
9 Syria, including the aiding and abetting of such crimes  
10 by foreign governments and organizations supporting the  
11 Government of Syria, since March 2011.

12 (b) REPORT.—Not later than 1 year after the date  
13 of the enactment of this Act, the Secretary of State shall  
14 submit to the Committee on Foreign Affairs of the House  
15 of Representatives and the Committee on Foreign Rela-  
16 tions of the Senate a detailed report on assistance pro-  
17 vided under subsection (a).

18 **TITLE IV—SUSPENSION OF**  
19 **SANCTIONS WITH RESPECT**  
20 **TO SYRIA**

21 **SEC. 401. SUSPENSION OF SANCTIONS WITH RESPECT TO**  
22 **SYRIA.**

23 (a) SUSPENSION OF SANCTIONS.—

24 (1) NEGOTIATIONS NOT CONCLUDING IN  
25 AGREEMENT.—If the President determines that

1 internationally recognized negotiations to resolve the  
2 violence in Syria have not concluded in an agree-  
3 ment or are likely not to conclude in an agreement,  
4 the President may suspend, as appropriate, in whole  
5 or in part, the imposition of sanctions otherwise re-  
6 quired under this Act or any amendment made by  
7 this Act for a period not to exceed 120 days, and re-  
8 newable for additional periods not to exceed 120  
9 days, if the President submits to the appropriate  
10 congressional committees in writing a determination  
11 and certification that the Government of Syria has  
12 ended military attacks against and gross violations  
13 of the human rights of the Syrian people, specifi-  
14 cally—

15 (A) the air space over Syria is no longer  
16 being utilized by the Government of Syria and  
17 associated forces to target civilian populations  
18 through the use of incendiary devices, including  
19 barrel bombs, chemical weapons, and conven-  
20 tional arms, including air-delivered missiles and  
21 explosives;

22 (B) areas besieged by the Assad regime  
23 and associated forces, including Hezbollah and  
24 irregular Iranian forces, are no longer cut off  
25 from international aid and have regular access

1 to humanitarian assistance, freedom of travel,  
2 and medical care;

3 (C) the Government of Syria is releasing  
4 all political prisoners forcibly held within the  
5 Assad regime prison system, including the fa-  
6 cilities maintained by various security, intel-  
7 ligence, and military elements associated with  
8 the Government of Syria and allowed full access  
9 to the same facilities for investigations by ap-  
10 propriate international human rights organiza-  
11 tions; and

12 (D) the forces of the Government of Syria  
13 and associated forces, including Hezbollah, ir-  
14 regular Iranian forces, and Russian government  
15 air assets, are no longer engaged in deliberate  
16 targeting of medical facilities, schools, residen-  
17 tial areas, and community gathering places, in-  
18 cluding markets, in flagrant violation of inter-  
19 national norms.

20 (2) NEGOTIATIONS CONCLUDING IN AGREE-  
21 MENT.—

22 (A) INITIAL SUSPENSION OF SANCTIONS.—

23 If the President determines that internationally  
24 recognized negotiations to resolve the violence  
25 in Syria have concluded in an agreement or are

likely to conclude in an agreement, the President may suspend, as appropriate, in whole or in part, the imposition of sanctions otherwise required under this Act or any amendment made by this Act for a period not to exceed 120 days if the President submits to the appropriate congressional committees in writing a determination and certification that—

(i) in the case in which the negotiations are likely to conclude in an agreement—

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

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

(ii) the Government of Syria has demonstrated a commitment to a significant and substantial reduction in attacks on and violence against the Syrian people by

1 the Government of Syria and associated  
2 forces.

3 (B) RENEWAL OF SUSPENSION OF SANC-  
4 TIONS.—The President may renew a suspension  
5 of sanctions under subparagraph (A) for addi-  
6 tional periods not to exceed 120 days if, for  
7 each such additional period, the President sub-  
8 mits to the appropriate congressional commit-  
9 tees in writing a determination and certification  
10 that—

11 (i) the conditions described in clauses  
12 (i) and (ii) of subparagraph (A) are con-  
13 tinuing to be met;

14 (ii) the renewal of the suspension of  
15 sanctions is essential to implementing an  
16 agreement described in subparagraph (A)  
17 or making progress toward concluding an  
18 agreement described in subparagraph (A);

19 (iii) the Government of Syria and as-  
20 sociated forces have ceased attacks against  
21 Syrian civilians; and

22 (iv) the Government of Syria has pub-  
23 lically committed to negotiations for a  
24 transitional government in Syria and con-  
25 tinues to demonstrate that commitment

1 through sustained engagement in talks and  
2 substantive and verifiable progress towards  
3 the implementation of such an agreement.

4 (3) BRIEFING AND REIMPOSITION OF SANC-  
5 TIONS.—

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

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

1           (4) DEFINITION.—In this subsection, the term  
2           “appropriate congressional committees” means—

3                   (A) the Committee on Foreign Affairs, the  
4                   Committee on Financial Services, the Com-  
5                   mittee on Ways and Means, and the Committee  
6                   on the Judiciary of the House of Representa-  
7                   tives; and

8                   (B) the Committee on Foreign Relations,  
9                   the Committee on Banking, Housing, and  
10                  Urban Affairs, and the Committee on the Judi-  
11                  ciary of the Senate.

12          (b) SENSE OF CONGRESS TO BE CONSIDERED FOR  
13 DETERMINING A TRANSITIONAL GOVERNMENT IN  
14 SYRIA.—It is the sense of Congress that a transitional  
15 government in Syria is a government that—

16               (1) is taking verifiable steps to release all polit-  
17               ical prisoners and provided full access to Syrian  
18               prisons for investigations by appropriate inter-  
19               national human rights organizations;

20               (2) is taking verifiable steps to remove former  
21               senior Syrian Government officials who are complicit  
22               in the conception, implementation, or cover up of  
23               war crimes, crimes against humanity, or human  
24               rights abuses from government positions and any

1 person subject to sanctions under any provision of  
2 law;

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

5 (A) to be held in a timely manner and  
6 scheduled while the suspension of sanctions or  
7 the renewal of the suspension of sanctions  
8 under this section is in effect; and

9 (B) to be conducted under the supervision  
10 of internationally recognized observers;

11 (4) is making tangible progress toward estab-  
12 lishing an independent judiciary;

13 (5) is demonstrating respect for and compliance  
14 with internationally recognized human rights and  
15 basic freedoms as specified in the Universal Declara-  
16 tion of Human Rights;

17 (6) is taking steps to verifiably fulfill its com-  
18 mitments under the Chemical Weapons Convention  
19 and the Treaty on the Non-Proliferation of Nuclear  
20 Weapons and is making tangible progress toward be-  
21 coming a signatory to Convention on the Prohibition  
22 of the Development, Production and Stockpiling of  
23 Bacteriological (Biological) and Toxin Weapons and  
24 on their Destruction, entered into force March 26,

1 1975, and adhering to the Missile Technology Con-  
2 trol Regime and other control lists, as necessary;

3 (7) has halted the development and deployment  
4 of ballistic and cruise missiles; and

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

14 **SEC. 402. WAIVERS AND EXEMPTIONS.**

15 (a) EXEMPTIONS.—The following activities and  
16 transactions shall be exempt from sanctions authorized  
17 under this Act:

18 (1) Any activity subject to the reporting re-  
19 quirements under title V of the National Security  
20 Act of 1947 (50 U.S.C. 3091 et seq.), or to any au-  
21 thorized intelligence activities of the United States.

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

24 (A) the Agreement between the United Na-  
25 tions and the United States of America regard-

1           ing the Headquarters of the United Nations,  
2           signed at Lake Success June 26, 1947, and en-  
3           tered into force November 21, 1947; or

4                   (B) the Convention on Consular Relations,  
5           done at Vienna April 24, 1963, and entered  
6           into force March 19, 1967.

7           (b) HUMANITARIAN AND DEMOCRACY ASSISTANCE  
8    WAIVER.—

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

14                  (2) WAIVER.—Except as provided in paragraph  
15          (5), the President may waive, on a case-by-case  
16          basis, for a period not to exceed 120 days, and re-  
17          newable for additional periods not to exceed 120  
18          days, the application of sanctions authorized under  
19          this Act with respect to a person if the President  
20          submits to the appropriate congressional committees  
21          a written determination that the waiver is necessary  
22          for purposes of providing humanitarian assistance or  
23          support for democracy promotion to the people of  
24          Syria.

1           (3) CONTENT OF WRITTEN DETERMINATION.—

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

12          (4) CLARIFICATION OF PERMITTED ACTIVITIES  
13          UNDER WAIVER.—The President may not impose  
14          sanctions authorized under this Act against a hu-  
15          manitarian organization for—

16                (A) engaging in a financial transaction re-  
17                lating to humanitarian assistance or for human-  
18                itarian purposes pursuant to a waiver issued  
19                under paragraph (1);

20                (B) transporting goods or services that are  
21                necessary to carry out operations relating to  
22                humanitarian assistance or humanitarian pur-  
23                poses pursuant to such a waiver; or

24                (C) having incidental contact, in the course  
25                of providing humanitarian assistance or aid for

1 humanitarian purposes pursuant to such a  
2 waiver, with individuals who are under the con-  
3 trol of a foreign person subject to sanctions  
4 under this Act or any amendment made by this  
5 Act unless the organization or its officers, mem-  
6 bers, representatives or employees have engaged  
7 in (or the President knows or has reasonable  
8 ground to believe is engaged in or is likely to  
9 engage in) conduct described in section  
10 212(a)(3)(B)(iv)(VI) of the Immigration and  
11 Nationality Act (8 U.S.C.  
12 1182(a)(3)(B)(iv)(VI)).

13 (5) EXCEPTION TO WAIVER AUTHORITY.—The  
14 President may not exercise the waiver authority  
15 under paragraph (2) with respect to a foreign person  
16 who has (or whose officers, members, representatives  
17 or employees have) engaged in (or the President  
18 knows or has reasonable ground to believe is en-  
19 gaged in or is likely to engage in) conduct described  
20 in section 212(a)(3)(B)(iv)(VI) of the Immigration  
21 and Nationality Act (8 U.S.C.  
22 1182(a)(3)(B)(iv)(VI)).

23 (c) WAIVER.—

24 (1) IN GENERAL.—The President may, on a  
25 case-by-case basis and for periods not to exceed 120

1 days, waive the application of sanctions under this  
2 Act with respect to a foreign person if the President  
3 certifies to the appropriate congressional committees  
4 that such waiver is vital to the national security in-  
5 terests of the United States.

6 (2) CONSULTATION.—

7 (A) BEFORE WAIVER ISSUED.—Not later  
8 than 5 days before the issuance of a waiver  
9 under paragraph (1) is to take effect, the Presi-  
10 dent shall notify and brief the appropriate con-  
11 gressional committees on the status of the for-  
12 eign person involvement in activities described  
13 in this Act.

14 (B) AFTER WAIVER ISSUED.—Not later  
15 than 90 days after the issuance of a waiver  
16 under paragraph (1), and every 120 days there-  
17 after if the waiver remains in effect, the Presi-  
18 dent shall brief the appropriate congressional  
19 committees on the status of the foreign person’s  
20 involvement in activities described in this Act.

21 (3) DEFINITION.—In this subsection, the term  
22 “appropriate congressional committees” means—

23 (A) the Committee on Foreign Affairs, the  
24 Committee on Financial Services, the Com-  
25 mittee on Ways and Means, and the Committee

1 on the Judiciary of the House of Representa-  
2 tives; and

3 (B) the Committee on Foreign Relations,  
4 the Committee on Banking, Housing, and  
5 Urban Affairs, and the Committee on the Judi-  
6 ciary of the Senate.

7 (d) CODIFICATION OF CERTAIN SERVICES IN SUP-  
8 PORT OF NONGOVERNMENTAL ORGANIZATIONS' ACTIVI-  
9 TIES AUTHORIZED.—

10 (1) IN GENERAL.—Except as provided in para-  
11 graph (2), section 542.516 of title 31, Code of Fed-  
12 eral Regulations (relating to certain services in sup-  
13 port of nongovernmental organizations' activities au-  
14 thorized), as in effect on the day before the date of  
15 the enactment of this Act, shall—

16 (A) remain in effect on and after such date  
17 of enactment; and

18 (B) in the case of a nongovernmental orga-  
19 nization that is authorized to export or reexport  
20 services to Syria under such section on the day  
21 before such date of enactment, shall apply to  
22 such organization on and after such date of en-  
23 actment to the same extent and in the same  
24 manner as such section applied to such organi-

1           zation on the day before such date of enact-  
2           ment.

3           (2) EXCEPTION.—Section 542.516 of title 31,  
4       Code of Federal Regulations, as codified under para-  
5       graph (1), shall not apply with respect to a foreign  
6       person who has (or whose officers, members, rep-  
7       resentatives or employees have) engaged in (or the  
8       President knows or has reasonable ground to believe  
9       is engaged in or is likely to engage in) conduct de-  
10      scribed in section 212(a)(3)(B)(iv)(VI) of the Immi-  
11      gration and Nationality Act (8 U.S.C.  
12      1182(a)(3)(B)(iv)(VI)).

13   **TITLE       V—REGULATORY       AU-**  
14   **THORITY, COST LIMITATION,**  
15   **AND SUNSET**

16   **SEC. 501. REGULATORY AUTHORITY.**

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

21       (b) NOTIFICATION TO CONGRESS.—Not less than 10  
22      days before the promulgation of regulations under sub-  
23      section (a), the President shall notify and provide to the  
24      appropriate congressional committees the proposed regula-

1 tions and the provisions of this Act and the amendments  
2 made by this Act that the regulations are implementing.

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

5 (1) the Committee on Foreign Affairs and the  
6 Committee on Financial Services of the House of  
7 Representatives; and

8 (2) the Committee on Foreign Relations and  
9 the Committee on Banking, Housing, and Urban Af-  
10 fairs of the Senate.

11 **SEC. 502. COST LIMITATION.**

12 No additional funds are authorized to carry out the  
13 requirements of this Act and the amendments made by  
14 this Act. Such requirements shall be carried out using  
15 amounts otherwise authorized.

16 **SEC. 503. SUNSET.**

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

Passed the House of Representatives November 15,  
2016.

Attest:

KAREN L. HAAS,  
*Clerk.*