

Joe Wilson

Wilson (sc) Amendment to

H.R. 8038

~~117TH CONGRESS~~
~~2D SESSION~~

~~H.R. 3202~~

~~IN THE SENATE OF THE UNITED STATES~~

~~February 26, 2021~~

~~Received, read twice, and referred to the Committee on Foreign Relations~~

~~AN ACT~~

To prohibit any official action to recognize or normalize relations with any Government of Syria that is led by Bashar al-Assad, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Assad Regime Anti-
3 Normalization Act of 2023”.

4 **SEC. 2. MODIFICATIONS TO THE CAESAR SYRIA CIVILIAN**
5 **PROTECTION ACT.**

6 (a) CAESAR SYRIA CIVILIAN PROTECTION ACT.—

7 Section 7412 of the Caesar Syria Civilian Protection Act
8 of 2019 (title LXXIV of the National Defense Authoriza-
9 tion Act for Fiscal Year 2020; 22 U.S.C. 8791 note) is
10 amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “the
13 President shall impose” and all that follows
14 through the end of the paragraph and inserting
15 “the President—”

16 “(A) shall impose the sanctions described
17 in subsection (b) with respect to a foreign per-
18 son that the President determines—

19 “(i) knowingly engages, on or after
20 such date of enactment, in an activity de-
21 scribed in paragraph (2);

22 “(ii) is an adult family member of a
23 foreign person described in clause (i), un-
24 less the President determines there is clear
25 and convincing evidence that such adult
26 family member has disassociated them-

1 selves from the foreign person described in
2 such clause and has no history of helping
3 such foreign person conceal assets; or

4 “(iii) is owned or controlled by a for-
5 eign person described in clause (i) or (ii);
6 and

7 “(B) may impose the sanctions described
8 in subsection (b) with respect to a foreign per-
9 son that the President determines knowingly
10 provides, on or after such date of enactment,
11 significant financial, material, or technological
12 support to a foreign person engaging in an ac-
13 tivity described in any of subparagraphs (B)
14 through (H) of paragraph (2);”.

15 (B) in paragraph (2)—

16 (i) in subparagraph (A)—

17 (I) by amending clause (i) to
18 read as follows:

19 “(i) the Government of Syria (includ-
20 ing any entity owned or controlled by the
21 Government of Syria), a senior political
22 figure of the Government of Syria, a mem-
23 ber of the People’s Assembly of Syria, or
24 a senior foreign political figure (as such
25 term is defined in section 101.605 of title

1 31, Code of Federal Regulations) of the
2 Arab Socialist Ba'ath Party of Syria, in-
3 cluding any such senior foreign political
4 figure who is—

5 “(I) a member of the Central
6 Command, Central Committee, or Au-
7 diting and Inspection Committee of
8 such Party; or

9 “(II) a leader of a local branch of
10 such Party;”;

11 (II) in clause (ii), by striking “;
12 or” and inserting a semicolon;

13 (III) in clause (iii), by striking
14 the semicolon and inserting “; or”;
15 and

16 (IV) by adding at the end the fol-
17 lowing new clause:

18 “(iv) Syria Arab Airlines, Cham
19 Wings, or any foreign person owned or
20 controlled by Syria Arab Airlines or Cham
21 Wings;”;

22 (ii) by amending subparagraph (C) to
23 read as follows:

24 “(C) knowingly sells or provides aircraft or
25 spare aircraft parts—

1 “(i) to the Government of Syria; or

2 “(ii) for or on behalf of the Govern-
3 ment of Syria to any foreign person oper-
4 ating in an area directly or indirectly con-
5 trolled by the Government of Syria or for-
6 eign forces associated with the Government
7 of Syria;”;

8 (iii) in subparagraph (D), by striking
9 “; or” and inserting a semicolon;

10 (iv) in subparagraph (E)—

11 (I) by striking “construction or
12 engineering services” and inserting
13 “construction, engineering, or com-
14 mercial financial services”; and

15 (II) by striking the closing period
16 and inserting a semicolon; and

17 (v) by adding at the end the following
18 new subparagraphs:

19 “(F) purposefully engages in or directs—

20 “(i) the diversion of goods (including
21 agricultural commodities, food, medicine,
22 and medical devices), or any international
23 humanitarian assistance, intended for the
24 people of Syria; or

1 “(ii) the dealing in proceeds from the
2 sale or resale of such diverted goods or
3 international humanitarian assistance, as
4 the case may be;

5 “(G) knowingly, directly or indirectly, en-
6 gages in or attempts to engage in, the seizure,
7 confiscation, theft, or expropriation for personal
8 gain or political purposes of property, including
9 real property, in Syria or owned by a citizen of
10 Syria;

11 “(H) knowingly, directly or indirectly, en-
12 gages in or attempts to engage in a transaction
13 or transactions for or with such seized, con-
14 fiscated, stolen, or expropriated property de-
15 scribed in subparagraph (G); or

16 “(I) knowingly provides significant finan-
17 cial, material, or technological support to a for-
18 eign person engaging in an activity described in
19 subparagraph (A).”; and

20 (C) by adding at the end the following new
21 paragraphs:

22 “(4) TRANSACTION DEFINED.—For purposes of
23 the determination required by subparagraph
24 (a)(2)(A), the term ‘transaction’ includes in-kind
25 transactions.

1 “(5) ADDITIONAL DEFINITIONS.—In this sec-
2 tion:

3 “(A) COMMERCIAL FINANCIAL SERV-
4 ICES.—The term ‘commercial financial services’
5 means any transaction between the Government
6 of Syria and a foreign bank or foreign financial
7 institution operating in an area under the con-
8 trol of the Government of Syria that has a valu-
9 ation of more than \$5,000,000.

10 “(B) FINANCIAL INSTITUTION.—The term
11 ‘financial institution’ means a financial institu-
12 tion specified in any of subparagraphs (A)
13 through (K), (M), (N), (P), (R), (T), (Y), or
14 (Z) of section 5312(a)(2) of title 31, United
15 States Code.

16 “(6) SIGNIFICANT TRANSACTION CLARIFIED.—
17 In this section, the term ‘significant transaction’ in-
18 cludes any natural gas, electricity, or other energy-
19 related transaction.”; and

20 (2) by adding at the end the following new sub-
21 section:

22 “(c) CONGRESSIONAL REQUESTS.—Not later than
23 120 days after receiving a request from the chairman and
24 ranking member of one of the appropriate congressional
25 committees with respect to whether a foreign person know-

1 ingly engages in an activity described in subsection (a)(2)
2 the President shall—

3 “(1) make the determination specified in sub-
4 section (a)(1) with respect to that foreign person;
5 and

6 “(2) submit to such chairman and ranking
7 member that submitted the request a report with re-
8 spect to such determination that includes a state-
9 ment of whether the President has imposed or in-
10 tends to impose the sanctions described in sub-
11 section (b) with respect to that foreign person.”.

12 (b) EXTENSION OF SUNSET.—Section 7438 of the
13 Caesar Syria Civilian Protection Act of 2019 is amended
14 by striking “the date that is 5 years after the date of the
15 enactment of this Act” and inserting “December 31,
16 2032”.

17 (c) DETERMINATIONS WITH RESPECT TO SYRIA
18 TRUST FOR DEVELOPMENT.—

19 (1) DETERMINATIONS.—Not later than 120
20 days after the enactment of this Act, the President
21 shall—

22 (A) determine whether the nonprofit orga-
23 nization chaired by Asma Al-Assad, the First
24 Lady of Syria, known as the “Syria Trust for

1 Development” meets the criteria for the imposi-
2 tion of sanctions—

3 (i) under section 7412(a) of the Cae-
4 sar Syria Civilian Protection Act of 2019,
5 as amended by subsection (a);

6 (ii) under Executive Order No. 13894
7 (84 Fed. Reg. 55851; relating to blocking
8 property and suspending entry of certain
9 persons contributing to the situation in
10 Syria); or

11 (iii) by nature of being owned or con-
12 trolled by a person designated under any
13 executive order or regulation administered
14 by the Office of Foreign Assets Control;
15 and

16 (B) submit to the appropriate congres-
17 sional committees each such determination, in-
18 cluding a justification for the determination.

19 (2) FORM.—The determination under para-
20 graph (1)(B) shall be submitted in unclassified form,
21 but the justification specified in such paragraph may
22 be included in a classified annex. The unclassified
23 determination shall be made available on a publicly
24 available website of the Federal government.

1 (3) SANCTIONS RELATING TO IMPORTATION OF
2 GOODS UNCHANGED.—Paragraph (1) may not be
3 construed to create any new authorities or require-
4 ments to impose sanctions on the importation of
5 goods.

6 (4) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES DEFINED.—In this section, the term “appro-
8 priate congressional committees” means—

9 (A) the Committee on Armed Services, the
10 Committee on Foreign Affairs, and the Com-
11 mittee on Financial Services of the House of
12 Representatives; and

13 (B) the Committee on Armed Services, the
14 Committee on Foreign Relations and the Com-
15 mittee on Banking, Housing, and Urban Affairs
16 of the Senate.

17 (d) FINDINGS ON APPLICABILITY WITH RESPECT TO
18 SYRIAN ARAB AIRLINES, CHAM WINGS AIRLINES, AND
19 RELATED ENTITIES.—Congress finds the following:

20 (1) In 2013, the President identified Syrian
21 Arab Airlines as a blocked instrumentality or con-
22 trolled entity of the Government of Syria and con-
23 currently sanctioned Syrian Arab Airlines pursuant
24 to Executive Order No. 13224 for acting for or on

1 behalf of the Islamic Revolutionary Guard Corps-
2 Qods Force of Iran.

3 (2) In 2016, the President sanctioned Syria-
4 based Cham Wings Airlines pursuant to Executive
5 Order No. 13582 for having materially assisted,
6 sponsored, or provided financial, material, or techno-
7 logical support for, or goods or services in support
8 of, the Government of Syria and Syrian Arab Air-
9 lines.

10 (3) Section 7412(a)(2)(A)(iii) of the Caesar
11 Syria Civilian Protection Act of 2019 (22 U.S.C.
12 8791 note) mandates the application of sanctions
13 against any foreign person that “knowingly provides
14 significant financial, material, or technological sup-
15 port to, or knowingly engages in a significant trans-
16 action with * * * a foreign person subject to sanc-
17 tions pursuant to the International Emergency Eco-
18 nomic Powers Act (50 U.S.C. 1701 et seq.) with re-
19 spect to Syria or any other provision of law that im-
20 poses sanctions with respect to Syria,” which ap-
21 plies to airport service providers outside of Syria.

22 (e) SEVERABILITY.—If any provision of this Act, or
23 the application of such provision to any person or cir-
24 cumstance, is found to be unconstitutional, the remainder

1 of this Act, or the application of that provision to other
2 persons or circumstances, shall not be affected.

3 **SEC. 3. PROHIBITION OF RECOGNITION OF ASSAD REGIME.**

4 (a) STATEMENT OF POLICY.—It is the policy of the
5 United States—

6 (1) not to recognize or normalize relations with
7 any Government of Syria that is led by Bashar al-
8 Assad due to the Assad regime’s ongoing crimes
9 against the Syrian people, including failure to meet
10 the criteria outlined in section 7431(a) of the Caesar
11 Syria Civilian Protection Act of 2019;

12 (2) to actively oppose recognition or normaliza-
13 tion of relations by other governments with any Gov-
14 ernment of Syria that is led by Bashar Al-Assad, in-
15 cluding by fully implementing the mandatory pri-
16 mary and secondary sanctions in the Caesar Syria
17 Civilian Protection Act of 2019 and Executive Order
18 No. 13894; and

19 (3) to use the full range of authorities, includ-
20 ing those provided under the Caesar Syria Civilian
21 Protection Act of 2019 and Executive Order No.
22 13894, to deter reconstruction activities in areas
23 under the control of Bashar al-Assad.

24 (b) PROHIBITION.—In accordance with subsection
25 (a), no Federal official or employee may take any action,

1 and no Federal funds may be made available, to recognize
2 or otherwise imply, in any manner, United States recogni-
3 tion of Bashar al-Assad or any Government in Syria that
4 is led by Bashar al-Assad.

5 **SEC. 4. INTERAGENCY STRATEGY TO COUNTER NORMAL-**
6 **IZATION WITH ASSAD REGIME.**

7 (a) REPORT AND STRATEGY REQUIRED.—

8 (1) SUBMISSION.—Not later than 180 days
9 after the date of the enactment of this Act, and an-
10 nually thereafter for 5 years, the Secretary of State
11 (in consultation with the Secretary of the Treasury,
12 the Administrator of the Drug Enforcement Admin-
13 istration, and the heads of other appropriate Federal
14 departments and agencies) shall submit to the ap-
15 propriate congressional committees a report and
16 strategy to describe and counter actions taken or
17 planned by foreign governments to normalize, en-
18 gage with, or upgrade political, diplomatic, or eco-
19 nomic ties with the regime led by Bashar al-Assad
20 in Syria (in this section referred to as the “Assad
21 regime”).

22 (2) ELEMENTS.—The elements of the report
23 under paragraph (1) shall include—

24 (A) a description of violations of inter-
25 national law and human rights abuses com-

1 mitted by Bashar al-Assad, the Government of
2 the Russian Federation, or the Government of
3 Iran and progress towards justice and account-
4 ability for the Syrian people;

5 (B) a full list of diplomatic meetings at the
6 Ambassador level or above, between the Syrian
7 regime and any representative of the Govern-
8 ments of Turkey, the United Arab Emirates,
9 Egypt, Jordan, Iraq, Oman, Bahrain, Kuwait,
10 the Kingdom of Saudi Arabia, Tunisia, Algeria,
11 Morocco, Libya, or Lebanon, respectively;

12 (C) a list including an identification of—
13 (i) any single covered transaction ex-
14 ceeding \$500,000; and
15 (ii) any combination of covered trans-
16 actions by the same source that, in aggre-
17 gate, exceed \$500,000 and occur within a
18 single year;

19 (D) for each identified single transaction
20 or aggregate transactions, as the case may be,
21 included in the list described in subparagraph
22 (C), a determination of whether such trans-
23 action subjects any of the parties to the trans-
24 action to sanctions under the Caesar Syria Ci-

1 vilian Protection Act of 2019, as amended by
2 section 2;

3 (E) a description of the steps the United
4 States is taking to actively deter recognition or
5 normalization of relations by other governments
6 with the Assad regime, including specific diplo-
7 matic engagements and use of economic sanc-
8 tions authorized by statutes or implemented
9 through Executive orders, including—

10 (i) the Caesar Syria Civilian Protec-
11 tion Act of 2019 (22 U.S.C. 8791 note);

12 (ii) the Syria Accountability and Leb-
13 anese Sovereignty Restoration Act (22
14 U.S.C. 2151 note);

15 (iii) the Comprehensive Iran Sanc-
16 tions, Accountability, and Divestment Act
17 of 2010 (22 U.S.C. 8501 et seq.);

18 (iv) Executive Order No. 13894 (84
19 Fed. Reg. 55851; relating to blocking
20 property and suspending entry of certain
21 persons contributing to the situation in
22 Syria);

23 (v) the Global Magnitsky Human
24 Rights Accountability Act (22 U.S.C.
25 10101 et seq.);

1 (vi) the Countering America's Adver-
2 saries Through Sanctions Act (22 U.S.C.
3 9401 et seq.); and

4 (vii) the Foreign Narcotics Kingpin
5 Designation Act (21 U.S.C. 1901 et seq.);
6 and

7 (F) an assessment of how recognition or
8 normalization of relations by other governments
9 with the Assad regime impacts the national se-
10 curity of the United States, prospects for imple-
11 mentation of the United Nations Security
12 Council Resolution 2254, prospects for justice
13 and accountability for war crimes in Syria, and
14 the benefits derived by the Government of the
15 Russian Federation or the Government of Iran.

16 (b) SCOPE.—The initial report required by subsection
17 (a) shall address the period beginning on January 1, 2021,
18 and ending on the date of the enactment of this Act, and
19 each subsequent report shall address the one-year period
20 following the conclusion of the scope of the prior report.

21 (c) FORM.—Each report under subsection (a) shall
22 be submitted in an unclassified form, but may contain a
23 classified annex. The unclassified section of such a report
24 shall be made publicly available on a website of the United
25 States Federal Government.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-
3 mittees” means—

4 (1) the Committee on Foreign Affairs, the
5 Committee on the Judiciary, the Committee on Fi-
6 nancial Services, the Committee on Appropriations,
7 and the Permanent Select Committee on Intelligence
8 of the House of Representatives; and

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

14 (e) COVERED TRANSACTION DEFINED.—In this sec-
15 tion, the term “covered transaction” means a transaction,
16 including an investment, grant, contract, or donation (in-
17 cluding a loan or other extension of credit)—

18 (1) by a foreign person located in Turkey, the
19 United Arab Emirates, Egypt, Jordan, Iraq, Oman,
20 Bahrain, Kuwait, the Kingdom of Saudi Arabia, Tu-
21 nisia, Algeria, Morocco, Libya, or Lebanon; to

22 (2) a recipient in any area of Syria held by the
23 Assad regime.

1 **SEC. 5. REPORTS ON MANIPULATION OF UNITED NATIONS**
2 **BY ASSAD REGIME IN SYRIA.**

3 Not later than 180 days after the date of the enact-
4 ment of this Act, and annually thereafter for 5 years, the
5 Secretary of State, shall submit to the Committee on For-
6 eign Affairs of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate a report on the
8 manipulation of the United Nations by the regime led by
9 Bashar al-Assad in Syria (in this section referred to as
10 the "Assad regime"), including—

11 (1) a description of conditions, both explicit and
12 implicit, set by the Assad regime with respect to
13 United Nations operations in Syria including with
14 respect to implementing partners, hiring practices,
15 allocation of grants and contracts, and procurement
16 of goods and services;

17 (2) a description of the extent to which the
18 United Nations has rejected or otherwise opposed
19 any of the conditions described in paragraph (1);

20 (3) an identification of officials or employees of
21 the United Nations (including funds, programs and
22 specialized agencies of the United Nations) with ties
23 to the Assad regime, including family ties, or per-
24 sons designated for sanctions by United Nations
25 donor countries;

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1 (4) a full account of access restrictions imposed
2 by the Assad regime and the overall impact on the
3 ability of the United Nations to deliver international
4 assistance to target beneficiaries in areas outside re-
5 gime control;

6 (5) a description of ways in which United Na-
7 tions aid improperly benefits the Assad regime and
8 its associates in defiance of basic humanitarian prin-
9 ciples;

10 (6) a description of the due diligence mecha-
11 nisms and vetting procedures in place to ensure enti-
12 ties contracted by the United Nations to ensure
13 goods, supplies, or services provided to Syria do not
14 have links to the Assad regime, known human rights
15 abusers, or persons designated for sanctions by
16 United Nations donor countries;

17 (7) an identification of entities affiliated with
18 the Assad regime, including the Syria Trust for De-
19 velopment and the Syrian Arab Red Crescent, for-
20 eign government ministries, and private corporations
21 owned or controlled directly or indirectly by the
22 Assad regime, that have received United Nations
23 funding, contracts, or grants or have otherwise en-
24 tered into a formalized partnership with the United
25 Nations;

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1 (8) an assessment of how the Assad regime sets
2 arbitrary or punitive exchange rates to extract fund-
3 ing from the United Nations, as well as the total
4 amount extracted by such means;

5 (9) an assessment of the degree to which the
6 various forms of manipulation described in this sec-
7 tion has resulted in compromises of the humani-
8 tarian principles of humanity, neutrality, impar-
9 tiality, and independence of the United Nations; and

10 (10) a strategy to reduce the ability of the
11 Assad regime to manipulate or otherwise influence
12 the United Nations and other aid operations in
13 Syria and ensure United States and international
14 aid is delivered in a neutral and impartial manner
15 consistent with basic humanitarian principles.

Passed the House of Representatives February 14,
2024.

[REDACTED]

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