

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

**S. 960**

To foster stability in Syria, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. MENENDEZ  
(for himself and Mr. CORKER)

Viz:

1       On page 5, between lines 15 and 16, insert the fol-  
2       lowing:

3               (11) The President's goals of Assad leaving  
4       power, an end to the violence, and a negotiated polit-  
5       ical settlement in Syria are prerequisites for a sta-  
6       ble, democratic future for Syria and regional peace  
7       and security, but absent decisive changes to the  
8       present military balance of power on the ground in  
9       Syria, sufficient incentives do not yet exist for the  
10      achievement of such goals.

11              (12) The leadership of many United States  
12      friends and allies, including the Prime Minister of  
13      the United Kingdom, the President of France, the

1 Prime Minister of Turkey, the King of Jordan, the  
2 King of Saudi Arabia, the Crown Prince of the  
3 United Arab Emirates, and the Amir of Qatar, have  
4 stated their strong support for more robust inter-  
5 national response to change the military balance of  
6 power on the ground in Syria.

7 (13) The President should increase his con-  
8 sultations with Congress regarding what additional  
9 resources and authorities may be necessary to sup-  
10 port United States national security interests in  
11 Syria, including the defense of United States allies  
12 and partners in the Middle East.

13 On page 7, line 16, insert after “nonproliferation ef-  
14 forts” the following: “, as well as securing, dismantling,  
15 and eventual destruction of any inherited nuclear, chem-  
16 ical, or biological weapons of mass destruction (WMD) or  
17 WMD-related programs”.

18 On page 9, strike lines 4 and 5 and insert the fol-  
19 lowing: “for their actions;

20 (12) to support programs that provide scholars,  
21 scientists, and tertiary level students in Syria and  
22 their families, whose lives, health, and freedoms are  
23 at risk as a result of their academic pursuits, fellow-

1 ship and scholarship opportunities at safe host uni-  
2 versities outside Syria in order to ensure that they  
3 can be an asset to the rebuilding of a stable and  
4 democratic Syria; and

5 (13) to ensure a stable and appropriate political

6 On page 12, line 5, strike “(a) AUTHORITY—”.

7 On page 12, strike lines 15 through 17.

8 On page 12, between lines 17 and 18, insert the fol-  
9 lowing:

10 **SEC. 202. HUMANITARIAN AND DEVELOPMENT ASSISTANCE**  
11 **THROUGH INTERNATIONAL ORGANIZATIONS.**

12 The President should instruct the United States per-  
13 manent representative or executive director, as the case  
14 may be, to the United Nations voluntary agencies, includ-  
15 ing the World Food Program, the United Nations Devel-  
16 opment Program, the United Nations Children’s Fund,  
17 and the United Nations High Commissioner for Refugees,  
18 and other appropriate international organizations such as  
19 the International Committee of the Red Cross to use the  
20 voice and vote of the United States to support humani-  
21 tarian and development assistance for the people of Syria

1 in order to accomplish the purposes described in section  
2 4.

3 **SEC. 203. BILATERAL ASSISTANCE TO COUNTRIES THAT**  
4 **HOST SYRIAN REFUGEES.**

5 The President should support bilateral refugee assist-  
6 ance programs in countries, including Iraq, Jordan, Tur-  
7 key, Egypt, and Lebanon, which have experienced an in-  
8 flux of refugees from Syria.

9 On page 13, strike lines 12 through 19 and insert  
10 the following:

11 (4) all assistance made available under this sec-  
12 tion should, without restricting the ability of a con-  
13 tractor or grantee to use its own organizational  
14 brand or logo for purposes of identification (subject  
15 to such standards or regulations as the President  
16 may establish), be identified as being “From the  
17 American People” if the relevant Assistant Secretary  
18 of State, in consultation with the implementing part-  
19 ner, determines that such identification would not—

20 (A) jeopardize the safety or impartiality of  
21 implementing partners that deliver the assist-  
22 ance;

23 (B) jeopardize the health and safety of the  
24 intended beneficiaries;

1 (C) compromise the intrinsic independence  
2 or neutrality of a program or materials where  
3 implementing partner independence or neu-  
4 trality is inherently important to the success of  
5 the effort;

6 (D) undermine United States efforts to  
7 empower the democratically oriented political  
8 opposition; or

9 (E) otherwise render the provision of as-  
10 sistance impracticable.

11 On page 14, line 4, strike “Syria people” and insert  
12 “Syria”.

13 On page 15, between lines 15 and 16, insert the fol-  
14 lowing:

15 **SEC. 204. NO AUTHORIZATION FOR NEW HUMANITARIAN**  
16 **FUNDS.**

17 Nothing in this title shall be construed to authorize  
18 new or additional funding for humanitarian needs or aid  
19 to international organizations.

20 On page 17, between lines 23 and 24, insert the fol-  
21 lowing:

1           (3) TECHNICAL ASSISTANCE FOR PHASED DIS-  
2           ARMAMENT.—Technical assistance to transitional  
3           authorities to—

4                   (A) create special weapons storage sites  
5                   used to separately warehouse and catalogue vet-  
6                   ted groups' weaponry during a transition pe-  
7                   riod;

8                   (B) repurpose weapons systems for even-  
9                   tual new Syrian security forces; and

10                   (C) transition rebel groups into civilian life  
11                   or official membership in new forces.

12           On page 18, lines 13 and 14, strike “during the tran-  
13           sition”.

14           On page 18, strike lines 21 through 23 and insert  
15           the following:

16                   (E) support the establishment of an inclu-  
17                   sive and transparent electoral system in Syria;  
18                   and

19                   (F) develop the capacity of democratically-  
20                   oriented political parties and civil society orga-  
21                   nizations.

1       On page 19, between lines 18 and 19, insert the fol-  
2       lowing:

3               (8)   POST-CONFLICT   STABILIZATION.—High-  
4       level diplomacy and planning for post-conflict sta-  
5       bilization efforts.

6       On page 22, between lines 18 and 19, insert the fol-  
7       lowing:

8               (C) A description of the efforts undertaken  
9       and planned to be undertaken by the United  
10       States Government, supported by the Transi-  
11       tion Fund, to leverage additional financial as-  
12       sistance from the international donor commu-  
13       nity, including the Gulf states, in support of po-  
14       litical transition and rebuilding in Syria.

15       On page 26, line 15, strike “of the size and security”.

16       On page 26, strike lines 20 through 22 and insert  
17       the following:

18               (1) A description of who has command and con-  
19       trol over and access to conventional and non-conven-  
20       tional weapons stockpiles.

21               (2) A description of the use and sources and  
22       types of

1       On page 27, line 11, strike “how such programs can  
2 leverage” and insert “leveraging”.

3       On page 27, line 14, insert “and working to end Rus-  
4 sian financial and military support for the Assad regime”  
5 after “the region”.

6       On page 27, after line 23, add the following:

7 **SEC. 305. INTERNATIONAL SUPPORT FOR A PEACEFUL**  
8 **TRANSITION.**

9       It is the sense of Congress that the United States  
10 Government should work with international financial insti-  
11 tutions to support the purposes described in section 4.

12       On page 28, between lines 3 and 4, insert the fol-  
13 lowing:

14           (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-  
15 ABLE-THROUGH ACCOUNT.—The terms “account”,  
16 “correspondent account”, and “payable-through ac-  
17 count” have the meanings given those terms in sec-  
18 tion 5318A of title 31, United States Code.

19       On page 28, between lines 18 and 19, insert the fol-  
20 lowing:

1           (3) FOREIGN FINANCIAL INSTITUTION.—The  
2           term “foreign financial institution” has the meaning  
3           of that term as determined by the Secretary of the  
4           Treasury pursuant to section 104(i) of the Com-  
5           prehensive Iran Sanctions, Accountability, and Di-  
6           vestment Act of 2010 (22 U.S.C. 8513(i)).

7           Strike sections 402 and 403 and insert the following:

8   **SEC. 402. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
9                           **THE SALE, TRANSFER, OR TRANSPORTATION**  
10                          **OF DEFENSE ARTICLES, DEFENSE SERVICES,**  
11                          **OR MILITARY TRAINING TO THE ASSAD RE-**  
12                          **GIME OF SYRIA.**

13           (a) IN GENERAL.—On or after the date that is 30  
14           days after the date of the enactment of this Act, the Presi-  
15           dent shall impose 2 or more of the sanctions described  
16           in section 404 with respect to any person (other than a  
17           foreign financial institution) that the President determines  
18           has, on or after such date of enactment, knowingly partici-  
19           pated in or facilitated a significant transaction related to  
20           the sale, transfer, or transportation of defense articles (in-  
21           cluding surface-to-air and surface-to-surface missile sys-  
22           tems, including any S300 system and the Yakhont sys-  
23           tem), defense services, or military training to the Assad  
24           regime of Syria or any successor regime in Syria that the

1 President determines is not a legitimate transitional or re-  
2 placement government.

3 (b) SANCTIONS WITH RESPECT TO FOREIGN FINAN-  
4 CIAL INSTITUTIONS.—On or after the date that is 30 days  
5 after the date of the enactment of this Act, the President  
6 may prohibit the opening, and prohibit or impose strict  
7 conditions on the maintaining, in the United States of a  
8 correspondent account or a payable-through account by a  
9 foreign financial institution that the President determines  
10 has knowingly conducted, on or after such date of enact-  
11 ment, a significant transaction related to the sale, trans-  
12 fer, or transportation of defense articles (including sur-  
13 face-to-air and surface-to-surface missile systems, includ-  
14 ing any S300 system and the Yakhont system), defense  
15 services, or military training to—

16 (1) the Assad regime of Syria or any successor  
17 regime in Syria that the President determines is not  
18 a legitimate transitional or replacement government;  
19 or

20 (2) any person added after April 28, 2011, to  
21 the list of specially designated nationals and blocked  
22 persons maintained by the Office of Foreign Assets  
23 Control of the Department of the Treasury in con-  
24 nection with the conflict in Syria.

1 **SEC. 403. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
2 **THE PROVISION OF PETROLEUM OR PETRO-**  
3 **LEUM PRODUCTS TO THE ASSAD REGIME OF**  
4 **SYRIA.**

5 (a) IN GENERAL.—On or after the date that is 30  
6 days after the date of the enactment of this Act, the Presi-  
7 dent shall impose 3 or more of the sanctions described  
8 in section 404 with respect to each person (other than a  
9 foreign financial institution) that the President determines  
10 has, on or after such date of enactment, knowingly partici-  
11 pated in or facilitated a significant transaction related to  
12 the sale or transfer of petroleum or petroleum products  
13 to the Assad regime of Syria or any successor regime in  
14 Syria that the President determines is not a legitimate  
15 transitional or replacement government.

16 (b) SANCTIONS WITH RESPECT TO FOREIGN FINAN-  
17 CIAL INSTITUTIONS.—On or after the date that is 30 days  
18 after the date of the enactment of this Act, the President  
19 may prohibit the opening, and prohibit or impose strict  
20 conditions on the maintaining, in the United States of a  
21 correspondent account or a payable-through account by a  
22 foreign financial institution that the President determines  
23 has knowingly conducted, on or after such date of enact-  
24 ment, a significant transaction related to the sale or trans-  
25 fer of petroleum or petroleum products to—

1           (1) the Assad regime of Syria or any successor  
2 regime in Syria that the President determines is not  
3 a legitimate transitional or replacement government;  
4 or

5           (2) any person added after April 28, 2011, to  
6 the list of specially designated nationals and blocked  
7 persons maintained by the Office of Foreign Assets  
8 Control of the Department of the Treasury in con-  
9 nection with the conflict in Syria.

10       (c) HUMANITARIAN EXCEPTION.—The President  
11 may not impose sanctions under this section with respect  
12 to any person for conducting or facilitating a transaction  
13 necessary to meet the humanitarian needs of the people  
14 of Syria.

15       Strike section 405 and insert the following:

16       **SEC. 405. NATIONAL SECURITY WAIVER.**

17       (a) IN GENERAL.—The President may waive the ap-  
18 plication of section 402 or 403 to a person or category  
19 of persons for a period of not more than 180 days, and  
20 may renew the waiver for additional periods of not more  
21 than 180 days, if the President determines and reports  
22 to the appropriate congressional committees every 180  
23 days that the waiver is in the vital national security inter-  
24 ests of the United States.

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

4 On page 34, beginning on line 20, strike “specific  
5 members” and all that follows through “units of the Free  
6 Syrian” on line 22 and insert the following: “vetted ele-  
7 ments of the Syrian Supreme Military Council, the Free  
8 Syrian”.

9 On page 35, beginning on line 7, strike “individual,  
10 unit, or entities” and insert “unit or entity”.

11 On page 35, beginning on line 11, strike “the indi-  
12 vidual” and all that follows through line 14 and insert  
13 “the unit or entity to which assistance is being provided  
14 or is planned to be provided and the senior leaders of such  
15 unit or entity, are, based on the information available to  
16 the United States Government—”.

17 On page 35, beginning on line 19, strike “or is affili-  
18 ated with any” and insert “or an associated force of an”.

19 On page 36, strike lines 2 through 6 and insert the  
20 following: “13224 (66 Fed. Reg. 49079), and has been

1 screened through all relevant terrorist databases, includ-  
2 ing the Terrorist Identities Datamart Environment  
3 (TIDE);

4 (ii) committed to rejecting terrorism  
5 and extremist ideologies;

6 (iii) opposed to the carrying out of  
7 sectarian violence, revenge killings, and  
8 other abuses of the laws of armed conflict,  
9 including international human rights and  
10 humanitarian law, and committed to an in-  
11 clusive political transition;

12 On page 36, strike line 16 and insert the following:

13 (C) there is significant international sup-  
14 port from key European and Middle Eastern  
15 partners for providing the assistance referenced  
16 in this title, and United States efforts to pro-  
17 vide this assistance are being coordinated with  
18 these partners;

19 (D) any military education and training

20 On page 36, line 22, insert “, including the capability  
21 to maintain a chain of custody of assistance being pro-  
22 vided under this section” after “civilian control of the mili-  
23 tary”.

1       Beginning on page 36, line 24, strike “sites; and”  
2 and all that follows through “provided” on page 37, line  
3 1, and insert the following: “sites;

4               (E) according to chain of custody criteria  
5               established and promulgated by the Department  
6               of State, the unit or entity to whom assistance  
7               is being provided can maintain a reasonable  
8               chain of custody of weapons consisting of a rea-  
9               sonable capability to document, account, and  
10              physically control the transfer, custody, and dis-  
11              position of assistance being provided under this  
12              section; and

13              (F) assistance provided

14       On page 37, line 2, strike “specific individual or enti-  
15 ty” and insert “unit or entity”.

16       On page 37, line 5, strike “individual or entity” and  
17 insert “unit or entity”.

18       On page 38, beginning on line 12, strike “place; and”  
19 and all that follows through line 15 and insert the fol-  
20 lowing: “place;

1 (E) the President certifies that the United  
2 States has consulted with regional allies regard-  
3 ing the systems provided; and

4 (F) the President submits a strategy to  
5 implement an accelerated global program to se-  
6 cure or eliminate stocks of anti-aircraft defense  
7 systems and related equipment and facilities  
8 that pose a proliferation threat immediately  
9 after the cessation of violence.

10 On page 38, beginning on line 19, strike “includes  
11 respect” and all that follows through line 22 and insert  
12 the following: “includes—

13 (1) respect for applicable laws of armed con-  
14 flict;

15 (2) respect for the rule of law;

16 (3) a commitment to refrain from sectarian vio-  
17 lence and revenge killings; and

18 (4) a commitment to cooperate with transitional  
19 authorities in the establishment of special weapons  
20 storage sites and efforts to shift security functions  
21 to the transitional government.

22 (e) NONPROLIFERATION OF WEAPONS OF MASS DE-  
23 STRUCTION.—The United States Government shall en-  
24 courage any entity receiving assistance pursuant to sub-

1 section (a) to commit to a Syria that is free of weapons  
2 of mass destruction, including any chemical, biological, or  
3 nuclear WMD-related programs.

4 (f) REPORTING REQUIREMENT.—In the event that

5 On page 39, between lines 4 and 5, insert the fol-  
6 lowing:

7 (2) a rationale for why the assistance is being  
8 provided;

9 On page 39, line 5, strike “(2)” and insert “(3)”.

10 On page 39, line 7, strike “(3)” and insert “(4)”.

11 On page 39, line 8, strike “(c)” and insert “(d)”.

12 On page 39, line 9, strike “(4)” and insert “(5)”.

13 On page 39, line 11, strike “(5)” and insert “(6)”.

14 On page 39, line 15, strike “(6)” and insert “(7)”.

15 On page 39, line 17, strike “Syria; and” and insert  
16 “Syria;”.

1 On page 39, line 18, strike “(7)” and insert “(8)”.

2 On page 39, line 19, strike “forces.” and insert  
3 “forces;”.

4 On page 39, between lines 19 and 20, insert the fol-  
5 lowing:

6 (9) the criteria for chain of custody certification  
7 and the adherence by the Syrian opposition to chain  
8 of custody requirements; and

9 (10) a strategy for securing the lethal assist-  
10 ance being provided in the aftermath of the conflict.

11 On page 39, line 20, strike “(f)” and insert “(g)”.

12 On page 39, after line 22, add the following:

13 **SEC. 502. PROHIBITION ON AID TO FREE SYRIAN ARMY IN**  
14 **EVENT OF CHEMICAL WEAPONS USE.**

15 In the event that the United States Government re-  
16 ceives substantial evidence that any units or entities pro-  
17 vided assistance under this title have engaged in the use  
18 of chemical weapons, the authority under this Act to pro-  
19 vide assistance to those units or entities shall immediately  
20 terminate.

1 **SEC. 503. PROHIBITION ON AID TO FREE SYRIAN ARMY IN**  
2 **EVENT OF SALE OR ILLEGAL TRANSFER OF**  
3 **UNITED STATES DEFENSE ARTICLES OR**  
4 **SERVICES.**

5 In the event that the United States Government re-  
6 ceives substantial evidence that any units or entities pro-  
7 vided assistance under this title are selling or illegally  
8 transferring defense articles or defense services received  
9 from the United States Government, the authority under  
10 this Act to provide assistance to those units or entities  
11 shall immediately terminate.