

113TH CONGRESS
1ST SESSION

S. 856

To foster stability in Syria, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2013

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To foster stability 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 Stabilization Act of 2013”.

6 (b) **TABLE OF CONTENTS.**—

- Sec. 1. Short title; Table of contents.
- Sec. 2. Appropriate congressional committees defined.
- Sec. 3. Findings.
- Sec. 4. Statement of policy.

TITLE I—HUMANITARIAN ASSISTANCE

- Sec. 101. Humanitarian assistance to the people of Syria.
- Sec. 102. Sense of Congress.
- Sec. 103. Report on strategy to communicate to the Syrian people about assistance provided by the United States Government.

TITLE II—PROMOTING AN EFFECTIVE TRANSITION

Sec. 201. Syrian transition fund.

Sec. 202. Adjusting sanctions provisions in preparation for a political transition.

TITLE III—SANCTIONS

Sec. 301. Imposition of sanctions on persons providing defense articles or defense services to the Assad regime of Syria.

Sec. 302. Imposition of sanctions on persons providing petroleum or petroleum products to the Assad regime of Syria.

TITLE IV—INCREASED SUPPORT FOR THE OPPOSITION

Sec. 401. Increased support for the opposition.

1 **SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
 2 **FINED.**

3 In this Act, the term “appropriate congressional com-
 4 mittees” means the Committee on Foreign Relations of
 5 the Senate, the Committee on Foreign Affairs of the
 6 House of Representatives, and the Committees on Appro-
 7 priations of the Senate and House of Representatives.

8 **SEC. 3. FINDINGS.**

9 Congress makes the following findings:

10 (1) Since mass peaceful demonstrations started
 11 in Syria on March 15, 2011, the Government of
 12 Syria, led by President Bashar al-Assad, has re-
 13 sponded by committing human rights abuses and
 14 launching a violent crackdown that has claimed an
 15 estimated 70,000 lives and degenerated into a civil
 16 war.

17 (2) The civil war has caused a humanitarian
 18 crisis. According to the United Nations, there are
 19 more than 1,400,000 Syrian refugees registered in

1 Lebanon, Turkey, Jordan, Egypt, and Iraq and
2 more than 2,600,000 Syrians displaced within the
3 country. More than three-quarters of refugees and
4 internally displaced persons are women and children.

5 (3) The refugee crisis threatens the stability of
6 the Middle East, putting immense burdens on Syr-
7 ia's neighbors, most notably Lebanon and Jordan,
8 but also Turkey and Iraq.

9 (4) The civil war has increased the danger that
10 the Assad regime could lose control of its chemical
11 weapons stockpile or choose to use chemical weapons
12 against civilians or armed opposition fighters in
13 Syria.

14 (5) On April 25, 2013, the White House issued
15 a letter to Congress stating that "our intelligence
16 community does assess with varying degrees of con-
17 fidence that the Syrian regime has used chemical
18 weapons on a small scale in Syria, specifically the
19 chemical agent Sarin".

20 (6) The security vacuum in Syria has created a
21 safe haven for both Shia and Sunni extremists, who
22 could in the future threaten the security of the
23 United States and its partners.

1 (7) Instability in Syria has threatened Israel's
2 security, particularly on the shared border along the
3 Golan Heights.

4 (8) A change in government could be a signifi-
5 cant blow to Iran and Hezbollah, which would lose
6 a strong ally and who have been aggressively pro-
7 viding military assistance to President Assad.

8 (9) The commitments made by the National Co-
9 alition for Syrian Revolutionary and Opposition
10 Forces at the international meeting in Istanbul on
11 April 20 and 21, 2013, constitute an important en-
12 dorsement of shared principles and objectives that
13 should guide United States Government cooperation
14 with the National Coalition for Syrian Revolutionary
15 and Opposition Forces and affiliated forces. These
16 principles include a commitment to the territorial in-
17 tegrity of Syria, a rejection of sectarianism and ex-
18 tremism, and pledges to secure chemical weapons
19 and support nonproliferation efforts.

20 **SEC. 4. STATEMENT OF POLICY.**

21 It is the policy of the United States—

22 (1) to support transition from the current re-
23 gime in Syria to a just and democratic state that is
24 inclusive and protects the rights of all Syrians re-
25 gardless of religion, ethnicity, or gender;

1 (2) to assist the people of Syria, especially in-
2 ternally displaced persons and refugees, in meeting
3 basic needs including access to food, health care,
4 shelter, and clean drinking water;

5 (3) to provide political and economic support to
6 those neighboring countries who are hosting refugees
7 fleeing Syria and to international organizations that
8 are providing assistance and coordinating humani-
9 tarian relief efforts;

10 (4) to oppose the unlawful use of violence
11 against civilians by all parties to the conflict in
12 Syria;

13 (5) to use a broad array of pressure instru-
14 ments to expedite a negotiated solution to the con-
15 flict in Syria, including the removal from power of
16 the government of Bashar al-Assad;

17 (6) to recognize the National Coalition for Syr-
18 ian Revolutionary and Opposition Forces (in this
19 Act referred to as the “Syrian Opposition Coalition”
20 or “SOC”) as the legitimate representative of the
21 Syrian people;

22 (7) to engage with the SOC and a diverse and
23 inclusive array of opposition groups that are rep-
24 resentative of the Syrian people, as well as the
25 broader international community, to facilitate and

1 plan for an orderly transition to a more stable demo-
2 cratic political order, the elements of which should
3 include—

4 (A) protections for human rights, political
5 participation, and religious freedom for all Syr-
6 ians, irrespective of religion, ethnicity, or gen-
7 der;

8 (B) support for the rule of law;

9 (C) rejection of extremism;

10 (D) the subordination of the military to ci-
11 vilian authority;

12 (E) protections against sectarian violence
13 and reprisal;

14 (F) cooperation with international counter-
15 terrorism and nonproliferation efforts;

16 (G) support for regional stability and non-
17 interference in the affairs of neighboring coun-
18 tries; and

19 (H) promotion of justice and accountability
20 for conflict-related crimes;

21 (8) to promote the territorial integrity of Syria
22 and the unity and continuity of the Syrian state
23 by—

1 (A) supporting a post-Assad government
2 that is capable of providing security, services,
3 and fundamental rights for its people; and

4 (B) opposing a role in a post-Assad gov-
5 ernment of those whose presence would under-
6 mine its credibility or jeopardize stability and
7 reconciliation;

8 (9) to provide foreign assistance, defense arti-
9 cles, defense services, and training to members of
10 the Syrian Supreme Military Council, units of the
11 Free Syrian Army, and other Syrian entities op-
12 posed to the government of Bashar al-Assad that
13 have been properly vetted and share common values
14 and interests with the United States;

15 (10) to closely coordinate with key partners, in-
16 cluding Turkey, Jordan, Israel, the Gulf Cooperation
17 Council, and the European Union, to ensure that the
18 international community is prepared for a military
19 or diplomatic response, including the creation of no-
20 fly zones or safe havens, the protection of civilians,
21 and the securing of chemical or biological weapons,
22 to mitigate or prevent humanitarian, security, and
23 proliferation emergencies; and

24 (11) to support efforts to catalogue and identify
25 those individuals who commit or lead units or orga-

1 nizations which commit abuses of human rights or
2 other violations of international law, and to ensure
3 that they are held accountable for their actions.

4 **TITLE I—HUMANITARIAN**
5 **ASSISTANCE**

6 **SEC. 101. HUMANITARIAN ASSISTANCE TO THE PEOPLE OF**
7 **SYRIA.**

8 Notwithstanding any other provision of law, the
9 President is authorized to provide assistance, including to
10 meet humanitarian and basic human needs, to the people
11 of Syria in carrying out the provisions of the Foreign As-
12 sistance Act of 1961 (22 U.S.C. 2151 et seq.) and the
13 Migration and Refugee Assistance Act.

14 **SEC. 102. SENSE OF CONGRESS.**

15 Consistent with the policy objectives described in sec-
16 tion 4, it is the sense of Congress that—

17 (1) the United States should increase its own
18 contributions and continue to coordinate with other
19 donor nations, the United Nations, other multilat-
20 eral agencies, and nongovernmental organizations to
21 enhance the effectiveness of humanitarian assistance
22 to the people suffering as a result of the crisis in
23 Syria;

24 (2) countries hosting Syrian refugees should be
25 commended for their efforts and should be encour-

1 aged to maintain an open border policy for fleeing
2 Syrians;

3 (3) the United States Government should con-
4 tinue to work with these partners to help their na-
5 tional systems accommodate the population influx
6 and also maintain delivery of basic services to their
7 own citizens; and

8 (4) the United States Government should seek
9 to identify humanitarian assistance as originating
10 from the American people wherever possible, while
11 maintaining primary consideration for the health
12 and safety of the implementers and recipients of
13 that assistance and for the furtherance of United
14 States foreign policy goals.

15 **SEC. 103. REPORT ON STRATEGY TO COMMUNICATE TO**
16 **THE SYRIAN PEOPLE ABOUT ASSISTANCE**
17 **PROVIDED BY THE UNITED STATES GOVERN-**
18 **MENT.**

19 (a) IN GENERAL.—Not later than 60 days after the
20 date of the enactment of this Act, the Secretary of State
21 shall submit to the appropriate congressional committees
22 a classified report with an unclassified summary on an in-
23 tegrated United States Government strategy to ensure
24 that the people of Syria are made aware to the maximum
25 extent possible of the assistance that the United States

1 Government provides to Syrians, both inside Syria and
2 those seeking refuge in neighboring countries.

3 (b) CONTENT.—The report should include the fol-
4 lowing elements:

5 (1) A discussion of how the United States bal-
6 ances three imperatives of—

7 (A) maximizing the efficacy of aid provided
8 to the people of Syria;

9 (B) ensuring that there is awareness
10 among the people of Syria on the amount and
11 nature of this aid; and

12 (C) leveraging this aid to improve the
13 credibility of the Syrian Opposition Coalition
14 amongst the people of Syria.

15 (2) Methods by which the United States Gov-
16 ernment and its partners plan to communicate to
17 the people of Syria what assistance the United
18 States has provided.

19 (3) How the United States Government can
20 most effectively promote awareness of its assistance
21 while taking into consideration and ensuring the
22 safety of its implementing partners and personnel
23 providing that assistance.

24 (4) An assessment of the Syrian Opposition
25 Coalition's Assistance Coordination Unit (ACU)'s

1 capacity to participate in the distribution of assist-
2 ance, and a description of steps the United States
3 Government is taking to increase their profile so as
4 to help build their credibility among Syrians.

5 (5) A review of the risks associated with
6 leveraging aid for political objectives and a descrip-
7 tion of efforts to maintain neutrality in the distribu-
8 tion of goods while parallel efforts are made to em-
9 power the opposition.

10 **TITLE II—PROMOTING AN** 11 **EFFECTIVE TRANSITION**

12 **SEC. 201. SYRIAN TRANSITION FUND.**

13 (a) SYRIAN POLITICAL TRANSITION FUND.—The
14 President is authorized to establish a Syria Transition
15 Fund or to set aside a special allocation (in this title re-
16 ferred to as the “Transition Fund”) from which funds
17 may be made available, notwithstanding any other provi-
18 sion of law, for assistance and contributions to promote
19 the objectives described in section 4 and for related pur-
20 poses. The Fund may rely upon the administrative au-
21 thorities of the Foreign Assistance Act of 1961 (22 U.S.C.
22 2151 et seq.), and obligation of such funds shall be subject
23 to the regular 15-day notification procedures. Such notifi-
24 cation may be waived if failure to do so would pose a sub-
25 stantial risk to human health or welfare, in which case

1 notification shall be provided as early as practicable, but
2 in no event later than 3 days after taking the action to
3 which such notification requirement was applicable.

4 (b) PURPOSE.—The purpose of the Transition Fund
5 is to provide initial support in the early period of a poten-
6 tially chaotic transition in Syria to enable an effective po-
7 litical transition and provide for initiatives that will im-
8 prove the security of the United States, United States
9 partners and allies, and the people of Syria. The Transi-
10 tion Fund may be used to support activities including the
11 following:

12 (1) BASIC SERVICES.—Programs to provide for
13 basic human, including humanitarian, needs and es-
14 tablish basic governmental services.

15 (2) SECURITY SECTOR SUPPORT.—Programs
16 and actions to prevent anarchy, revenge attacks, and
17 criminal elements from threatening the people of
18 Syria, potentially transitioning to include providing
19 funding for Syrian security forces, and to fund
20 projects to reshape and reform the security sector
21 along democratic lines. The security sector is under-
22 stood to include personnel defending the Syrian peo-
23 ple from military attack and providing security serv-
24 ices within communities and on borders. Assistance
25 to the emergent Syrian security sector should focus

1 on coordinated multilateral assistance to help nas-
2 cent security providers evolve into developed defense
3 and security institutions within an inclusive and ef-
4 fective security and justice sector.

5 (3) TRANSITIONAL JUSTICE AND CONFLICT
6 RESOLUTION.—Programs and activities that allow
7 the people of Syria to heal and transform in a con-
8 structive and positive way, and reduce the likelihood
9 of retribution or sectarian violence in the aftermath
10 of the end of the Assad regime.

11 (4) PROMOTING DEMOCRACY AND BUILDING
12 DEMOCRATIC INSTITUTIONS.—Programs and activi-
13 ties that—

14 (A) facilitate the development of an ac-
15 countable effective democratic government;

16 (B) facilitate the development of an effec-
17 tive, peaceful civil society;

18 (C) protect rule of law during the transi-
19 tion;

20 (D) support the development and adminis-
21 tration of a justice system based on universal
22 human rights;

23 (E) assist with the development of a Syr-
24 ian constitution that fosters a sense of unity
25 and contributes to national reconciliation

1 among different components of Syrian society;
2 and

3 (F) support the establishment of an inclu-
4 sive and transparent electoral system in Syria.

5 (5) ECONOMIC RESTRUCTURING AND SOCIAL
6 POLICY.—Programs that support the resumption of
7 economic activity, preserve functioning of public
8 services, restore access to international markets, em-
9 power the private sector, and promote responsible
10 and equitable social policies.

11 (6) HISTORICAL PRESERVATION.—Programs
12 that support historical preservation efforts to help
13 document the collective memory of the armed con-
14 flict in Syria in order to support the processes of na-
15 tional reconciliation and peace-building.

16 (7) COLLECTION OF EVIDENCE ON HUMAN
17 RIGHTS ABUSES.—Programs that support the collec-
18 tion of evidence connected with serious human rights
19 abuses and violations of international law.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
21 tion to other assistance authorized under law, there is au-
22 thorized to be appropriated or allocated to the Transition
23 Fund up to \$250,000,000 annually for fiscal years 2013
24 through 2015. These funds shall remain available until ex-
25 pended.

1 (d) USES OF FUNDS FOR NONPROLIFERATION.—

2 Notwithstanding any other provision of law, up to
3 \$100,000,000 of the funds authorized under subsection
4 (c) may also be transferred to and merged with funds
5 made available to carry out in Syria the purposes of chap-
6 ter 9 of part II of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2349bb et seq.; nonproliferation and export
8 control assistance).

9 (e) TRANSFER AUTHORITY.—

10 (1) IN GENERAL.—In addition to other transfer
11 authorities available to the Department of State or
12 other United States Government agencies, funds
13 available for foreign assistance or funds of other
14 United States Government agencies involved in ef-
15 forts related to the situation in Syria may be trans-
16 ferred to or allocated as part of the Fund. Amounts
17 so transferred shall be merged with funds otherwise
18 made available under this section and remain avail-
19 able until expended for the purposes specified in
20 subsection (b).

21 (2) LIMIT.—The total amount of funds made
22 available to, or allocated for, the Fund may not ex-
23 ceed \$250,000,000 in any fiscal year.

24 (3) TRANSFER AUTHORITY.—Funds available to
25 carry out assistance authorized by this section may

1 be transferred to an agency or account determined
2 most appropriate to facilitate the provision of assist-
3 ance authorized by this section.

4 (4) ADDITIONAL TO OTHER AUTHORITIES.—
5 The transfer authorities in paragraphs (1) and (3)
6 are in addition to any other transfer authority avail-
7 able to the Department of State or other United
8 States Government agencies.

9 (f) ANNUAL REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the establishment of the Transition Fund, or
12 an allocation in reliance on the authorities of the
13 Transition Fund, and annually thereafter for the du-
14 ration of the Transition Fund, the Secretary of
15 State shall submit to the appropriate congressional
16 committees a report on United States efforts to as-
17 sist the political transition in Syria with a specific
18 focus on the efforts supported by the Transition
19 Fund.

20 (2) CONTENT.—The report required under
21 paragraph (1) shall include the following elements:

22 (A) A description of the key efforts under-
23 taken by the United States Government to sup-
24 port the policy objectives outlined in section 4.

1 (B) A description of the efforts supported
2 by the Transition Fund to support an effective
3 and secure political transition in Syria and how
4 those activities align with the purposes de-
5 scribed in subsection (b).

6 (C) Metrics and benchmarks established
7 and used by the Department of State to make
8 allocations from the Transition Fund, and to
9 measure the performance of the Transition
10 Fund and its various components.

11 (D) A description of efforts undertaken to
12 coordinate with other donors and ensure that
13 there is not a duplication of efforts, including
14 among Federal agencies.

15 (3) FORM.—The report under paragraph (1)
16 shall be submitted in unclassified form, but may in-
17 clude a classified annex.

18 **SEC. 202. ADJUSTING SANCTIONS PROVISIONS IN PREPA-**

19 **RATION FOR A POLITICAL TRANSITION.**

20 (a) REMOVAL OF SANCTIONS.—It is the sense of Con-
21 gress that, once the Government of Syria has ceased its
22 campaign of violence against the people of Syria and a
23 transition to a representative and inclusive recognized gov-
24 ernment has begun, the United States Government should
25 begin a phased process to remove sanctions on Syria, pro-

1 vided that the post-Assad Government of Syria dem-
2 onstrates its willingness to—

3 (1) support human rights for all Syrians irre-
4 spective of sect or ethnicity;

5 (2) reject terrorism; and

6 (3) cooperate with the international community
7 on nonproliferation efforts.

8 (b) AMENDMENT TO SYRIA ACCOUNTABILITY AND
9 LEBANESE SOVEREIGNTY RESTORATION ACT OF 2003.—

10 Section 5 of the Syria Accountability and Lebanese Sov-
11 ereignty Restoration Act of 2003 (Public Law 108–175;
12 22 U.S.C. 2151 note) is amended—

13 (1) in subsection (c)—

14 (A) in paragraph (1)—

15 (i) by inserting “(A)” after “(1)”; and

16 (ii) by striking “paragraphs (1)
17 through (4) of subsection (d)” and insert-
18 ing “subparagraphs (A) through (D) of
19 paragraph (1) of subsection (d)”;

20 (B) by redesignating paragraphs (2) and
21 (3) as subparagraphs (B) and (C), respectively;

22 and

23 (C) in subparagraph (C), as redesignated
24 by subparagraph (B) of this paragraph, by

1 striking the comma at the end and inserting the
2 following: “or;

3 “(2) makes the determination that the Govern-
4 ment of Syria meets the requirements described in
5 paragraph (2) of such subsection and certifies such
6 determination to Congress in accordance with such
7 subsection,”; and

8 (2) in subsection (d)—

9 (A) in paragraph (1), by inserting “(A)”
10 after “(1)”;

11 (B) by redesignating paragraphs (2), (3),
12 and (4) as subparagraphs (B), (C), and (D), re-
13 spectively; and

14 (C) in subparagraph (D), as redesignated
15 by subparagraph (B), by striking the period at
16 the end and inserting the following: “or;

17 “(2)(A) Bashar al-Assad is no longer the leader
18 of Syria; and

19 “(B) the Government of Syria has ceased its
20 campaign of violence against the people of Syria and
21 begun the transition to a representative and inclu-
22 sive government that supports the principles of—

23 “(i) human rights for all Syrians irrespec-
24 tive of sect, religion, or ethnicity;

1 “(ii) rejection of terrorism and particularly
2 support for Hezbollah and other terrorist orga-
3 nizations;

4 “(iii) cooperation with the international
5 community on nonproliferation efforts; and

6 “(iv) promotion of the unity and continuity
7 of the Syrian state.”.

8 **TITLE III—SANCTIONS**

9 **SEC. 301. DEFINITIONS.**

10 In this title:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Foreign Relations,
15 the Committee on Finance, and the Committee
16 on Banking, Housing, and Urban Affairs of the
17 Senate; and

18 (B) the Committee on Foreign Affairs, the
19 Committee on Ways and Means, and the Com-
20 mittee on Financial Services of the House of
21 Representatives.

22 (2) DEFENSE ARTICLE; DEFENSE SERVICE.—
23 The terms “defense article” and “defense service”
24 have the meanings given those terms in section 644

1 of the Foreign Assistance Act of 1961 (22 U.S.C.
2 2403).

3 (3) PERSON.—The term “person” means an in-
4 dividual or entity.

5 (4) PETROLEUM.—The term “petroleum” in-
6 cludes crude oil and any mixture of hydrocarbons
7 that exists in liquid phase in natural underground
8 reservoirs and remains liquid at atmospheric pres-
9 sure after passing through surface separating facili-
10 ties.

11 (5) PETROLEUM PRODUCTS.—The term “petro-
12 leum products” includes unfinished oils, liquefied pe-
13 troleum gases, pentanes plus, aviation gasoline,
14 motor gasoline, naphtha-type jet fuel, kerosene-type
15 jet fuel, kerosene, distillate fuel oil, residual fuel oil,
16 petrochemical feedstocks, special naphthas, lubri-
17 cants, waxes, petroleum coke, asphalt, road oil, still
18 gas, and miscellaneous products obtained from the
19 processing of crude oil (including lease condensate),
20 natural gas, and other hydrocarbon compounds.

1 **SEC. 302. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **PERSONS PROVIDING DEFENSE ARTICLES OR**
3 **DEFENSE SERVICES TO THE ASSAD REGIME**
4 **OF SYRIA.**

5 On or after the date that is 60 days after the date
6 of the enactment of this Act, the President may impose
7 sanctions from among the sanctions described in section
8 304 with respect to any person that the President deter-
9 mines has, on or after such date of enactment, knowingly
10 participated in or facilitated a significant transaction re-
11 lated to the sale or transfer of defense articles or defense
12 services to the Assad regime of Syria, including any suc-
13 cessor entity comprised principally of loyalists to Bashar
14 al-Assad.

15 **SEC. 303. IMPOSITION OF SANCTIONS WITH RESPECT TO**
16 **PERSONS PROVIDING PETROLEUM OR PE-**
17 **TROLEUM PRODUCTS TO THE ASSAD REGIME**
18 **OF SYRIA.**

19 (a) IN GENERAL.—On or after the date that is 60
20 days after the date of the enactment of this Act, the Presi-
21 dent shall impose not fewer than 5 of the sanctions de-
22 scribed in section 304 with respect to each person that
23 the President determines has, on or after such date of en-
24 actment, knowingly participated in or facilitated a signifi-
25 cant transaction related to the sale or transfer of petro-
26 leum or petroleum products to the Assad regime of Syria,

1 including any successor entity comprised principally of loy-
2 alists to Bashar al-Assad, that directly contribute to the
3 capability of the Assad regime, or any such successor enti-
4 ty, to continue its aggression against the people of Syria.

5 (b) HUMANITARIAN EXCEPTION.—The President
6 may not impose sanctions under this section with respect
7 to any person for conducting or facilitating a transaction
8 necessary to meet humanitarian and basic human needs
9 of the people of Syria.

10 **SEC. 304. SANCTIONS DESCRIBED.**

11 The sanctions the President may impose with respect
12 to a person under sections 302 and 303 are the following:

13 (1) EXPORT-IMPORT BANK ASSISTANCE.—The
14 President may direct the Export-Import Bank of the
15 United States not to give approval to the issuance
16 of any guarantee, insurance, extension of credit, or
17 participation in the extension of credit in connection
18 with the export of any goods or services to the per-
19 son.

20 (2) PROCUREMENT SANCTION.—The President
21 may prohibit the United States Government entering
22 into any contract for the procurement of any goods
23 or services from the person.

1 (3) IMPORT SANCTIONS.—The President may
2 prohibit the importation into the United States of
3 products produced by the person.

4 (4) ARMS EXPORT PROHIBITION.—The Presi-
5 dent may prohibit the exportation or provision by
6 sale, lease or loan, grant or other means, directly or
7 indirectly, of any defense article or defense service to
8 the person and the issuance of any license or other
9 approval to the person under section 38 of the Arms
10 Export Control Act (22 U.S.C. 2778).

11 (5) DUAL-USE EXPORT PROHIBITION.—The
12 President may deny licenses and suspend existing li-
13 censes for the transfer to the person of items the ex-
14 port of which is controlled under the Export Admin-
15 istration Act of 1979 (50 U.S.C. App. 2401 et seq.)
16 (as in effect pursuant to the International Emer-
17 gency Economic Powers Act (50 U.S.C. 1701 et
18 seq.)) or the Export Administration Regulations
19 under subchapter C of chapter VII of title 15, Code
20 of Federal Regulations.

21 (6) PROPERTY TRANSACTIONS.—The President
22 may, pursuant to such regulations as the President
23 may prescribe, prohibit the person from—

24 (A) acquiring, holding, withholding, using,
25 transferring, withdrawing, transporting, import-

1 ing, or exporting any property that is subject to
2 the jurisdiction of the United States and with
3 respect to which the person has any interest;

4 (B) dealing in or exercising any right,
5 power, or privilege with respect to such prop-
6 erty; or

7 (C) conducting any transaction involving
8 such property.

9 (7) VISA INELIGIBILITY.—In the case of a per-
10 son that is an alien, the President may direct the
11 Secretary of State to deny a visa to, and the Sec-
12 retary of Homeland Security to exclude from the
13 United States, the person, subject to regulatory ex-
14 ceptions to permit the United States to comply with
15 the Agreement between the United Nations and the
16 United States of America regarding the Head-
17 quarters of the United Nations and other applicable
18 international obligations.

19 **SEC. 305. WAIVER.**

20 (a) IN GENERAL.—The President may waive the ap-
21 plication of section 302 or 303 if the President determines
22 and reports to the appropriate congressional committees
23 every 180 days that the waiver is vital to the national se-
24 curity interests of the United States.

1 (b) FORM.—A report submitted under subsection (a)
2 shall be submitted in unclassified form but may include
3 a classified annex.

4 **TITLE IV—INCREASED SUPPORT**
5 **FOR THE OPPOSITION**

6 **SEC. 401. INCREASED SUPPORT FOR THE OPPOSITION.**

7 (a) INCREASED AUTHORIZATION TO PROVIDE LE-
8 THAL AND NONLETHAL ASSISTANCE TO SYRIAN ARMED
9 OPPOSITION.—Subject to subsection (b), the President is
10 authorized, notwithstanding any other provision of law
11 and using funds made available for foreign assistance, to
12 provide assistance, including defense articles, defense serv-
13 ices, and training to members of the Syrian Supreme Mili-
14 tary Council, units of the Free Syrian Army, and other
15 Syrian entities opposed to the government of Bashar al-
16 Assad.

17 (b) NOTIFICATION.—Not later than 15 days before
18 obligating funds or otherwise making commitments, as the
19 case may be, to provide the assistance described in sub-
20 section (a), the President shall submit to the appropriate
21 congressional committees—

22 (1) a certification that—

23 (A) assistance to any unit is being pro-
24 vided in accordance with section 620M of the

1 Foreign Assistance Act of 1961 (22 U.S.C.
2 2378d);

3 (B) the leader or leaders of any unit for
4 which assistance is planned to be provided are,
5 based on the information available to the
6 United States Government—

7 (i) not affiliated with any organization
8 that has been designated as a foreign ter-
9 rorist organization pursuant to section 219
10 of the Immigration and Nationality Act (8
11 U.S.C. 1189);

12 (ii) opposed to the carrying out of sec-
13 tarian violence and revenge killings; and

14 (iii) committed to civilian rule and the
15 rule of law for Syria;

16 (C) any military education and training
17 will include information on observance of and
18 respect for applicable laws of war, human
19 rights, and fundamental freedoms; and

20 (D) no man-portable air defense systems
21 (MANPADS) will be transferred as part of the
22 assistance; and

23 (2) a written policy justification, budget, execu-
24 tion plan and timeline, and anticipated completion
25 date for the planned activity.

1 (c) CODE OF CONDUCT.—The United States Govern-
2 ment shall encourage any entity receiving assistance pur-
3 suant to subsection (a) to commit to a code of conduct
4 that includes respect for the applicable laws of war, human
5 rights, fundamental freedoms, and a commitment to re-
6 frain from sectarian violence.

7 (d) REPORTING REQUIREMENT.—In the event that
8 the President exercises the authority in subsection (a), the
9 President shall submit to the appropriate congressional
10 committees every 90 days thereafter until such time as
11 the authority is no longer being exercised, a detailed re-
12 port on—

13 (1) the education, training or assistance pro-
14 vided;

15 (2) the vetting conducted to satisfy the certifi-
16 cation requirement in subsection (b)(1); and

17 (3) steps taken to encourage the development of
18 a code of conduct outlined in subsection (c).

19 (e) SUNSET PROVISION.—The authority described in
20 subsection (a) shall terminate on October 1, 2018.

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