

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4681
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “No Assistance for
3 Assad Act”.

4 SEC. 2. FINDINGS.

5 Congress makes the following findings:

6 (1) Seven years into the conflict in Syria, over
7 11 million Syrians have been displaced from their
8 homes and over 400,000 civilians have been killed.

9 (2) Since the conflict in Syria began, the
10 United States has provided more than \$7.4 billion to
11 meet humanitarian needs of the Syrian people, mak-
12 ing the United States the world’s single largest
13 donor to the Syrian humanitarian response.

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

16 (4) According to the 2016 Transparency Inter-
17 national Corruption Index, Syria is among the most
18 corrupt countries in the world.

1 (5) In October 2015, a visiting Russian delega-
2 tion to Syria announced that Russian firms would
3 lead in the effort to rebuild Syria, and Syrian Presi-
4 dent Bashar al-Assad reportedly said, “Syria is
5 ready to provide Russian companies with all the con-
6 tracts worth hundreds of billions of dollars.”.

7 (6) In August 2017, the Government of the
8 People’s Republic of China hosted a trade fair in
9 Syria, and a Chinese-Arab business group an-
10 nounced a \$2,000,000,000 commitment from the
11 Chinese government to fund the construction of in-
12 dustrial parks in Syria.

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

14 It is the policy of the United States that United
15 States foreign assistance made available for early recov-
16 ery, reconstruction, or stabilization in Syria should be
17 used only in a democratic Syria or in areas of Syria not
18 controlled by a government led by Bashar al-Assad or as-
19 sociated forces.

20 **SEC. 4. LIMITATION ON ASSISTANCE FOR AREAS OF SYRIA**
21 **CONTROLLED BY THE GOVERNMENT OF**
22 **SYRIA OR ASSOCIATED FORCES.**

23 (a) LIMITATION.—

24 (1) IN GENERAL.—Except as provided in sub-
25 section (c), for each of the fiscal years 2019 through

1 2023, amounts authorized to be appropriated or oth-
2 erwise made available for assistance described in
3 paragraph (2) may not be provided, directly or indi-
4 rectly, for any area of Syria controlled by the Gov-
5 ernment of Syria or associated forces unless a cer-
6 tification described in subsection (b) is in effect.

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

9 (A) Assistance to enable disaster-affected
10 populations to transition from dependence upon
11 emergency assistance to early recovery and self-
12 reliance, including the restoration of basic serv-
13 ices, livelihoods, shelter, and security, and the
14 reintegration of displaced populations.

15 (B) Assistance to carry out stabilization
16 activities for the relevant area.

17 (C) Assistance to carry out reconstruction
18 activities for the relevant area.

19 (b) CERTIFICATION.—

20 (1) IN GENERAL.—A certification described in
21 this subsection is a certification submitted by the
22 President to the appropriate congressional commit-
23 tees that contains a determination that the Govern-
24 ment of Syria—

1 (A) has ceased attacks against civilians
2 and civilian infrastructure as such, including at-
3 tacks against medical facilities and personnel,
4 and the indiscriminate use of weapons, includ-
5 ing through shelling and aerial bombardment,
6 as demanded in United Nations Security Coun-
7 cil Resolution 2254 (2015);

8 (B) is taking verifiable steps to release all
9 political prisoners and is providing full access to
10 Syrian prisons for investigations by appropriate
11 international human rights organizations;

12 (C) is taking verifiable steps to remove
13 from government positions senior officials of the
14 Government of Syria who are complicit in the
15 planning or commission of war crimes, crimes
16 against humanity, or human rights abuses, as
17 well as any government official subject to sanc-
18 tions under any provision of law;

19 (D) is organizing free and fair elections for
20 a new government to be held in a timely man-
21 ner and under the supervision of United Na-
22 tions observers, with all Syrians, including
23 members of the diaspora, eligible to participate,
24 as supported in United Nations Security Coun-
25 cil Resolution 2254 (2015);

1 (E) is making tangible progress toward es-
2 tablishing an independent judiciary;

3 (F) is demonstrating respect for and com-
4 pliance with internationally recognized human
5 rights and basic freedoms as specified in the
6 Universal Declaration of Human Rights;

7 (G) is taking steps to verifiably fulfill its
8 commitments under the Convention on the Pro-
9 hibition of the Development, Production, Stock-
10 piling and Use of Chemical Weapons and on
11 their Destruction and the Treaty on the Non-
12 Proliferation of Nuclear Weapons, is making
13 tangible progress toward becoming a signatory
14 to the Convention on the Prohibition of the De-
15 velopment, Production and Stockpiling of Bac-
16 teriological (Biological) and Toxin Weapons and
17 on their Destruction, and adhering to the Mis-
18 sile Technology Control Regime and other con-
19 trol lists, as necessary;

20 (H) has halted the development and de-
21 ployment of ballistic and cruise missiles;

22 (I) is taking verifiable steps to remove
23 from positions of authority within the military,
24 intelligence, and security services those individ-
25 uals who were in a position of authority or re-

1 sponsibility during the conflict, or who are in a
2 position of authority or responsibility during a
3 transition, who are determined to be responsible
4 for or complicit in the torture, extrajudicial kill-
5 ing, or execution of civilians, to include those
6 who were involved the planning or execution of
7 plans to use chemical weapons;

8 (J) is making verifiable progress in reform-
9 ing the Syrian military and security services so
10 as to minimize the Government of Syria's reli-
11 ance on Iran and Iranian proxy forces to act on
12 behalf or in support of Syria; and

13 (K) is in the process of organizing the safe
14 and voluntary return of Syrian refugees and in-
15 ternally displaced persons to their homes so
16 that Syrians may return without fear of ret-
17 ribution by the Government of Syria or associ-
18 ated forces.

19 (2) EFFECTIVE PERIOD.—A certification shall
20 be in effect under this subsection for a period of 90
21 days beginning on the date on which the President
22 submits the certification to the appropriate congress-
23 sional committees.

24 (3) RENEWAL OR REPORT.—Not later than 90
25 days after the date on which the President submits

1 to the appropriate congressional committees a cer-
2 tification under this subsection the President shall
3 submit to the appropriate congressional committees
4 either—

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

8 (B) a report that—

9 (i) describes why the President is un-
10 able to make a new certification under this
11 subsection; and

12 (ii) contains a certification that no
13 funds will be obligated or expended to pro-
14 vide assistance described in subsection (a)
15 in contravention of subsection (a).

16 (c) EXCEPTION.—

17 (1) IN GENERAL.—The limitation on assistance
18 under subsection (a) shall not apply with respect
19 to—

20 (A) assistance for projects to be adminis-
21 tered by local organizations that reflect the
22 aims, needs, and priorities of local communities
23 in Syria;

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

- 1 (i) drought relief;
- 2 (ii) assistance to refugees, internally
- 3 displaced persons, and conflict victims;
- 4 (iii) the distribution of food and medi-
- 5 cine; and
- 6 (iv) the provision of health services;
- 7 and
- 8 (C) assistance to carry out the activities
- 9 described in subsection (b)(1)(G).

10 (2) REPORT AND DETERMINATION.—The Presi-

11 dent shall submit to the appropriate congressional

12 committees a report and determination for each of

13 the fiscal years 2019 through 2023 on each project

14 with respect to which this subsection applies during

15 the preceding fiscal year, including—

- 16 (A) a description of the project;
- 17 (B) a description of how United States
- 18 funds with respect to the project were used;
- 19 (C) the geographic location or locations of
- 20 the project; and
- 21 (D) a determination with respect to wheth-
- 22 er the project benefited an official of the Assad
- 23 regime.

24 (3) SENSE OF CONGRESS.—It is the sense of

25 Congress that, to the greatest extent practicable, the

1 United States should not fund projects described in
2 this subsection with respect to which the Govern-
3 ment of Syria, any official of the Government of
4 Syria, and any immediate family member of an offi-
5 cial of the Government of Syria have a financial or
6 material interest or are affiliated with the imple-
7 menting partner of the project.

8 (d) DEFINITIONS.—In this section:

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

12 (A) the Committee on Foreign Affairs and
13 the Committee on Appropriations of the House
14 of Representatives; and

15 (B) the Committee on Foreign Relations
16 and the Committee on Appropriations of the
17 Senate.

18 (2) ASSOCIATED FORCES.—The term “associ-
19 ated forces” includes forces of the Government of
20 the Russian Federation, the Government of the Is-
21 lamic Republic of Iran, Iranian-backed proxy mili-
22 tias, and Hezbollah.

23 (3) DIRECTLY OR INDIRECTLY.—The term “di-
24 rectly or indirectly” includes assistance to multilat-
25 eral institutions and international governmental or-

1 organizations, such as the United Nations and related
2 agencies, the International Monetary Fund, and the
3 World Bank.

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

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

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

14 (1) A description of the challenges of access to
15 areas of Syria controlled by the Government of Syria
16 or associated forces for purposes of providing United
17 States humanitarian assistance, including assistance
18 funded through multilateral institutions and inter-
19 national governmental organizations.

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

23 (3) A description of where such United States
24 humanitarian assistance has been denied access in
25 such areas.

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

3 (5) A description of the roles and responsibil-
4 ities of United States allies and partners and other
5 countries in the region in ensuring access to such
6 areas.

7 (6) A description of how such United States hu-
8 manitarian assistance and implementing partners of
9 such assistance are monitored and evaluated.

10 (7) A description of the major challenges that
11 the United States faces in monitoring such United
12 States humanitarian assistance and how the United
13 States is working to overcome such challenges.

14 (8) A description of the strategy of the United
15 States to deliver humanitarian assistance to areas of
16 Syria controlled by the Government of Syria or asso-
17 ciated forces and in which the Government of Syria
18 or associated forces is impeding access to such
19 areas.

20 (c) DEFINITIONS.—In this section, the term “appro-
21 priate congressional committees” and “associated forces”
22 have the meanings given such terms in section 4(f).

