

(B) **APPLICABILITY TO CONTRACTS AND OTHER AGREEMENTS.**—A person engages in an activity described in subparagraph (A) without regard to whether the activity is carried out pursuant to a contract or other agreement entered into before, on, or after the date of the enactment of this Act.

(C) **GOODS OR TECHNOLOGIES DESCRIBED.**—Goods or technologies described in this subparagraph are goods or technologies that the President determines are likely to be used by the Government of Syria or any of its agencies or instrumentalities to commit human rights abuses against the people of Syria, including—

(i) firearms or ammunition (as those terms are defined in section 921 of title 18, United States Code), rubber bullets, police batons, pepper or chemical sprays, stun grenades, electroshock weapons, tear gas, water cannons, or surveillance technology; or

(ii) sensitive technology.

(D) **SENSITIVE TECHNOLOGY DEFINED.**—

(i) **IN GENERAL.**—For purposes of subparagraph (C), the term “sensitive technology” means hardware, software, telecommunications equipment, or any other technology, that the President determines is to be used specifically—

(I) to restrict the free flow of unbiased information in Syria; or

(II) to disrupt, monitor, or otherwise restrict speech of the people of Syria.

(ii) **EXCEPTION.**—The term “sensitive technology” does not include information or informational materials the exportation of which the President does not have the authority to regulate or prohibit pursuant to section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(3) **SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONABLE ACTIVITY.**—The President shall not be required to include a person on the list required by paragraph (1) if the President certifies in writing to the appropriate congressional committees that—

(A) the person is no longer engaging in, or has taken significant verifiable steps toward stopping, the activity described in paragraph (2) for which the President would otherwise have included the person on the list; and

(B) the President has received reliable assurances that the person will not knowingly engage in any activity described in paragraph (2) in the future.

(4) **UPDATES OF LIST.**—The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—

(A) not later than 270 days after the date of the enactment of this Act and every 180 days thereafter; and

(B) as new information becomes available.

(5) **FORM OF REPORT; PUBLIC AVAILABILITY.**—

(A) **FORM.**—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) **PUBLIC AVAILABILITY.**—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

SEC. 704. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO ENGAGE IN CENSORSHIP OR OTHER FORMS OF REPRESSION IN SYRIA.

(a) **IN GENERAL.**—The President shall impose sanctions described in section 702(c) with respect to each person on the list required by subsection (b).

(b) **LIST OF PERSONS WHO ENGAGE IN CENSORSHIP.**—

(I) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of persons that the President determines have engaged in censorship, or activities relating to censorship, in a manner that prohibits, limits, or penalizes the legitimate exercise of freedom of expression by citizens of Syria.

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

(A) not later than 270 days after the date of the enactment of this Act and every 180 days thereafter; and

(B) as new information becomes available.

(3) **FORM OF REPORT; PUBLIC AVAILABILITY.**—

(A) **FORM.**—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) **PUBLIC AVAILABILITY.**—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

SEC. 705. WAIVER.

The President may waive the requirement to include a person on a list required by section 702, 703, or 704 or to impose sanctions pursuant to any such section if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a report on the reasons for that determination.

SEC. 706. TERMINATION.

(a) **IN GENERAL.**—The provisions of this title and any sanctions imposed pursuant to this title shall terminate on the date on which the President submits to the appropriate congressional committees—

(1) the certification described in subsection (b); and

(2) a certification that—

(A) the Government of Syria is democratically elected and representative of the people of Syria; or

(B) a legitimate transitional government of Syria is in place.

(b) **CERTIFICATION DESCRIBED.**—A certification described in this subsection is a certification by the President that the Government of Syria—

(1) has unconditionally released all political prisoners;

(2) has ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Syria engaged in peaceful political activity;

(3) has ceased its practice of procuring sensitive technology designed to restrict the free flow of unbiased information in Syria, or to disrupt, monitor, or otherwise restrict the right of citizens of Syria to freedom of expression;

(4) has ceased providing support for foreign terrorist organizations and no longer allows such organizations, including Hamas, Hezbollah, and Palestinian Islamic Jihad, to maintain facilities in territory under the control of the Government of Syria; and

(5) has ceased the development and deployment of medium- and long-range surface-to-surface ballistic missiles;

(6) is not pursuing or engaged in the research, development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, and has provided credible assurances that it will not engage in such activities in the future; and

(7) has agreed to allow the United Nations and other international observers to verify that the Government of Syria is not engaging in such activities and to assess the credibility of the assurances provided by that Government.

(c) **SUSPENSION OF SANCTIONS AFTER ELECTION OF DEMOCRATIC GOVERNMENT.**—If the President submits to the appropriate congressional committees the certification described in subsection (a)(2), the President may suspend the provisions of this title and any sanctions imposed under this title for not more than one year to allow time for a certification described in subsection (b) to be submitted.

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged from further consideration of Presidential Nomination 1520, David J. Lane of Florida, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture; that the nomination be confirmed; the motion to reconsider be made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

FOREIGN SERVICE

David J. Lane, of Florida, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Mr. REID. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of PN 1565, 16 Public Health Service nominations received by the Senate on April 26, 2012, beginning with Joseph R. Fontana and ending with Joy A. Mobley; and PN 1679, 114 Public Health Service nominations received by the Senate on May 15, 2012, beginning with Mary J. Choi and ending with Meghan M. Zomorodi; that the nominations be confirmed; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

PUBLIC HEALTH SERVICE

To be surgeon

Joseph R. Fontana
Rakhee S. Palekar
Christopher L. Perdue

To be senior assistant surgeon

Pamela J. Horn

To be dental officer

Scott W. Brown
Deborah L. Fuller

To be senior assistant dental officer

Alexander D. Gamber

To be assistant dental officer

Erika A. Crawford
Antonio S. Parameswaran

To be assistant nurse officer

Omoronke O. Adegboju
Mark E. Arena
Michael J. Reed

To be assistant scientist officer

Brandy E. Hellman

To be assistant health services officer

George S. Chow
Sarah M. Lee
Joy A. Mobley

PUBLIC HEALTH SERVICE
To be surgeon

Mary J. Choi
Laura A. Cooley
Patricia H. David
Duke J. Ruktanonchai

To be senior assistant surgeon

Francisca Abanyie
Nina Ahmad
Andrew I. Geller
Leah K. Gilbert
Aaron M. Harris
Fiona Havers
Rachel T. Idowu
Preetha J. Iyengar
Stephen C. Ko
Gayathri S. Kumar
Keren Z. Landman
Philip A. Lederer
Anna-Binney McCague
Erin McNeley
Jolene H. Nakao
Vuong D. Nguyen
Monica Patton
Celia L. Quinn
Kenneth B. Quinto
Alison D. Ridpath
Miriam L. Shiferaw
Neil M. Vora
Joseph V. Woodring
Brian R. Yablon

To be junior assistant nurse officer

Kimberly A. Brinker

To be assistant scientist officer

Shalon M. Irving
Jonetta L. Johnson
Michael T. Lowe
Matthew Lozier
Leigh A. Miller
Elizabeth Russell
Amea M. Schwitters
Alice M. Shumate
Angela M. Thompson-Paul
Tatiana Y. Warren
Jason A. Wilken

To be assistant veterinary officer

Laura Adams
Tara C. Anderson
Abbey Canon
Lizette O. Durand
Laura S. Edison
Ilana J. Schafer
Ryan M. Wallace

To be assistant pharmacy officer

Frank A. Acheampong
Irene Adu-Gyamfi
Mackenzie P. Brown
Jacqueline R. Campbell
Kaleb Chamberlain
Lindsey N. Childress
Whitney A. Conroy
Alejandra G. Cuevas
Lauren Davis
Allan Demuth
Andrea R. Dyer
Alla Y. Fabrikant
Ashley A. Fitch
Jesse Foster
Dewey Foutz
Christopher M. Frazer
RaeAnne G. Fuller
Amy N. Goodpaster
Megan E. Groshner
Jason D. Harris
Kellee T. James
Kendra N. Jenkins
Anna B. Jewula
Russell B. Kern
Anna U. Kit
Randi J. Kuns

Bryan P. Leland
Heather S. Lim
Jennifer N. Lind
Alicia Loh
James O. Lott
Sara H. Low
Michael J. MacMillan
Madalene Mandap
Julia E. Marie
Cullen M. McChristian
Kamilah M. McKinnon
Christopher R. McKnight
Brock E. O'Keefe
Jonathan H. Owen
Kelly S. Pak
Sarah S. Pak
Heena V. Patel
Ronnie L. Rael
Salvador Rivas, Jr.
Matthew K. Sasaki
Marianne V. Schnarr
Alison M. Smith
Kristina M. Snyder
Thanh D. Ta
Patrick R. Tully
Ann P. Upshaw
Jennifer M. Utigard
Keith R. Warshany
Mary K. Wen
Riley J. Williams II
Valerie S. Wilson
Rebecca Wong

To be junior assistant health services officer

Amelia M. Breyre
Daniel V. DiGiacoma
Tiphany D. Jackson
Sarah R. Kaslow
Vinita Puri
Christopher J. Salmon
Leah M. Sitler
Colin M. Smith
Meghan M. Zomorodi

NOMINATION OF SARA MARGALIT AVIEL TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consider the following nomination: Calendar No. 640, and that the Senate proceed to vote without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nomination.

The legislative clerk read the nomination of Sara Margalit Aviel, of California, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development.

The PRESIDING OFFICER. Without objection, the Senate will proceed to consideration of the nomination.

Mr. BARRASSO. Mr. President, I rise to speak on the nomination of Sara Aviel to be the Alternate Executive Director to the International Bank for Reconstruction and Development. Had the Senate conducted a recorded vote, I would have voted against Ms. Aviel's nomination.

In 2011, the World Bank released a new 10-year energy sector lending strategy which includes a proposal to limit lending for new coal generation projects. I strongly disagree with the World Bank blocking any access to

coal-powered energy. Their strategy will drive up energy prices around the world, and will make affordable and reliable energy for poor countries difficult to secure.

The World Bank should be focused on poverty reduction and economic growth. Using advanced technologies, coal provides a clean, low cost and reliable energy source which is critical to countries looking for assistance in poverty alleviation and economic development. I believe representatives of the United States at the World Bank should support low cost and dependable energy sources as a means to help countries spur economic growth.

Sara Aviel supports the World Bank providing financing for coal power generation but only to the poorest countries when no other options are available. She reiterated this point when I asked her whether she would support the World Bank's financing of a new coal-fired power plant project in Kosovo. She stated:

There are a number of compelling reasons in favor of this project. First, Kosovo, one of the poorest countries in Europe, is greatly in need of reliable base load power and there appears to be no other viable alternatives.

Since the majority of lending by the World Bank is for middle-income countries, and not to the poorest of countries, the World Bank strategy supported by Sara Aviel will place significant limits, if not eliminate, lending for coal power generation. I believe she will use the World Bank 10-year energy strategy as a means to restrict World Bank lending for coal power generation projects, even when the proposal represents the most cost effective alternative. Requiring borrowers to accept higher cost projects when affordable and reliable alternatives are readily available is no way to operate a bank, especially when the bank is being funded with taxpayer dollars.

The World Bank has also started a shift from providing financing to help the poorest of countries with economic growth and reducing poverty, to a focus in other areas with a strong emphasis on lending to middle-income countries. Middle-income countries that receive the vast majority of World Bank financing include nations such as China and Brazil.

While Sara Aviel agrees that middle-income countries are able to borrow on international capital markets at commercial rates, she believes the World Bank should continue its lending to these countries. I disagree with her support of this policy.

The World Bank should be aggressively working towards the graduation of middle-income countries from borrowers to donors. The resources of the World Bank should be directed at helping the poorest of countries eradicate poverty and implement successful economic development projects. Their primary focus should be on assisting countries that cannot access international capital markets at commercial rates, not financing middle-income