

113TH CONGRESS
1ST SESSION

H. R. 1327

To improve United States humanitarian and other assistance to the Syrian people, facilitate the transition of Syria to a democratic government, provide for United States support to the post-Assad government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

Mr. ENGEL (for himself, Mr. ROGERS of Michigan, and Mr. SHERMAN) 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 improve United States humanitarian and other assistance to the Syrian people, facilitate the transition of Syria to a democratic government, provide for United States support to the post-Assad government, 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 “Free Syria Act of
5 2013”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) For decades the Syrian people have suffered
4 under the oppressive regime of Bashar al-Assad and
5 his father, Hafiz al-Assad. In March 2011, Syrians
6 began peaceful protests against the regime. The re-
7 gime responded brutally, with murders and mass ar-
8 rests. During the civil war that ensued, the Assad
9 regime has specifically targeted civilian populations
10 and committed mass atrocities and other war crimes.

11 (2) Over 1,000,000 Syrians have become refu-
12 gees over the last two years, tens of thousands of
13 others have fled Syria, and more than 2,500,000 are
14 estimated to be displaced within Syria. More than
15 70,000 Syrians have been killed in the conflict.

16 (3) The replacement of the Assad regime by a
17 democratic government that repudiates terrorism
18 would advance the security of the Syrian people and
19 their neighbors, as well as that of the United States.

20 (4) The prolongation of fighting in Syria is like-
21 ly to enhance the strength of religious extremist
22 forces, as well as the prospect that such forces will
23 exert significant influence following Assad's fall.

24 (5) The Governments of Iran and Russia con-
25 tinue to provide the Assad regime with the advanced

1 weapons and support necessary to continue its cam-
2 paign of slaughter against its own people.

3 (6) Syria is one of the most hazardous environ-
4 ments in the world for humanitarian aid providers.
5 The Syrian regime has established a pattern of tar-
6 geting aid distribution points, including bakeries,
7 bread lines, medical facilities, and even employees of
8 the Syrian Arab Red Crescent.

9 (7) The course of the Syrian transition and its
10 future leadership may depend on what the United
11 States does now to save Syrian lives, alleviate suf-
12 fering, and help Syrians determine their own future.

13 (8) Syria has been on the United States list of
14 state sponsors of terrorism since the inception of
15 that list in 1979. Under the Syria Accountability
16 and Lebanese Sovereignty Restoration Act of 2003,
17 Syria's continuing provision of material support and
18 safe haven for terrorist organizations make it sub-
19 ject to broad legislatively mandated penalties, includ-
20 ing export sanctions and ineligibility to receive most
21 forms of United States aid or to purchase United
22 States military equipment.

23 **SEC. 3. SENSE OF CONGRESS.**

24 It is the sense of the Congress that—

1 (1) the United States should increase its hu-
2 manitarian support for individuals affected by the
3 brutal conflict in Syria—refugees, internally dis-
4 placed persons (IDPs), and others—and should urge
5 its friends and allies to do likewise;

6 (2) Jordan, Turkey, and Lebanon should be
7 commended for keeping their borders open and pro-
8 viding other support to individuals fleeing the vio-
9 lence and upheaval in Syria and for allowing them
10 to seek international protection;

11 (3) the President should urge countries in the
12 region to keep their borders open to refugees and to
13 comply with international humanitarian and refugee
14 law;

15 (4) the President should urge the United Na-
16 tions High Commissioner for Refugees to expedite
17 protection and resettlement of the most vulnerable
18 Syrian refugees;

19 (5) in view of the violence and bloodshed in
20 Syria, the President should provide temporary immi-
21 gration relief measures, including renewal of Tem-
22 porary Protected Status, expedited requests for
23 change or extension of nonimmigrant status, expe-
24 dited processing of immigrant petitions for Syrians
25 in the United States, and granting humanitarian pa-

1 role to Syrian nationals with approved immigrant
2 petitions waiting abroad;

3 (6) to the extent feasible, the United States
4 should coordinate its assistance to Syrian refugees
5 and to individuals inside Syria with the Syrian Op-
6 position Coalition's Assistance Coordination Unit;

7 (7) the Assad regime has committed manifold
8 war crimes and crimes against humanity, and the in-
9 dividuals responsible must be brought to justice;

10 (8) the United States should pursue appro-
11 priate mechanisms to hold accountable individuals
12 responsible for war crimes and crimes against hu-
13 manity in Syria;

14 (9) United States military assistance should be
15 provided only to groups that demonstrate a commit-
16 ment to—

17 (A) securing and safeguarding, and ulti-
18 mately eliminating, Syrian chemical, biological,
19 radiological, and nuclear weapons-related mate-
20 rials that come under their control;

21 (B) full cooperation with the United States
22 and the international community in accom-
23 plishing that goal; and

24 (C) respecting all previous international
25 agreements that have been signed by Syria, in-

1 including agreements reached under the auspices
2 of the United Nations;

3 (10) the United States should work in coopera-
4 tion with its friends and allies to provide non-lethal
5 military equipment, such as helmets and body
6 armor, to friendly Syrian opposition military forces;

7 (11) all countries, and especially Iraq, should
8 deny use of their airspace to Syrian-bound Iranian
9 aircraft, unless those aircraft have first been forced
10 to land, are thoroughly inspected, and found to be
11 weapons-free; and

12 (12) the United States and its international
13 partners should take concrete steps to ensure that
14 women are full and equal participants in all negotia-
15 tions regarding the future of Syria and in all transi-
16 tional and future government institutions.

17 **SEC. 4. DEFINITIONS.**

18 In this Act—

19 (1) the term “appropriate congressional com-
20 mittees” means the Committee on Foreign Affairs of
21 the House of Representatives and the Committee on
22 Foreign Relations of the Senate;

23 (2) the term “economic assistance” means for-
24 eign assistance other than assistance provided to or
25 for the benefit of foreign security forces;

1 (3) the term “entity” means any association,
2 partnership, body, organization, unit, or group;

3 (4) the term “foreign terrorist organization”
4 means an organization designated as a foreign ter-
5 rorist organization by the Secretary of State in ac-
6 cordance with section 219(a) of the Immigration and
7 Nationality Act (8 U.S.C. 1189(a));

8 (5) the terms “humanitarian assistance” and
9 “humanitarian accounts” include—

10 (A) assistance under chapter 9 of Part I of
11 the Foreign Assistance Act of 1961;

12 (B) emergency food assistance under title
13 II of the Food for Peace Act (Public Law 83–
14 480);

15 (C) refugee and migration assistance under
16 the Migration and Refugee Act of 1962; and

17 (D) any other economic assistance pro-
18 vided to address basic human needs;

19 (6) the term “post-Assad Government of Syria”
20 means a government of Syria that meets the require-
21 ments specified in section 301(a);

22 (7) the terms “defense article”, “defense infor-
23 mation”, “defense service”, “military education and
24 training”, and “value” have the meanings given such

1 terms in section 644 of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2403);

3 (8) the term “Administrator” means the Ad-
4 ministrator of the United States Agency for Inter-
5 national Development; and

6 (9) the term “Secretary” means the Secretary
7 of State.

8 **TITLE I—HUMANITARIAN AND** 9 **ECONOMIC ASSISTANCE**

10 **SEC. 101. HUMANITARIAN PRINCIPLES.**

11 United States humanitarian assistance to address the
12 Syrian conflict shall be conducted in accordance with the
13 following principles:

14 (1) The central purpose of humanitarian assist-
15 ance is to save lives, alleviate human suffering, and
16 protect vulnerable populations wherever possible.

17 (2) Humanitarian assistance should be impar-
18 tial, based solely on and in proportion to need, with-
19 out discrimination between or within affected popu-
20 lations, and without regard to the political views, na-
21 tional origin, or religious affiliation of the bene-
22 ficiaries.

23 (3) Humanitarian assistance should be neutral,
24 without furthering a political or religious agenda or
25 favoring any side in an armed conflict or other dis-

1 pute where such humanitarian assistance is carried
2 out.

3 (4) Humanitarian assistance should be inde-
4 pendent, without regard to the political, economic,
5 military, or other objectives that any actor may hold
6 in relation to the affected areas and populations.

7 (5) Humanitarian assistance should be under-
8 taken in accordance with international human rights
9 law, international humanitarian law, refugee law,
10 and the United Nations Guiding Principles on Inter-
11 nal Displacement.

12 (6) Humanitarian assistance includes protection
13 of affected populations from physical harm, persecu-
14 tion, exploitation, abuse, family separation, sexual
15 and gender-based violence, forcible recruitment, and
16 other threats to human rights.

17 (7) To best ensure impartiality, neutrality,
18 independence, and the appearance thereof, humani-
19 tarian assistance should be carried out by intergov-
20 ernmental and nongovernmental international hu-
21 manitarian organizations, in partnership with local
22 communities and indigenous organizations.

23 (8) To promote learning, accountability, trans-
24 parency, and the efficient use of resources, the

1 United States should support independent moni-
2 toring and evaluation of all humanitarian assistance.

3 **SEC. 102. PROTECTING WOMEN, CHILDREN, AND OTHER**
4 **VULNERABLE POPULATIONS.**

5 Of the amounts made available for any fiscal year to
6 carry out this Act, the President is authorized, notwith-
7 standing any other provision of law, to provide such assist-
8 ance as may be necessary for protection of populations af-
9 fected by the conflict in Syria, especially including—

10 (1) clinical care and psychosocial support for
11 sexual violence survivors;

12 (2) improving safety for women, children, and
13 other vulnerable populations, in camps and settle-
14 ments for refugees and internally displaced persons;

15 (3) working to minimize forced marriage, do-
16 mestic violence, and sexual exploitation; and

17 (4) case management for separated and other
18 vulnerable children.

19 **SEC. 103. MEDICAL NEUTRALITY.**

20 (a) PROHIBITION.—No assistance may be provided
21 under this Act to any entity if the Secretary of State has
22 credible evidence that such entity knowingly has been in-
23 volved in—

1 (1) organized attacks on health care facilities,
2 health care providers, patients, medical transport,
3 medical supplies, or medical records;

4 (2) preventing medical professionals from ad-
5 ministering ethical medical care to individuals in
6 need; or

7 (3) the arbitrary arrest or detention of health
8 care service providers or individuals seeking medical
9 care.

10 (b) REQUIREMENT.—Any agreement for the provi-
11 sion of medical or health-related assistance under this Act
12 shall expressly require that such assistance shall be used
13 in accordance with the principles established in the Geneva
14 Conventions and the World Medical Association’s Inter-
15 national Code of Medical Ethics for health care providers.

16 **SEC. 104. TRANSFER AUTHORITY.**

17 In addition to other authorities available to transfer
18 funds, the Secretary of State may exercise the authority
19 under this section to transfer to, and merge with, any hu-
20 manitarian account such sums as may be necessary from
21 amounts which have been made available to carry out any
22 provision of the Foreign Assistance Act of 1961, and
23 which have not been specifically designated by law for any
24 particular program or activity, to address humanitarian
25 needs arising as a result of the conflict in Syria.

1 **SEC. 105. EMERGENCY REFUGEE AND MIGRATION ASSIST-**
2 **ANCE.**

3 Section 2(c) of the Migration and Refugee Assistance
4 Act of 1962 (22 U.S.C. 2601(c)) is amended in paragraph
5 (1), by striking “President” and inserting “Secretary of
6 State”.

7 **SEC. 106. ECONOMIC ASSISTANCE TO OPPOSITION-ALLIED**
8 **LOCAL COORDINATION COMMITTEES.**

9 Of the amounts made available for any fiscal year to
10 carry out this Act, the President is authorized to make
11 available such assistance as may be necessary to enhance
12 the capacity, performance, and accountability of Syrian
13 opposition-allied local coordination committees, including
14 support for—

15 (1) providing basic services to civilian popu-
16 lations;

17 (2) carrying out administrative and manage-
18 ment functions;

19 (3) improving communications, transparency,
20 and public outreach;

21 (4) prevention, research, and documentation of
22 mass atrocities;

23 (5) increasing understanding of and respect for
24 internationally recognized human rights and demo-
25 cratic principles; and

1 (6) preparing for a peaceful, democratic transi-
2 tion.

3 **SEC. 107. CIVILIAN BROADCASTING TO SYRIA.**

4 (a) AUTHORIZATION OF UNITED STATES CIVILIAN
5 BROADCASTING TO SYRIA.—In addition to amounts made
6 available for grants for broadcasting in the Middle East
7 and the International Broadcasting Operations of the
8 Broadcasting Board of Governors, such sums as may be
9 necessary are authorized to be appropriated for a grant
10 to the Middle East Broadcasting Networks, Inc., for the
11 purpose of providing United States civilian broadcasting
12 to the people of Syria.

13 (b) REPORT.—Not later than 30 days after the date
14 of the enactment of this Act, the Broadcasting Board of
15 Governors shall submit to the appropriate congressional
16 committees a detailed report on plans to establish the serv-
17 ice described in subsection (a).

18 **SEC. 108. MARKING AND BRANDING OF ASSISTANCE.**

19 (a) REQUIREMENT.—Economic assistance made
20 available under this Act shall be marked as being “From
21 the American People” and shall include a representation
22 of the United States flag.

23 (b) APPLICABILITY.—The requirement of subsection
24 (a) shall be applicable to all—

25 (1) articles; and

1 (2) program, project, and activity sites.

2 (c) UNIFIED BRAND.—The marking of assistance
3 made available under this Act shall not include any logo
4 of a particular Federal department or agency or division
5 thereof.

6 (d) RELATIONSHIP TO OTHER PROVISIONS OF LAW
7 AND REGULATIONS.—The provisions of this section shall
8 be applicable notwithstanding any other provision of law,
9 and notwithstanding any Federal regulation, agency guid-
10 ance, or procedure to the contrary.

11 (e) ONGOING PROGRAMS.—To the extent it is feasible
12 and cost effective to do so, the marking or branding of
13 articles and program, project, and activity sites financed
14 pursuant to ongoing agreements, including grants, con-
15 tracts, and cooperative agreements, to address the conflict
16 in Syria shall be conformed to meet the requirements of
17 this section.

18 (f) EXCEPTIONS.—The requirements of subsection
19 (a) shall not apply—

20 (1) to a project or activity if the relevant As-
21 sistant Secretary of State or Assistant Adminis-
22 trator of the United States Agency for International
23 Development determines that the marking of such
24 project or activity would—

1 (A) jeopardize the health, safety, or human
2 rights of a partner or intended beneficiary; or

3 (B) be detrimental to the achievement of
4 project or activity objectives;

5 (2) to assistance provided inside Syria if the
6 Secretary of State determines that the marking of
7 such assistance would be detrimental to the achieve-
8 ment of overall United States foreign policy objec-
9 tives in Syria;

10 (3) to office space occupied by a contractor or
11 grantee, or to housing, personal vehicles, or other
12 personal property of employees thereof; or

13 (4) to a project or activity for which the United
14 States is one among many donors or has contributed
15 a small proportion of the total costs.

16 (g) EXEMPTION FROM DETERMINATION.—A deter-
17 mination under subsection (f)(2) shall not preclude the
18 Secretary of State from requiring that specific projects or
19 activities financed by the United States be subject to the
20 requirements of subsection (a).

21 (h) CO-BRANDING.—The requirements of subsection
22 (c) shall not prohibit the identification of assistance with
23 a contractor or grantee's own organizational brand or
24 logo, subject to any standards or regulations that the
25 President may establish.

TITLE II—SECURITY ASSISTANCE

SEC. 201. SENSE OF CONGRESS REGARDING MILITARY ASSISTANCE.

It is the sense of Congress that—

(1) the President should provide appropriate military assistance, including arms, training, and intelligence support, for Syrian opposition forces that meet the requirements of section 203;

(2) a primary goal of military assistance should be to integrate the disparate units of the Free Syria Army into a coherent, effective fighting force under a unified command; and

(3) the United States should take the initiative to ensure, insofar as possible, that arms supplied to the Syrian opposition, from whatever source, are appropriately vetted and are directed only to forces that support the establishment of a democratic and peaceful Syria.

SEC. 202. MILITARY ASSISTANCE.

(a) **DRAWDOWN AUTHORITY.**—The President is authorized, notwithstanding any other provision of law, to direct the drawdown of defense articles from the stocks of the Department of Defense, defense services from the Department of Defense, and military education and train-

1 ing for an entity operating inside Syria that is not ineli-
2 gible under section 203. Such assistance may include the
3 following:

4 (1) Non-lethal military equipment and defense
5 information, including—

6 (A) protective gear, including flak jackets
7 and other forms of body armor;

8 (B) individual equipment, tents, and orga-
9 nizational tool sets; and

10 (C) communications equipment.

11 (2) Subject to the President making the certifi-
12 cation required under subsection (g), lethal military
13 equipment, including—

14 (A) defense articles; and

15 (B) defense services.

16 (b) RESTRICTION.—Defense articles provided pursu-
17 ant to this section may not include anti-aircraft defensive
18 systems.

19 (c) WAIVER.—The President may waive the restric-
20 tion under subsection (b) if—

21 (1) it is in the vital national security interest to
22 do so;

23 (2) the President notifies Congress not later
24 than 15 days before such waiver shall be issued;

1 (3) the President transmits to the appropriate
2 congressional committees a report described in sub-
3 section (h) with the certification required under sub-
4 section (g) specifically with respect to anti-aircraft
5 systems not later than 15 days before the issuance
6 of such a waiver; and

7 (4) the President certifies that the United
8 States has consulted with regional allies regarding
9 the systems provided.

10 (d) NOTIFICATION REQUIREMENT.—The President
11 shall notify the appropriate congressional committees at
12 least 15 days in advance of each obligation of assistance
13 under this section, including a detailed description of the
14 assistance to be provided, in accordance with the proce-
15 dures applicable to reprogramming notifications under
16 section 634A of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2394–1).

18 (e) REIMBURSEMENT RELATING TO MILITARY AS-
19 SISTANCE.—

20 (1) IN GENERAL.—Defense articles, defense
21 services, and military education and training pro-
22 vided under subsection (a) shall be made available
23 without reimbursement to the Department of De-
24 fense except to the extent that funds are appro-
25 priated pursuant to paragraph (2).

1 (2) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to the
3 President for fiscal year 2013 such sums as may be
4 necessary to reimburse the applicable appropriation,
5 fund, or account for the value of the defense articles,
6 defense services, or military education and training
7 provided under subsection (a) of this section.

8 (f) AVAILABILITY OF FUNDS.—Amounts authorized
9 to be appropriated under this section are authorized to
10 remain available until expended, and are in addition to
11 amounts otherwise available for the purposes described in
12 this section.

13 (g) CERTIFICATION.—The President shall certify,
14 and include in each notification submitted pursuant to
15 subsection (a)(2) and (c)(3), that the defense articles, de-
16 fense services, and military education and training to be
17 provided under this section to an entity operating inside
18 Syria are consistent with the maintenance of regional sta-
19 bility and with the overall security and stability of neigh-
20 boring friends and allies.

21 (h) REPORT.—The report referred to in subsection
22 (c)(3) is a report that contains a detailed description of
23 the following:

24 (1) The intended recipients of the anti-aircraft
25 defense systems that are at issue.

1 (2) The areas where such systems would be de-
2 ployed.

3 (3) The targets against which such systems
4 would be deployed.

5 (4) An assessment of how such systems would
6 affect the military and humanitarian situation in
7 Syria.

8 (5) An assessment of the risks and benefits of
9 the intended transfer of such systems.

10 **SEC. 203. VETTING OF ASSISTANCE.**

11 (a) INELIGIBLE ENTITIES.—Assistance under this
12 title may not be provided to an entity that fails to dem-
13 onstrate a commitment to—

14 (1) opposing and defeating the Assad regime;

15 (2) establishing a democratic, pluralistic, and
16 peaceful Syria; and

17 (3) securing and safeguarding chemical and bio-
18 logical weapons, their precursor and constituent
19 parts, and associated equipment.

20 (b) PROHIBITION.—No assistance may be provided
21 under this title to an entity that has been designated as
22 a foreign terrorist organization in accordance with section
23 219 of the Immigration and Nationality Act (8 U.S.C.
24 1189), or as a Specially Designated Terrorist Organiza-
25 tion under the terms and authorities of the International

1 Emergency Economic Powers Act (50 U.S.C. 1701 et
2 seq.)

3 (c) REQUIREMENT.—To the maximum extent prac-
4 ticable, assistance under this Act shall be provided in ac-
5 cordance with section 620M of the Foreign Assistance Act
6 of 1961 (22 U.S.C. 2378d).

7 **SEC. 204. AUTHORITY FOR PROGRAM TO FACILITATE SYR-**
8 **IAN CHEMICAL AND BIOLOGICAL WEAPONS**
9 **DESTRUCTION.**

10 (a) IN GENERAL.—Notwithstanding any other provi-
11 sion of law, the President may establish a program de-
12 scribed in subsection (b) to assist the securing, disabling,
13 dismantling, removal, and destruction of Syrian chemical
14 and biological weapons and all other weapons of mass de-
15 struction, their precursor and constituent parts, and asso-
16 ciated equipment.

17 (b) TYPE OF PROGRAM.—A program established
18 under this section shall be limited to cooperation between
19 the United States and a Syrian entity to—

20 (1) secure, safeguard, disable, dismantle, trans-
21 port out of Syria, or destroy chemical and biological
22 weapons, their precursor and constituent parts and
23 associated equipment, and

24 (2) establish verifiable safeguards against the
25 proliferation of such weapons.

1 Any such program may involve assistance in planning and
2 resolving technical problems associated with the purposes
3 of the program. Any such program may also involve the
4 funding of critical short-term requirements related to
5 weapons destruction and should, to the extent feasible,
6 draw upon United States technology and United States
7 technicians.

8 (c) FUNDING.—

9 (1) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated such sums as
11 may be necessary for fiscal year 2013, to be avail-
12 able until expended, for the activities of the program
13 described in this section.

14 (2) DRAWDOWN AUTHORITY.—The President
15 may direct, in order to meet the goals of the pro-
16 gram described in this section, the drawdown of arti-
17 cles and services from any Federal department or
18 agency in any fiscal year, in addition to any other
19 drawdown authority available to the President.

20 (3) TRANSFER AUTHORITY.—In addition to any
21 other transfer authority available to the President,
22 the President may exercise the authority of this
23 paragraph to transfer to, and merge with, funds
24 made available to carry out this section such sums

1 as may be necessary which have been made available
2 to carry out any other provision of law.

3 (4) REPORT ON PROPOSED OBLIGATIONS.—Not
4 less than 15 days before obligating any funds, draw-
5 ing down any articles or services from a Federal de-
6 partment or agency, or transferring any appro-
7 priated funds from another account, for the program
8 described in this section, the President shall trans-
9 mit to Congress a report on such proposed obliga-
10 tion, drawdown, or transfer. Each such report shall
11 specify—

12 (A) the account, budget activity, and par-
13 ticular program or programs from which the
14 funds proposed to be obligated, drawdown, or
15 transferred are to be derived, and the amount
16 of such proposed obligation, drawdown, or
17 transfer; and

18 (B) the activities and forms of assistance
19 for which the President plans to obligate such
20 funds.

21 (d) QUARTERLY REPORTS ON PROGRAM.—Not later
22 than 30 days after the end of each quarter during which
23 the United States has been engaged in activities pursuant
24 to a program established under this section, the President
25 shall transmit to Congress a report on such activities.

1 Each such report shall specify, for the preceding quarter
2 and cumulatively, at a minimum a description of the fol-
3 lowing:

4 (1) The activities carried out.

5 (2) The types and amounts of assistance pro-
6 vided for such activities.

7 (3) The entities receiving such assistance.

8 (4) The sources of funds and authorities under
9 which they were provided.

10 (5) The United States departments or agencies
11 providing such assistance.

12 **SEC. 205. RULE OF CONSTRUCTION.**

13 Nothing in this Act may be construed to authorize
14 the use of military force in Syria by the United States
15 Armed Forces.

16 **TITLE III—TRANSITION**
17 **ASSISTANCE**

18 **SEC. 301. POST-ASSAD TRANSITION ASSISTANCE.**

19 (a) IN GENERAL.—The President is authorized, after
20 making a determination described in subsection (b) and
21 notwithstanding any other provision of law, to—

22 (1) provide assistance;

23 (2) make contributions; and

1 (3) use the voice, vote, and influence of the
2 United States in international financial institutions
3 for the purposes described in subsection (c).

4 (b) DETERMINATION.—The determination referred to
5 in subsection (a) is a determination by the President,
6 which shall be transmitted in writing to the appropriate
7 congressional committees, that—

8 (1) the regime of Bashar al-Assad is no longer
9 in power;

10 (2) the United States has recognized a transi-
11 tional government; and

12 (3) such transitional government is not con-
13 trolled by an organization designated as a foreign
14 terrorist organization in accordance with section 219
15 of the Immigration and Nationality Act (8 U.S.C.
16 1189).

17 (c) PURPOSES.—Assistance under this section may be
18 made available for the following purposes:

19 (1) Developing or strengthening democratic in-
20 stitutions and processes.

21 (2) Short-term economic and political stabiliza-
22 tion.

23 (3) Reconstructing or revitalizing basic infra-
24 structure.

1 (4) Fostering reconciliation and the peaceful
2 resolution of conflict.

3 **SEC. 302. TEMPORARY SUSPENSION OF SANCTIONS.**

4 (a) SUSPENSION OF SANCTIONS.—The President
5 may suspend in furtherance of this Act the requirements
6 of the Syria Accountability and Lebanese Sovereignty Res-
7 toration Act of 2003 (Public Law 108–175), section 7007
8 of the Consolidated Appropriations Act, 2012 (Public Law
9 112–74), and any other provision of law relating to assist-
10 ance, trade, finance, the provision of defense articles and
11 defense services, and the issuance of visas to nationals of
12 Syria for a period not to exceed three months if the Presi-
13 dent transmits to the appropriate congressional commit-
14 tees in writing a determination that the post-Assad gov-
15 ernment of Syria is demonstrating a verifiable commit-
16 ment to—

17 (1) ceasing support for terrorists, including
18 Hizballah;

19 (2) preventing the illegal transfer of missile or
20 nuclear technology to any other country or entity;

21 (3) halting all support, including training, safe
22 haven, supplies, and financing, for—

23 (A) Hamas, Hizballah, Palestinian Islamic
24 Jihad, the Popular Front for the Liberation of
25 Palestine, the Popular Front for the Liberation

1 of Palestine-General Command, the Democratic
2 Front for the Liberation of Palestine, Fatah al-
3 Intifada, Fatah al-Islam, or the Jabhat al-
4 Nusra;

5 (B) any other organization designated by
6 the Secretary of State as a foreign terrorist or-
7 ganization in accordance with section 219(a) of
8 the Immigration and Nationality Act (8 U.S.C.
9 1189(a));

10 (C) any person included on the Annex to
11 Executive Order 13224 (September 23, 2001)
12 and any other person identified under section 1
13 of such Executive Order whose property and in-
14 terests in property are blocked by such section
15 (commonly known as a “specially designated
16 global terrorist”);

17 (D) any person designated under section 3
18 of Executive Order 13338 (May 13, 2004) or
19 under section 1 of Executive Order 13438 (July
20 17, 2007);

21 (E) the Syrian Social Nationalist Party; or

22 (F) any agency, instrumentality, affiliate,
23 or successor organization of the organizations
24 specified in subparagraph (A), (B), (C), (D), or
25 (E);

1 (4) dismantling Syria’s chemical, biological, ra-
2 diological, and nuclear weapons programs and fully
3 cooperating with the United States and other rel-
4 evant parties to achieve such result;

5 (5) ceasing all efforts to design, develop, manu-
6 facture, or acquire—

7 (A) a nuclear explosive device or related
8 materials and technology;

9 (B) chemical, biological, and radiological
10 weapons; and

11 (C) ballistic missiles and ballistic missile
12 launch technology; and

13 (6) taking demonstrable steps to combat the
14 proliferation of the weapons described in paragraph
15 (5);

16 (7) refraining from presenting a threat to
17 United States national security, United States inter-
18 ests, or United States allies in the region;

19 (8) respecting the boundaries and sovereignty
20 of all neighboring countries and rejecting inter-
21 ference in their internal affairs; and

22 (9) upholding and defending the human rights,
23 civil liberties, and political freedoms of all its people,
24 including minorities.

1 (b) RENEWAL.—The President may renew the sus-
 2 pension of sanctions under this section for up to two con-
 3 secutive six-month periods if the President transmits to
 4 the appropriate congressional committees in writing a de-
 5 termination that the post-Assad government of Syria is
 6 making substantial progress toward satisfying the condi-
 7 tions in specified in subsection (a).

8 (c) FURTHER RENEWAL.—If the maximum number
 9 of suspension renewals specified in subsection (b) has been
 10 reached, the President may further renew the suspension
 11 of sanctions under this section for additional six-month
 12 periods if the President transmits to the appropriate con-
 13 gressional committees in writing a determination that the
 14 post-Assad government has substantially satisfied the con-
 15 ditions specified in paragraphs (1) through (8) of sub-
 16 section (a) and is continuing to make substantial progress
 17 toward satisfying the conditions specified in paragraph (9)
 18 of such subsection.

19 **SEC. 303. TEMPORARY PERSONNEL AUTHORITIES.**

20 (a) CONDITIONAL AUTHORITY.—If the President
 21 makes the determination described in section 301(b), the
 22 following authorities shall apply:

23 (1) LIMITED CAREER APPOINTMENTS.—The
 24 Secretary and the Administrator may extend for a
 25 period of time not to exceed 12 months a limited ap-

1 pointment under section 309(a) of the Foreign Serv-
2 ice Act of 1980 (22 U.S.C. 3949(a)), and may re-
3 appoint a non-career Foreign Service employee who
4 has served five consecutive years under a limited ap-
5 pointment, to a subsequent limited appointment in
6 order to facilitate the assignment of qualified em-
7 ployees to Syria or to posts vacated by employees as-
8 signed to Syria.

9 (2) REEMPLOYMENT OF ANNUITANTS.—The
10 Secretary and the Administrator may waive the ap-
11 plication of subsections (a) through (d) of section
12 824 of the Foreign Service Act of 1980 (22 U.S.C.
13 4064), and may grant authority to the head of an
14 executive agency to waive the application of such
15 subsections, on a case-by-case basis for an annuitant
16 reemployed on a temporary basis, if and for so long
17 as such waiver is necessary to facilitate the assign-
18 ment of qualified employees to Syria or to posts va-
19 cated by employees assigned to Syria.

20 (3) PERSONAL SERVICES CONTRACTORS.—

21 (A) IN GENERAL.—The Secretary of State
22 and the Administrator of the United States
23 Agency for International Development may each
24 hire a total of up to 50 United States citizens
25 or aliens as personal services contractors, for

1 service in the United States, or for service both
2 in the United States and abroad, subject to the
3 following conditions:

4 (i) The Secretary or the Adminis-
5 trator, as the case may be, determines that
6 existing personnel resources are insuffi-
7 cient.

8 (ii) The contract length, including op-
9 tions, may not exceed two years, unless the
10 Secretary or the Administrator, as the case
11 may be, makes a finding that exceptional
12 circumstances justify an extension of up to
13 one additional year.

14 (iii) The authority provided in this
15 paragraph may only be used to obtain spe-
16 cialized skills or experience relevant to, or
17 to respond to urgent needs resulting from,
18 the transition in Syria.

19 (B) AUTHORITY.—The authority provided
20 in this paragraph shall be in addition to any
21 other authorities available to the Secretary or
22 the Administrator to hire personal service con-
23 tractors.

24 (b) STATUS OF PERSONAL SERVICES CONTRAC-
25 TORS.—

1 (1) IN GENERAL.—An individual hired as a per-
2 sonal services contractor pursuant to subsection
3 (a)(3) shall not, by virtue of such hiring, be consid-
4 ered to be an employee of the United States Govern-
5 ment for purposes of any law administered by the
6 Office of Personnel Management.

7 (2) APPLICABLE LAWS.—An individual hired as
8 a personal services contractor pursuant to subsection
9 (a)(3) shall be covered, in the same manner as a
10 similarly situated employee, by—

11 (A) the Ethics in Government Act of 1978;

12 (B) chapter 73 of title 5, United States
13 Code;

14 (C) sections 201, 203, 205, 207, 208, and
15 209 of title 18, United States Code;

16 (D) section 1346 and chapter 171 of title
17 28, United States Code; and

18 (E) chapter 21 of title 41, United States
19 Code.

20 (3) EXCEPTION.—This subsection shall not af-
21 fect the determination as to whether an individual
22 hired as a personal services contractor pursuant to
23 this section is an employee of the United States Gov-
24 ernment for purposes of any Federal law not speci-
25 fied in paragraphs (1) and (2).

1 (c) GENERAL AUTHORITY.—The administrative au-
2 thorities provided in the Foreign Assistance Act of 1961
3 shall apply to assistance made available under this Act.

4 (d) TERMINATION OF AUTHORITY.—The authorities
5 provided under subsection (a) shall terminate on the date
6 that is three years after the date on which a determination
7 is made under section 301(a), except that a contract en-
8 tered into under such subsection (a) may remain in effect
9 until expiration.

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