

Suspend the Rules and Pass the Bill, H. R. 31, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 31

To require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. ENGEL (for himself, Mr. McCAUL, Mr. DEUTCH, Mr. KINZINGER, Mr. CICILLINE, Mr. YOHO, Mr. CONNOLLY, Mr. FITZPATRICK, Mr. HASTINGS, Mr. WILSON of South Carolina, Mr. PANETTA, Mr. HILL of Arkansas, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WEBER of Texas, Ms. MENG, Mr. CHABOT, Mr. KILDEE, Mrs. WAGNER, Mr. SUOZZI, Mrs. BROOKS of Indiana, Mr. MOULTON, Mr. MEADOWS, Mr. TED LIEU of California, Mr. ROONEY of Florida, Mr. LIPINSKI, Mr. STIVERS, Mr. CARSON of Indiana, Mr. HURD of Texas, Mr. SCHNEIDER, Mr. GALLAGHER, Mr. KEATING, Ms. FRANKEL, Mr. LANGEVIN, Mr. LEVIN of California, Mr. SIRES, Ms. KELLY of Illinois, and Ms. ESHOO) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, 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 require certain additional actions in connection with the national emergency with respect to 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.**

4 This Act may be cited as the “Caesar Syria Civilian
5 Protection Act of 2019”.

6 **TITLE I—ADDITIONAL ACTIONS**
7 **IN CONNECTION WITH THE**
8 **NATIONAL EMERGENCY WITH**
9 **RESPECT TO SYRIA**

10 **SEC. 101. MEASURES WITH RESPECT TO CENTRAL BANK OF**
11 **SYRIA.**

12 (a) DETERMINATION REGARDING CENTRAL BANK OF
13 SYRIA.—Not later than 180 days after the date of the en-
14 actment of this Act, the Secretary of the Treasury shall
15 determine, under section 5318A of title 31, United States
16 Code, whether reasonable grounds exist for concluding
17 that the Central Bank of Syria is a financial institution
18 of primary money laundering concern.

19 (b) ENHANCED DUE DILIGENCE AND REPORTING
20 REQUIREMENTS.—If the Secretary of the Treasury deter-
21 mines under subsection (a) that reasonable grounds exist
22 for concluding that the Central Bank of Syria is a finan-
23 cial institution of primary money laundering concern, the
24 Secretary, in consultation with the Federal functional reg-
25 ulators (as defined in section 509 of the Gramm-Leach-

1 Bliley Act (15 U.S.C. 6809)), shall impose one or more
2 of the special measures described in section 5318A(b) of
3 title 31, United States Code, with respect to the Central
4 Bank of Syria.

5 (c) REPORT REQUIRED.—

6 (1) IN GENERAL.—Not later than 90 days after
7 making a determination under subsection (a) as to
8 whether or not the Central Bank of Syria is a finan-
9 cial institution of primary money laundering con-
10 cern, the Secretary of the Treasury shall submit to
11 the appropriate congressional committees a report
12 that includes the reasons for the determination.

13 (2) FORM.—A report required by paragraph (1)
14 shall be submitted in unclassified form, but may in-
15 clude a classified annex.

16 (3) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES DEFINED.—In this subsection, the term “ap-
18 propriate congressional committees” means—

19 (A) the Committee on Foreign Affairs, the
20 Committee on Financial Services, and the Com-
21 mittee on Appropriations of the House of Rep-
22 resentatives; and

23 (B) the Committee on Foreign Relations,
24 the Committee on Banking, Housing, and

1 Urban Affairs, and the Committee on Appro-
2 priations of the Senate.

3 **SEC. 102. SANCTIONS WITH RESPECT TO FOREIGN PER-**
4 **SONS THAT ENGAGE IN CERTAIN TRANS-**
5 **ACTIONS.**

6 (a) IMPOSITION OF SANCTIONS.—

7 (1) IN GENERAL.—On and after the date that
8 is 180 days after the date of the enactment of this
9 Act, the President shall impose the sanctions de-
10 scribed in subsection (b) with respect to a foreign
11 person if the President determines that the foreign
12 person, on or after such date of enactment, know-
13 ingly engages in an activity described in paragraph
14 (2).

15 (2) ACTIVITIES DESCRIBED.—A foreign person
16 engages in an activity described in this paragraph if
17 the foreign person—

18 (A) knowingly provides significant finan-
19 cial, material, or technological support to, or
20 knowingly engages in a significant transaction
21 with—

22 (i) the Government of Syria (including
23 any entity owned or controlled by the Gov-
24 ernment of Syria) or a senior political fig-
25 ure of the Government of Syria;

1 (ii) a foreign person that is a military
2 contractor, mercenary, or a paramilitary
3 force knowingly operating in a military ca-
4 pacity inside Syria for or on behalf of the
5 Government of Syria, the Government of
6 the Russian Federation, or the Govern-
7 ment of Iran; or

8 (iii) a foreign person subject to sanc-
9 tions pursuant to the International Emer-
10 gency Economic Powers Act (50 U.S.C.
11 1701 et seq.) with respect to Syria or any
12 other provision of law that imposes sanc-
13 tions with respect to Syria;

14 (B) knowingly sells or provides significant
15 goods, services, technology, information, or
16 other support that significantly facilitates the
17 maintenance or expansion of the Government of
18 Syria's domestic production of natural gas, pe-
19 troleum, or petroleum products;

20 (C) knowingly sells or provides aircraft or
21 spare aircraft parts that are used for military
22 purposes in Syria for or on behalf of the Gov-
23 ernment of Syria to any foreign person oper-
24 ating in an area directly or indirectly controlled

1 by the Government of Syria or foreign forces
2 associated with the Government of Syria;

3 (D) knowingly provides significant goods
4 or services associated with the operation of air-
5 craft that are used for military purposes in
6 Syria for or on behalf of the Government of
7 Syria to any foreign person operating in an
8 area described in subparagraph (C); or

9 (E) knowingly, directly or indirectly, pro-
10 vides significant construction or engineering
11 services to the Government of Syria.

12 (3) SENSE OF CONGRESS.—It is the sense of
13 Congress that, in implementing this section, the
14 President should consider financial support under
15 paragraph (2)(A) to include the provision of loans,
16 credits, or export credits.

17 (b) SANCTIONS DESCRIBED.—

18 (1) IN GENERAL.—The sanctions to be imposed
19 with respect to a foreign person subject to sub-
20 section (a) are the following:

21 (A) BLOCKING OF PROPERTY.—The Presi-
22 dent shall exercise all of the powers granted to
23 the President under the International Emer-
24 gency Economic Powers Act (50 U.S.C. 1701 et
25 seq.) to the extent necessary to block and pro-

1 hibit all transactions in property and interests
2 in property of the foreign person if such prop-
3 erty and interests in property are in the United
4 States, come within the United States, or are or
5 come within the possession or control of a
6 United States person.

7 (B) ALIENS INELIGIBLE FOR VISAS, AD-
8 MISSION, OR PAROLE.—

9 (i) VISAS, ADMISSION, OR PAROLE.—

10 An alien who the Secretary of State or the
11 Secretary of Homeland Security (or a des-
12 ignee of one of such Secretaries) knows, or
13 has reason to believe, has knowingly en-
14 gaged in any activity described in sub-
15 section (a)(2) is—

16 (I) inadmissible to the United
17 States;

18 (II) ineligible to receive a visa or
19 other documentation to enter the
20 United States; and

21 (III) otherwise ineligible to be
22 admitted or paroled into the United
23 States or to receive any other benefit
24 under the Immigration and Nation-
25 ality Act (8 U.S.C. 1101 et seq.).

1 (ii) CURRENT VISAS REVOKED.—

2 (I) IN GENERAL.—The issuing
3 consular officer, the Secretary of
4 State, or the Secretary of Homeland
5 Security (or a designee of one of such
6 Secretaries) shall, in accordance with
7 section 221(i) of the Immigration and
8 Nationality Act (8 U.S.C. 1201(i)),
9 revoke any visa or other entry docu-
10 mentation issued to an alien described
11 in clause (i) regardless of when the
12 visa or other entry documentation is
13 issued.

14 (II) EFFECT OF REVOCATION.—
15 A revocation under subclause (I)—

16 (aa) shall take effect imme-
17 diately; and

18 (bb) shall automatically can-
19 cel any other valid visa or entry
20 documentation that is in the
21 alien's possession.

22 (2) 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 violates,

1 attempts to violate, conspires to violate, or causes a
2 violation of regulations promulgated under section
3 303 to carry out paragraph (1)(A) to the same ex-
4 tent that such penalties apply to a person that com-
5 mits an unlawful act described in section 206(a) of
6 that Act.

7 (3) EXCEPTION TO COMPLY WITH UNITED NA-
8 TIONS HEADQUARTERS AGREEMENT.—Sanctions
9 under paragraph (1)(B) shall not apply with respect
10 to an alien if admitting or paroling the alien into the
11 United States is necessary to permit the United
12 States to comply with the Agreement regarding the
13 Headquarters of the United Nations, signed at Lake
14 Success June 26, 1947, and entered into force No-
15 vember 21, 1947, between the United Nations and
16 the United States, or other applicable international
17 obligations.

18 (4) EXCEPTION RELATING TO IMPORTATION OF
19 GOODS.—

20 (A) IN GENERAL.—The requirement to
21 block and prohibit all transactions in all prop-
22 erty and interests in property under paragraph
23 (1)(A) shall not include the authority to impose
24 sanctions on the importation of goods.

1 (B) GOOD DEFINED.—In this paragraph,
2 the term “good” means any article, natural or
3 man-made substance, material, supply or manu-
4 factured product, including inspection and test
5 equipment, and excluding technical data.

6 **TITLE II—ASSISTANCE FOR THE**
7 **PEOPLE OF SYRIA**

8 **SEC. 201. CODIFICATION OF CERTAIN SERVICES IN SUP-**
9 **PORT OF NONGOVERNMENTAL ORGANIZA-**
10 **TIONS’ ACTIVITIES AUTHORIZED.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), section 542.516 of title 31, Code of Federal Regula-
13 tions (relating to certain services in support of nongovern-
14 mental organizations’ activities authorized), as in effect on
15 the day before the date of the enactment of this Act,
16 shall—

17 (1) remain in effect on and after such date of
18 enactment; and

19 (2) in the case of a nongovernmental organiza-
20 tion that is authorized to export or reexport services
21 to Syria under such section on the day before such
22 date of enactment, apply to such organization on
23 and after such date of enactment to the same extent
24 and in the same manner as such section applied to

1 such organization on the day before such date of en-
2 actment.

3 (b) EXCEPTION.—

4 (1) IN GENERAL.—Section 542.516 of title 31,
5 Code of Federal Regulations, as codified under sub-
6 section (a), shall not apply with respect to a foreign
7 person that has been designated as a foreign ter-
8 rorist organization under section 219 of the Immi-
9 gration and Nationality Act (8 U.S.C. 1189), or oth-
10 erwise designated as a terrorist organization, by the
11 Secretary of State, in consultation with or upon the
12 request of the Attorney General or the Secretary of
13 Homeland Security.

14 (2) EFFECTIVE DATE.—Paragraph (1) shall
15 apply with respect to a foreign person on and after
16 the date on which the designation of that person as
17 a terrorist organization is published in the Federal
18 Register.

19 **SEC. 202. BRIEFING ON STRATEGY TO FACILITATE HUMANI-**
20 **TARIAN ASSISTANCE.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the President shall brief
23 the appropriate congressional committees on the strategy
24 of the President to help facilitate the ability of humani-
25 tarian organizations to access financial services to help fa-

1 cilitate the safe and timely delivery of assistance to com-
2 munities in need in Syria.

3 (b) CONSIDERATION OF DATA FROM OTHER COUN-
4 TRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In
5 preparing the strategy required by subsection (a), the
6 President shall consider credible data already obtained by
7 other countries and nongovernmental organizations, in-
8 cluding organizations operating in Syria.

9 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
10 FINED.—In this section, the term “appropriate congres-
11 sional committees” means—

12 (1) the Committee on Foreign Affairs, the
13 Committee on Financial Services, and the Com-
14 mittee on Appropriations of the House of Represent-
15 atives; and

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

20 **TITLE III—GENERAL** 21 **PROVISIONS**

22 **SEC. 301. SUSPENSION OF SANCTIONS.**

23 (a) IN GENERAL.—The President may suspend in
24 whole or in part the imposition of sanctions otherwise re-
25 quired under this Act for periods not to exceed 180 days

1 if the President determines that the following criteria have
2 been met in Syria:

3 (1) The air space over Syria is no longer being
4 utilized by the Government of Syria or the Govern-
5 ment of the Russian Federation to target civilian
6 populations through the use of incendiary devices,
7 including barrel bombs, chemical weapons, and con-
8 ventional arms, including air-delivered missiles and
9 explosives.

10 (2) Areas besieged by the Government of Syria,
11 the Government of the Russian Federation, the Gov-
12 ernment of Iran, or a foreign person described in
13 section 102(a)(2)(A)(ii) are no longer cut off from
14 international aid and have regular access to humani-
15 tarian assistance, freedom of travel, and medical
16 care.

17 (3) The Government of Syria is releasing all po-
18 litical prisoners forcibly held within the prison sys-
19 tem of the regime of Bashar al-Assad and the Gov-
20 ernment of Syria is allowing full access to the same
21 facilities for investigations by appropriate inter-
22 national human rights organizations.

23 (4) The forces of the Government of Syria, the
24 Government of the Russian Federation, the Govern-
25 ment of Iran, and any foreign person described in

1 section 102(a)(2)(A)(ii) are no longer engaged in de-
2 liberate targeting of medical facilities, schools, resi-
3 dential areas, and community gathering places, in-
4 cluding markets, in violation of international norms.

5 (5) The Government of Syria is—

6 (A) taking steps to verifiably fulfill its
7 commitments under the Convention on the Pro-
8 hibition of the Development, Production, Stock-
9 piling and Use of Chemical Weapons and on
10 their Destruction, done at Geneva September 3,
11 1992, and entered into force April 29, 1997
12 (commonly known as the “Chemical Weapons
13 Convention”), and the Treaty on the Non-Pro-
14 liferation of Nuclear Weapons, done at Wash-
15 ington, London, and Moscow July 1, 1968, and
16 entered into force March 5, 1970 (21 UST
17 483); and

18 (B) making tangible progress toward be-
19 coming a signatory to the Convention on the
20 Prohibition of the Development, Production and
21 Stockpiling of Bacteriological (Biological) and
22 Toxin Weapons and on their Destruction, done
23 at Washington, London, and Moscow April 10,
24 1972, and entered into force March 26, 1975
25 (26 UST 583).

1 (6) The Government of Syria is permitting the
2 safe, voluntary, and dignified return of Syrians dis-
3 placed by the conflict.

4 (7) The Government of Syria is taking
5 verifiable steps to establish meaningful account-
6 ability for perpetrators of war crimes in Syria and
7 justice for victims of war crimes committed by the
8 Assad regime, including by participation in a cred-
9 ible and independent truth and reconciliation proc-
10 ess.

11 (b) BRIEFING REQUIRED.—Not later than 30 days
12 after the President makes a determination described in
13 subsection (a), the President shall provide a briefing to
14 the appropriate congressional committees on the deter-
15 mination and the suspension of sanctions pursuant to the
16 determination.

17 (c) REIMPOSITION OF SANCTIONS.—Any sanctions
18 suspended under subsection (a) shall be reimposed if the
19 President determines that the criteria described in that
20 subsection are no longer being met.

21 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to limit the authority of the Presi-
23 dent to terminate the application of sanctions under sec-
24 tion 102 with respect to a person that no longer engages
25 in activities described in subsection (a)(2) of that section.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs, the
5 Committee on Financial Services, the Committee on
6 Ways and Means, the Committee on the Judiciary,
7 and the Committee on Appropriations of the House
8 of Representatives; and

9 (2) the Committee on Foreign Relations, the
10 Committee on Banking, Housing, and Urban Af-
11 fairs, the Committee on the Judiciary, and the Com-
12 mittee on Appropriations of the Senate.

13 **SEC. 302. WAIVERS AND EXEMPTIONS.**

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

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

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

24 (A) the Agreement regarding the Head-
25 quarters of the United Nations, signed at Lake

1 Success June 26, 1947, and entered into force
2 November 21, 1947, between the United Na-
3 tions and the United States;

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

7 (C) any other international agreement to
8 which the United States is a party.

9 (b) WAIVER.—

10 (1) IN GENERAL.—The President may, for peri-
11 ods not to exceed 180 days, waive the application of
12 any provision of this Act with respect to a foreign
13 person if the President certifies to the appropriate
14 congressional committees that such a waiver is in
15 the national security interests of the United States.

16 (2) BRIEFING.—Not later than 90 days after
17 the issuance of a waiver under paragraph (1), and
18 every 180 days thereafter while the waiver remains
19 in effect, the President shall brief the appropriate
20 congressional committees on the reasons for the
21 waiver.

22 (c) HUMANITARIAN WAIVER.—

23 (1) IN GENERAL.—The President may waive,
24 for renewable periods not to exceed 2 years, the ap-
25 plication of any provision of this Act with respect to

1 a nongovernmental organization providing humani-
2 tarian assistance not covered by the authorization
3 described in section 201 if the President certifies to
4 the appropriate congressional committees that such
5 a waiver is important to address a humanitarian
6 need and is consistent with the national security in-
7 terests of the United States.

8 (2) BRIEFING.—Not later than 90 days after
9 the issuance of a waiver under paragraph (1), and
10 every 180 days thereafter while the waiver remains
11 in effect, the President shall brief the appropriate
12 congressional committees on the reasons for the
13 waiver.

14 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
15 DEFINED.—In this section, the term “appropriate con-
16 gressional committees” means—

17 (1) the Committee on Foreign Affairs, the
18 Committee on Financial Services, the Committee on
19 Ways and Means, the Committee on the Judiciary,
20 and the Committee on Appropriations of the House
21 of Representatives; and

22 (2) the Committee on Foreign Relations, the
23 Committee on Banking, Housing, and Urban Af-
24 fairs, the Committee on the Judiciary, and the Com-
25 mittee on Appropriations of the Senate.

1 **SEC. 303. REGULATORY AUTHORITIES.**

2 The President shall, not later than 180 days after
3 the date of the enactment of this Act, promulgate regula-
4 tions as necessary for the implementation of this Act.

5 **SEC. 304. SUNSET.**

6 This Act shall cease to be effective on the date that
7 is 5 years after the date of the enactment of this Act.