

108TH CONGRESS
1ST SESSION

H. R. 1828

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2003

Received

AN ACT

To halt Syrian support for terrorism, end its occupation of Lebanon, and stop its development of weapons of mass destruction, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, 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 “Syria Accountability
5 and Lebanese Sovereignty Restoration Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On September 20, 2001, President George
9 Bush stated at a joint session of Congress that
10 “[e]very nation, in every region, now has a decision
11 to make . . . [e]ither you are with us, or you are
12 with the terrorists . . . [f]rom this day forward, any
13 nation that continues to harbor or support terrorism
14 will be regarded by the United States as a hostile re-
15 gime”.

16 (2) On June 24, 2002, President Bush stated
17 “Syria must choose the right side in the war on ter-
18 ror by closing terrorist camps and expelling terrorist
19 organizations”.

20 (3) United Nations Security Council Resolution
21 1373 (September 28, 2001) mandates that all states
22 “refrain from providing any form of support, active
23 or passive, to entities or persons involved in terrorist
24 acts”, take “the necessary steps to prevent the com-
25 mission of terrorist acts”, and “deny safe haven to

1 those who finance, plan, support, or commit terrorist
2 acts”.

3 (4) The Government of Syria is currently pro-
4 hibited by United States law from receiving United
5 States assistance because it has repeatedly provided
6 support for acts of international terrorism, as deter-
7 mined by the Secretary of State for purposes of sec-
8 tion 6(j)(1) of the Export Administration Act of
9 1979 (50 U.S.C. App. 2405(j)(1)) and other rel-
10 evant provisions of law.

11 (5) Although the Department of State lists
12 Syria as a state sponsor of terrorism and reports
13 that Syria provides “safe haven and support to sev-
14 eral terrorist groups”, fewer United States sanctions
15 apply with respect to Syria than with respect to any
16 other country that is listed as a state sponsor of ter-
17 rorism.

18 (6) Terrorist groups, including Hizballah,
19 Hamas, Palestinian Islamic Jihad, the Popular
20 Front for the Liberation of Palestine, and the Pop-
21 ular Front for the Liberation of Palestine–General
22 Command, maintain offices, training camps, and
23 other facilities on Syrian territory, and operate in
24 areas of Lebanon occupied by the Syrian armed
25 forces and receive supplies from Iran through Syria.

1 (7) United Nations Security Council Resolution
2 520 (September 17, 1982) calls for “strict respect of
3 the sovereignty, territorial integrity, unity and polit-
4 ical independence of Lebanon under the sole and ex-
5 clusive authority of the Government of Lebanon
6 through the Lebanese Army throughout Lebanon”.

7 (8) Approximately 20,000 Syrian troops and se-
8 curity personnel occupy much of the sovereign terri-
9 tory of Lebanon exerting undue influence upon its
10 government and undermining its political independ-
11 ence.

12 (9) Since 1990 the Senate and House of Rep-
13 resentatives have passed seven bills and resolutions
14 which call for the withdrawal of Syrian armed forces
15 from Lebanon.

16 (10) On March 3, 2003, Secretary of State
17 Colin Powell declared that it is the objective of the
18 United States to “let Lebanon be ruled by the Leba-
19 nese people without the presence of [the Syrian] oc-
20 cupation army”.

21 (11) Large and increasing numbers of the Leb-
22 anese people from across the political spectrum in
23 Lebanon have mounted peaceful and democratic
24 calls for the withdrawal of the Syrian Army from
25 Lebanese soil.

1 (12) Israel has withdrawn all of its armed
2 forces from Lebanon in accordance with United Na-
3 tions Security Council Resolution 425 (March 19,
4 1978), as certified by the United Nations Secretary
5 General.

6 (13) Even in the face of this United Nations
7 certification that acknowledged Israel's full compli-
8 ance with Security Council Resolution 425, Syrian-
9 and Iranian-supported Hizballah continues to attack
10 Israeli outposts at Shebaa Farms, under the pre-
11 tense that Shebaa Farms is territory from which
12 Israel was required to withdraw by Security Council
13 Resolution 425, and Syrian- and Iranian-supported
14 Hizballah and other militant organizations continue
15 to attack civilian targets in Israel.

16 (14) Syria will not allow Lebanon—a sovereign
17 country—to fulfill its obligation in accordance with
18 Security Council Resolution 425 to deploy its troops
19 to southern Lebanon.

20 (15) As a result, the Israeli-Lebanese border
21 and much of southern Lebanon is under the control
22 of Hizballah, which continues to attack Israeli posi-
23 tions, allows Iranian Revolutionary Guards and
24 other militant groups to operate freely in the area,

1 and maintains thousands of rockets along Israel's
2 northern border, destabilizing the entire region.

3 (16) On February 12, 2003, Director of Central
4 Intelligence George Tenet stated the following with
5 respect to the Syrian- and Iranian-supported
6 Hizballah: “[A]s an organization with capability and
7 worldwide presence [it] is [al Qaeda’s] equal if not
8 a far more capable organization . . . [T]hey’re a
9 notch above in many respects, in terms of in their
10 relationship with the Iranians and the training they
11 receive, [which] puts them in a state-sponsored cat-
12 egory with a potential for lethality that’s quite
13 great.”.

14 (17) In the State of the Union address on Jan-
15 uary 29, 2002, President Bush declared that the
16 United States will “work closely with our coalition to
17 deny terrorists and their state sponsors the mate-
18 rials, technology, and expertise to make and deliver
19 weapons of mass destruction”.

20 (18) The Government of Syria continues to de-
21 velop and deploy short- and medium-range ballistic
22 missiles.

23 (19) According to the December 2001 unclassi-
24 fied Central Intelligence Agency report entitled
25 “Foreign Missile Developments and the Ballistic

1 Missile Threat through 2015”, “Syria maintains a
2 ballistic missile and rocket force of hundreds of
3 FROG rockets, Scuds, and SS–21 SRBMs [and]
4 Syria has developed [chemical weapons] warheads
5 for its Scuds”.

6 (20) The Government of Syria is pursuing the
7 development and production of biological and chem-
8 ical weapons and has a nuclear research and devel-
9 opment program that is cause for concern.

10 (21) According to the Central Intelligence
11 Agency’s “Unclassified Report to Congress on the
12 Acquisition of Technology Relating to Weapons of
13 Mass Destruction and Advanced Conventional Muni-
14 tions”, released January 7, 2003: “[Syria] already
15 holds a stockpile of the nerve agent sarin but appar-
16 ently is trying to develop more toxic and persistent
17 nerve agents. Syria remains dependent on foreign
18 sources for key elements of its [chemical weapons]
19 program, including precursor chemicals and key pro-
20 duction equipment. It is highly probable that Syria
21 also is developing an offensive [biological weapons]
22 capability.”.

23 (22) On May 6, 2002, the Under Secretary of
24 State for Arms Control and International Security,
25 John Bolton, stated: “The United States also knows

1 that Syria has long had a chemical warfare program.
2 It has a stockpile of the nerve agent sarin and is en-
3 gaged in research and development of the more toxic
4 and persistent nerve agent VX. Syria, which has
5 signed but not ratified the [Biological Weapons Con-
6 vention], is pursuing the development of biological
7 weapons and is able to produce at least small
8 amounts of biological warfare agents.”.

9 (23) According to the Central Intelligence
10 Agency’s “Unclassified Report to Congress on the
11 Acquisition of Technology Relating to Weapons of
12 Mass Destruction and Advanced Conventional Muni-
13 tions”, released January 7, 2003: “Russia and Syria
14 have approved a draft cooperative program on co-
15 operation on civil nuclear power. In principal, broad-
16 er access to Russian expertise provides opportunities
17 for Syria to expand its indigenous capabilities,
18 should it decide to pursue nuclear weapons.”.

19 (24) Under the Treaty on the Non-Proliferation
20 of Nuclear Weapons (21 UST 483), which entered
21 force on March 5, 1970, and to which Syria is a
22 party, Syria has undertaken not to acquire or
23 produce nuclear weapons and has accepted full scope
24 safeguards of the International Atomic Energy
25 Agency to detect diversions of nuclear materials

1 from peaceful activities to the production of nuclear
2 weapons or other nuclear explosive devices.

3 (25) Syria is not a party to the Chemical Weap-
4 ons Convention or the Biological Weapons Conven-
5 tion, which entered into force on April 29, 1997, and
6 on March 26, 1975, respectively.

7 (26) Syrian President Bashar Assad promised
8 Secretary of State Powell in February 2001 to end
9 violations of Security Council Resolution 661, which
10 restricted the sale of oil and other commodities by
11 Saddam Hussein's regime, except to the extent au-
12 thorized by other relevant resolutions, but this
13 pledge was never fulfilled.

14 (27) Syria's illegal imports and transshipments
15 of Iraqi oil during Saddam Hussein's regime earned
16 Syria \$50,000,000 or more per month as Syria con-
17 tinued to sell its own Syrian oil at market prices.

18 (28) Syria's illegal imports and transshipments
19 of Iraqi oil earned Saddam Hussein's regime
20 \$2,000,000 per day.

21 (29) The Government of Syria also utilized the
22 railway network linking Mosul, Iraq, to Aleppo,
23 Syria, to transfer a wide range of weaponry and
24 weapon systems to Saddam Hussein's regime.

1 (30) On March 28, 2003, Secretary of Defense
2 Donald Rumsfeld warned: “[W]e have information
3 that shipments of military supplies have been cross-
4 ing the border from Syria into Iraq, including night-
5 vision goggles . . . These deliveries pose a direct
6 threat to the lives of coalition forces. We consider
7 such trafficking as hostile acts, and will hold the
8 Syrian government accountable for such ship-
9 ments.”.

10 (31) According to Article 23(1) of the United
11 Nations Charter, members of the United Nations are
12 elected as nonpermanent members of the United Na-
13 tions Security Council with “due regard being spe-
14 cially paid, in the first instance to the contribution
15 of members of the United Nations to the mainte-
16 nance of international peace and security and to
17 other purposes of the Organization”.

18 (32) Despite Article 23(1) of the United Na-
19 tions Charter, Syria was elected on October 8, 2001,
20 to a 2-year term as a nonpermanent member of the
21 United Nations Security Council beginning January
22 1, 2002, and served as President of the Security
23 Council during June 2002 and August 2003.

24 (33) On March 31, 2003, the Syrian Foreign
25 Minister, Farouq al-Sharra, made the Syrian re-

1 gime’s intentions clear when he explicitly stated that
2 “Syria’s interest is to see the invaders defeated in
3 Iraq”.

4 (34) On April 13, 2003, Secretary of Defense
5 Donald Rumsfeld charged that “busloads” of Syrian
6 fighters entered Iraq with “hundreds of thousands
7 of dollars” and leaflets offering rewards for dead
8 American soldiers.

9 (35) On September 16, 2003, the Under Sec-
10 retary of State for Arms Control and International
11 Security, John Bolton, appeared before the Sub-
12 committee on the Middle East and Central Asia of
13 the Committee on International Relations of the
14 House of Representatives, and underscored Syria’s
15 “hostile actions” toward coalition forces during Op-
16 eration Iraqi Freedom. Under Secretary Bolton
17 added that: “Syria allowed military equipment to
18 flow into Iraq on the eve of and during the war.
19 Syria permitted volunteers to pass into Iraq to at-
20 tack and kill our service members during the war,
21 and is still doing so . . . [Syria’s] behavior during
22 Operation Iraqi Freedom underscores the impor-
23 tance of taking seriously reports and information on
24 Syria’s WMD capabilities.”.

1 (36) During his appearance before the Com-
2 mittee on International Relations of the House of
3 Representatives on September 25, 2003, Amba-
4 sador L. Paul Bremer, III, Administrator of the Co-
5 alition Provisional Authority in Iraq, stated that out
6 of the 278 third-country nationals who were cap-
7 tured by coalition forces in Iraq, the “single largest
8 group are Syrians”.

9 **SEC. 3. SENSE OF CONGRESS.**

10 It is the sense of Congress that—

11 (1) the Government of Syria should imme-
12 diately and unconditionally halt support for ter-
13 rorism, permanently and openly declare its total re-
14 nunciation of all forms of terrorism, and close all
15 terrorist offices and facilities in Syria, including the
16 offices of Hamas, Hizballah, Palestinian Islamic
17 Jihad, the Popular Front for the Liberation of Pal-
18 estine, and the Popular Front for the Liberation of
19 Palestine—General Command;

20 (2) the Government of Syria should—

21 (A) immediately and unconditionally stop
22 facilitating transit from Syria to Iraq of individ-
23 uals, military equipment, and all lethal items,
24 except as authorized by the Coalition Provi-

1 sional Authority or a representative, inter-
2 nationally recognized Iraqi government;

3 (B) cease its support for “volunteers” and
4 terrorists who are traveling from and through
5 Syria into Iraq to launch attacks; and

6 (C) undertake concrete, verifiable steps to
7 deter such behavior and control the use of terri-
8 tory under Syrian control;

9 (3) the Government of Syria should imme-
10 diately declare its commitment to completely with-
11 draw its armed forces, including military, para-
12 military, and security forces, from Lebanon, and set
13 a firm timetable for such withdrawal;

14 (4) the Government of Lebanon should deploy
15 the Lebanese armed forces to all areas of Lebanon,
16 including South Lebanon, in accordance with United
17 Nations Security Council Resolution 520 (September
18 17, 1982), in order to assert the sovereignty of the
19 Lebanese state over all of its territory, and should
20 evict all terrorist and foreign forces from southern
21 Lebanon, including Hizballah and the Iranian Revo-
22 lutionary Guards;

23 (5) the Government of Syria should halt the de-
24 velopment and deployment of medium- and long-
25 range surface-to-surface missiles and cease the de-

1 velopment and production of biological and chemical
2 weapons;

3 (6) the Governments of Lebanon and Syria
4 should enter into serious unconditional bilateral ne-
5 gotiations with the Government of Israel in order to
6 realize a full and permanent peace;

7 (7) the United States should continue to pro-
8 vide humanitarian and educational assistance to the
9 people of Lebanon only through appropriate private,
10 nongovernmental organizations and appropriate
11 international organizations, until such time as the
12 Government of Lebanon asserts sovereignty and con-
13 trol over all of its territory and borders and achieves
14 full political independence, as called for in United
15 Nations Security Council Resolution 520; and

16 (8) as a violator of several key United Nations
17 Security Council resolutions and as a nation that
18 pursues policies which undermine international peace
19 and security, Syria should not have been permitted
20 to join the United Nations Security Council or serve
21 as the Security Council's President, and should be
22 removed from the Security Council.

23 **SEC. 4. STATEMENT OF POLICY.**

24 It is the policy of the United States that—

1 (1) Syria will be held responsible for attacks
2 committed by Hizballah and other terrorist groups
3 with offices, training camps, or other facilities in
4 Syria, or bases in areas of Lebanon occupied by
5 Syria;

6 (2) the United States shall impede Syria's abil-
7 ity to support acts of international terrorism and ef-
8 forts to develop or acquire weapons of mass destruc-
9 tion;

10 (3) the Secretary of State will continue to list
11 Syria as a state sponsor of terrorism until Syria
12 ends its support for terrorism, including its support
13 of Hizballah and other terrorist groups in Lebanon
14 and its hosting of terrorist groups in Damascus, and
15 comes into full compliance with United States law
16 relating to terrorism and United Nations Security
17 Council Resolution 1373 (September 28, 2001);

18 (4) efforts against Hizballah will be expanded
19 given the recognition that Hizballah is equally or
20 more capable than al Qaeda;

21 (5) the full restoration of Lebanon's sov-
22 ereignty, political independence, and territorial in-
23 tegrity is in the national security interest of the
24 United States;

1 (6) Syria is in violation of United Nations Se-
2 curity Council Resolution 520 (September 17, 1982)
3 through its continued occupation of Lebanese terri-
4 tory and its encroachment upon Lebanon's political
5 independence;

6 (7) Syria's obligation to withdraw from Leb-
7 anon is not conditioned upon progress in the Israeli-
8 Syrian or Israeli-Lebanese peace process but derives
9 from Syria's obligation under Security Council Reso-
10 lution 520;

11 (8) Syria's acquisition of weapons of mass de-
12 struction and ballistic missile programs threaten the
13 security of the Middle East and the national security
14 interests of the United States;

15 (9) Syria will be held accountable for any harm
16 to Coalition armed forces or to any United States
17 citizen in Iraq due to its facilitation of terrorist ac-
18 tivities and its shipments of military supplies to
19 Iraq; and

20 (10) the United States will not provide any as-
21 sistance to Syria and will oppose multilateral assist-
22 ance for Syria until Syria ends all support for ter-
23 rorism, withdraws its armed forces from Lebanon,
24 and halts the development and deployment of weap-

1 ons of mass destruction and medium- and long-
2 range surface-to-surface ballistic missiles.

3 **SEC. 5. PENALTIES AND AUTHORIZATION.**

4 (a) PENALTIES.—Until the President makes the de-
5 termination that Syria meets all the requirements de-
6 scribed in paragraphs (1) through (4) of subsection (d)
7 and certifies such determination to Congress in accord-
8 ance with such subsection—

9 (1) the President shall prohibit the export to
10 Syria of any item, including the issuance of a license
11 for the export of any item, on the United States Mu-
12 nitions List or Commerce Control List of dual-use
13 items in the Export Administration Regulations (15
14 C.F.R. part 730 et seq.); and

15 (2) the President shall impose two or more of
16 the following sanctions:

17 (A) Prohibit the export of products of the
18 United States (other than food and medicine)
19 to Syria.

20 (B) Prohibit United States businesses from
21 investing or operating in Syria.

22 (C) Restrict Syrian diplomats in Wash-
23 ington, D.C., and at the United Nations in New
24 York City, to travel only within a 25-mile ra-

1 dius of Washington, D.C., or the United Na-
2 tions headquarters building, respectively.

3 (D) Prohibit aircraft of any air carrier
4 owned or controlled by Syria to take off from,
5 land in, or overfly the United States.

6 (E) Reduce United States diplomatic con-
7 tacts with Syria (other than those contacts re-
8 quired to protect United States interests or
9 carry out the purposes of this Act).

10 (F) Block transactions in any property in
11 which the Government of Syria has any inter-
12 est, by any person, or with respect to any prop-
13 erty, subject to the jurisdiction of the United
14 States.

15 (b) WAIVER.—The President may waive the applica-
16 tion of paragraph (2) of subsection (a) for one or more
17 6-month periods if the President determines that it is in
18 the vital national security interest of the United States
19 to do so and transmits to Congress a report that contains
20 the reasons therefor.

21 (c) AUTHORITY TO PROVIDE ASSISTANCE TO
22 SYRIA.—If the President—

23 (1) makes the determination that Syria meets
24 the requirements described in paragraphs (1)
25 through (4) of subsection (d) and certifies such de-

1 termination to Congress in accordance with such
2 subsection;

3 (2) determines that substantial progress has
4 been made both in negotiations aimed at achieving
5 a peace agreement between Israel and Syria and in
6 negotiations aimed at achieving a peace agreement
7 between Israel and Lebanon; and

8 (3) determines that the Government of Syria is
9 strictly respecting the sovereignty, territorial integ-
10 rity, unity, and political independence of Lebanon
11 under the sole and exclusive authority of the Govern-
12 ment of Lebanon through the Lebanese army
13 throughout Lebanon, as required under paragraph
14 (4) of United Nations Security Council Resolution
15 520 (1982),

16 then the President is authorized to provide assistance to
17 Syria under chapter 1 of Part I of the Foreign Assistance
18 Act of 1961 (relating to development assistance).

19 (d) CERTIFICATION.—A certification under this sub-
20 section is a certification transmitted to the appropriate
21 congressional committees of a determination made by the
22 President that—

23 (1) the Government of Syria has ceased pro-
24 viding support for international terrorist groups and
25 does not allow terrorist groups, such as Hamas,

1 Hizballah, Palestinian Islamic Jihad, the Popular
2 Front for the Liberation of Palestine, and the Pop-
3 ular Front for the Liberation of Palestine—General
4 Command to maintain facilities in territory under
5 Syrian control;

6 (2) the Government of Syria has withdrawn all
7 Syrian military, intelligence, and other security per-
8 sonnel from Lebanon;

9 (3) the Government of Syria has ceased the de-
10 velopment and deployment of medium- and long-
11 range surface-to-surface ballistic missiles, is not pur-
12 suing or engaged in the research, development, ac-
13 quisition, production, transfer, or deployment of bio-
14 logical, chemical, or nuclear weapons, has provided
15 credible assurances that such behavior will not be
16 undertaken in the future, and has agreed to allow
17 United Nations and other international observers to
18 verify such actions and assurances; and

19 (4) the Government of Syria has ceased all sup-
20 port for, and facilitation of, all terrorist activities in-
21 side of Iraq, including preventing the use of territory
22 under its control by any means whatsoever to sup-
23 port those engaged in terrorist activities inside of
24 Iraq.

1 **SEC. 6. REPORT.**

2 (a) REPORT.—Not later than 6 months after the date
3 of the enactment of this Act, and every 12 months there-
4 after until the conditions described in paragraphs (1)
5 through (4) of section 5(d) are satisfied, the Secretary of
6 State shall submit to the appropriate congressional com-
7 mittees a report on—

8 (1) Syria’s progress toward meeting the condi-
9 tions described in paragraphs (1) through (4) of sec-
10 tion 5(d);

11 (2) connections, if any, between individual ter-
12 rorists and terrorist groups which maintain offices,
13 training camps, or other facilities on Syrian terri-
14 tory, or operate in areas of Lebanon occupied by the
15 Syrian armed forces, and the attacks against the
16 United States that occurred on September 11, 2001,
17 and other terrorist attacks on the United States or
18 its citizens, installations, or allies; and

19 (3) how the United States is increasing its ef-
20 forts against Hizballah given the recognition that
21 Hizballah is equally or more capable than al Qaeda.

22 (b) FORM.—The report submitted under subsection
23 (a) shall be in unclassified form but may include a classi-
24 fied annex.

1 **SEC. 7. DEFINITION OF APPROPRIATE CONGRESSIONAL**
2 **COMMITTEES.**

3 In this Act, the term “appropriate congressional com-
4 mittees” means the Committee on International Relations
5 of the House of Representatives and the Committee on
6 Foreign Relations of the Senate.

Passed the House of Representatives October 15,
2003.

Attest:

JEFF TRANDAHL,
Clerk.