

116TH CONGRESS
1ST SESSION

H. R. 1706

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2019

Mr. ENGEL (for himself, Mr. KINZINGER, Mr. McCAUL, and Mr. BRENDAN F. BOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

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

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

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

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

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

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

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

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

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

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

12 (a) LIMITATION.—

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

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

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

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

3 (b) CERTIFICATION.—

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

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

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

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

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

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

12 (E) The Government of Syria is—

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

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

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

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

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

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

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

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

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

12 (B) a report that—

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

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

20 (c) EXCEPTION.—

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

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

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

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

5 (i) drought relief;

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

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

10 (iv) the provision of health services;
11 and

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

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

20 (A) a description of the project;

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

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

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

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

13 (d) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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