

.....
(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To impose sanctions with respect to Turkey, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ENGEL (for himself and Mr. McCAUL) introduced the following bill; which
was referred to the Committee on _____

A BILL

To impose sanctions with respect to Turkey, 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 “Protect Against Con-
5 flict by Turkey Act” or the “PACT Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the United States and Turkey have been
9 treaty allies since 1952, when Turkey became a

1 member of the North Atlantic Treaty Organization
2 (NATO);

3 (2) being a NATO member means that Turkey
4 is treaty bound to safeguard the principles of democ-
5 racy, individual liberty, and the rule of law, and im-
6 portantly, should be united with other NATO allies
7 in efforts for collective defense and the preservation
8 of peace and security;

9 (3) Turkey's military incursion into Northern
10 Syria is an unacceptable and unnecessary escalation
11 of tensions with the potential to cause a severe hu-
12 manitarian crisis and undo the collective gains made
13 in the fight against the Islamic State of Iraq and
14 Syria (ISIS) by the United States and the 81 coun-
15 tries and organizations of Global Coalition to Defeat
16 ISIS, including NATO and the European Union
17 (EU);

18 (4) Turkey should immediately cease attacks
19 against the Syrian Kurdish community and other
20 communities affected by the military operation, and
21 recall its forces back to the Turkish border;

22 (5) targeted sanctions against Turkey are an
23 appropriate response in order for Turkey to be held
24 accountable for its military offensive in Syria;

1 (6) Turkey's military incursion into Syria is the
2 latest example of the weakening and problematic
3 United States-Turkey bilateral relationship and un-
4 dermines the security of the United States and its
5 NATO allies, including that of Turkey;

6 (7) the Syrian Defense Forces (SDF) have been
7 critical partners to the United States' and allied
8 counter-ISIS and broader counterterrorism efforts in
9 Syria, and the United States should honor its com-
10 mitments to its SDF partners; and

11 (8) the United States should stand and support
12 allies and partners that share the same foreign pol-
13 icy and strategic goals.

14 **SEC. 3. SANCTIONS AGAINST SENIOR TURKISH OFFICIALS.**

15 (a) IN GENERAL.—Not later than 15 days after the
16 date of the enactment of this Act, the President shall im-
17 pose the sanctions described in section 11 with respect to
18 the following foreign persons:

19 (1) The Minister of National Defense of Tur-
20 key.

21 (2) The Chief of the General Staff of the Turk-
22 ish Armed Forces.

23 (3) The Commander of the 2nd Army of the
24 Turkish Armed Forces.

1 (4) The Minister of Treasury and Finance of
2 Turkey.

3 (b) ADDITIONAL SANCTIONS.—

4 (1) LIST.—Not later than 30 days after the
5 date of the enactment of this Act, the Secretary of
6 State, in consultation with the Secretary of Defense
7 and the Director of National Intelligence, shall sub-
8 mit to the President and appropriate congressional
9 committees a list of the following foreign persons:

10 (A) Senior Turkish officials involved in the
11 decision to invade Syria.

12 (B) Senior Turkish military officials lead-
13 ing attacks against the Syrian Kurdish popu-
14 lation and other communities affected by Tur-
15 key's military operations in Syria.

16 (C) Turkish officials significantly facili-
17 tating Turkey's military operations in Syria.

18 (2) UPDATES.—The list required under para-
19 graph (1) shall be updated every 60 days, until the
20 sanctions under this section are terminated in ac-
21 cordance with section 7.

22 (3) IMPOSITION.—Not later than 15 days after
23 submission of the list required under paragraph (1)
24 and each update relating thereto in accordance with
25 paragraph (2), the President shall impose the sanc-

1 tions described in section 11 with respect to foreign
2 persons identified in such list and related updates.

3 **SEC. 4. PROHIBITION ON ARMS TRANSFERS TO TURKISH**
4 **MILITARY UNITS IN SYRIA.**

5 (a) PROHIBITION.—No United States defense articles
6 or defense services under the Arms Export Control Act
7 (22 U.S.C. 2751 et seq.) may be transferred to Turkey
8 for use in operations by the Turkish Armed Forces in
9 Syria.

10 (b) EXCEPTION.—The prohibition under subsection
11 (a) shall not apply to transfers for ultimate end use by
12 the United States military or in military operations ap-
13 proved by the North Atlantic Treaty Organization.

14 (c) NO USE OF EMERGENCY AUTHORITY.—The au-
15 thority of the President to waive statutory congressional
16 review periods under the Arms Export Control Act in
17 cases in which an emergency exists shall not apply to the
18 transfer of defense articles or services to Turkey.

19 **SEC. 5. SANCTIONS AGAINST FOREIGN PERSONS PRO-**
20 **VIDING ARMS TO TURKISH FORCES IN SYRIA.**

21 (a) REPORT.—Not later than 30 days after the date
22 of the enactment of this Act, the Secretary of State, in
23 consultation with the Secretary of Defense and the Direc-
24 tor of National Intelligence, shall submit to the President
25 and appropriate congressional committees a list of any for-

1 eign persons determined to knowingly have provided, on
2 or after such date of enactment, defense articles or defense
3 services to Turkish entities conducting military operations
4 against the Syrian Kurdish population or other commu-
5 nities affected by such Turkish military operation. Such
6 list shall be updated every 60 days or as new information
7 becomes available, until the sanctions under this section
8 are terminated in accordance with section 7.

9 (b) SANCTIONS.—The President shall impose the
10 sanctions described in section 11 with respect to any for-
11 eign persons identified on the list and related updates re-
12 quired under subsection (a).

13 (c) EXCEPTION.—The sanctions imposed pursuant to
14 this section shall not apply to transfers for ultimate end
15 use by the United States military or in military operations
16 approved by the North Atlantic Treaty Organization.

17 (d) WAIVER.—

18 (1) IN GENERAL.—The President may waive,
19 on a case-by-case basis and for a period of not more
20 than 180 days, the imposition of sanctions under
21 this section with respect to a foreign person if Presi-
22 dent determines it is important to the national secu-
23 rity interests of the United States to do so and, not
24 later than 30 days after such a determination, sub-

1 mits to the appropriate congressional committees a
2 report relating to such a determination.

3 (2) RENEWAL OF WAIVERS.—The President
4 may, on a case-by-case basis, renew a waiver under
5 paragraph (1) for an additional period of not more
6 than 180 days if, not later than 15 days before such
7 a waiver expires, the President determines such is
8 important to the national security interests of the
9 United to do so and submits to the appropriate con-
10 gressional committees a report relating to such a de-
11 termination.

12 **SEC. 6. TARGETED FINANCIAL SANCTIONS.**

13 (a) HALK BANKASI OR HALKBANK.—Not later than
14 15 days of the date of enactment of this Act, the President
15 shall impose the sanctions described in section 11(1) with
16 respect to Halk Bankası or Halkbank or any successor
17 entity thereof.

18 (b) FINANCIAL INSTITUTIONS.—If the Secretary of
19 State, in consultation with the Secretary of Defense, Sec-
20 retary of Treasury, and Director of National Intelligence,
21 determines that any financial institution, in addition to
22 the financial institutions specified in subsection (a), has
23 knowingly facilitated transactions for the Turkish military
24 or defense industry relating to Turkey's military oper-
25 ations in Syria, the President shall, not later than 60 days

1 after any such determination, impose the sanctions de-
2 scribed in section 11(1) with respect to any such financial
3 institution.

4 **SEC. 7. TERMINATION AUTHORITY.**

5 (a) SECTIONS 3, 4, AND 5.—The authority to impose
6 sanctions under sections 3 and 5 (and the sanctions im-
7 posed pursuant to such sections) and the prohibitions
8 under section 4 shall terminate if the President determines
9 and submits to the appropriate congressional committees
10 a finding that—

11 (1) Turkey has halted attacks against the Syr-
12 ian Kurdish community and other communities af-
13 fected by Turkish military operations;

14 (2) Turkish forces not involved in coordinated
15 positions with NATO allies or the Global Coalition
16 to Defeat ISIS have withdrawn to the border be-
17 tween Turkey and Syria; and

18 (3) Turkey is not hindering counter-terrorism
19 operations against ISIS.

20 (b) SECTION 6.—The authority to impose financial
21 sanctions under section 6 (and the sanctions imposed pur-
22 suant to such section) shall terminate if the President de-
23 termines and submits to the appropriate congressional
24 committees the finding described in subsection (a)(1).

1 **SEC. 8. IMPOSITION OF CAATSA SECTION 231 SANCTIONS**
2 **AGAINST TURKEY.**

3 (a) DETERMINATION.—For the purposes of section
4 231 of the Countering America’s Adversaries Through
5 Sanctions Act (22 U.S.C. 9525), Turkey’s acquisition of
6 the Russian S-400 air and missile defense system begin-
7 ning July 12, 2019, shall be considered to be a significant
8 transaction described in such section.

9 (b) SANCTIONS.—Not later than 30 days after the
10 date of the enactment of this Act, the President shall im-
11 pose five or more of the sanctions described in section 235
12 of the Countering America’s Adversaries Through Sanc-
13 tions Act (22 U.S.C. 9529) with respect to the Govern-
14 ment of Turkey.

15 **SEC. 9. PLANS AND REPORTS TO ADDRESS NATIONAL SE-**
16 **CURITY THREATS CAUSED BY TURKEY’S IN-**
17 **VASION OF NORTHEAST SYRIA.**

18 Not later than 60 days after the date of the enact-
19 ment of this Act—

20 (1) the Secretary of Defense shall submit to the
21 appropriate congressional committees—

22 (A) a plan to ensure that ISIS detainees
23 and families held in Syria remain under proper
24 custody and do not threaten United States se-
25 curity interests; and

1 (B) a report on the impact that the Turk-
2 ish invasion is having on counterterrorism oper-
3 ations in Syria and a plan for how to adapt
4 counter-ISIS operations in light of such im-
5 pacts; and

6 (2) the Secretary of State shall submit to the
7 appropriate congressional committees a plan for how
8 the United States will assist Syrian Kurdish and
9 other communities affected by the Turkish military
10 operation, including immediate humanitarian aid, ef-
11 forts to ensure their safety, and aid to rebuild such
12 communities.

13 **SEC. 10. REPORT ON NET WORTH OF PRESIDENT RECEP**
14 **TAYYIP ERDOGAN.**

15 Not later than 120 days after the date of the enact-
16 ment of this Act, the Secretary of State, in consultation
17 with the Secretary of the Treasury and the Director of
18 National Intelligence, shall submit to the appropriate con-
19 gressional committees a report on the estimated net worth
20 and known sources of income of Turkish President Recep
21 Tayyip Erdoğan and his family members (including
22 spouses, children, parents, and siblings), including assets,
23 investments, other business interests, and relevant bene-
24 ficial ownership information.

1 **SEC. 11. SANCTIONS DESCRIBED.**

2 The sanctions described in this section are the fol-
3 lowing:

4 (1) ASSET BLOCKING.—The President shall ex-
5 ercise all of the powers granted by the International
6 Emergency Economic Powers Act (50 U.S.C. 1701
7 et seq.) (except that the requirements of section 202
8 of such Act (50 U.S.C. 1701) shall not apply) to the
9 extent necessary to block and prohibit all trans-
10 actions in all property and interests in property of
11 a person if such property and interests in property
12 are in the United States, come within the United
13 States, or are or come within the possession or con-
14 trol of a United States person.

15 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
16 SION, OR PAROLE.—

17 (A) VISAS, ADMISSION, OR PAROLE.—A
18 foreign person is—

19 (i) inadmissible to the United States;

20 (ii) ineligible to receive a visa or other
21 documentation to enter the United States;

22 and

23 (iii) otherwise ineligible to be admitted
24 or paroled into the United States or to re-
25 ceive any other benefit under the Immigra-

1 tion and Nationality Act (8 U.S.C. 1101 et
2 seq.).

3 (B) CURRENT VISAS REVOKED.—The visa
4 or other entry documentation of a foreign per-
5 son shall be revoked, regardless of when such
6 visa or other entry documentation is or was
7 issued. A revocation under this subparagraph
8 shall take effect immediately and automatically
9 cancel any other valid visa or entry documenta-
10 tion that is in the foreign person’s possession.

11 (C) EXCEPTION TO COMPLY WITH UNITED
12 NATIONS HEADQUARTERS AGREEMENT.—San-
13 ctions under this paragraph shall not apply to an
14 individual if admitting such individual into the
15 United States is necessary to permit the United
16 States to comply with the Agreement regarding
17 the Headquarters of the United Nations, signed
18 at Lake Success June 26, 1947, and entered
19 into force November 21, 1947, between the
20 United Nations and the United States, or other
21 applicable international obligations of the
22 United States.

23 **SEC. 12. IMPLEMENTATION.**

24 (a) IN GENERAL.—The President—

1 (1) may exercise all authorities provided to the
2 President under sections 203 and 205 of the Inter-
3 national Emergency Economic Powers Act (50
4 U.S.C. 1702 and 1704) to carry out this Act; and

5 (2) shall issue such regulations, licenses, and
6 orders as are necessary to carry out this Act.

7 (b) PENALTIES.—The penalties provided for in sub-
8 sections (b) and (c) of section 206 of the International
9 Emergency Economic Powers Act (50 U.S.C. 1705) shall
10 apply to any person who violates, attempts to violate, con-
11 spires to violate, or causes a violation of any prohibition
12 of this Act, or an order or regulation prescribed under this
13 Act, to the same extent that such penalties apply to a per-
14 son that commits an unlawful act described in subsection
15 (a) of that section.

16 **SEC. 13. EXCEPTION RELATING TO IMPORTATION OF**
17 **GOODS.**

18 (1) IN GENERAL.—The authorities and require-
19 ments to impose sanctions under this Act or any
20 amendments made by this Act shall not include the
21 authority or requirement to impose sanctions on the
22 importation of goods.

23 (2) GOOD DEFINED.—In this section, the term
24 “good” means any article, natural or man-made sub-
25 stance, material, supply or manufactured product,

1 including inspection and test equipment and exclud-
2 ing technical data.

3 **SEC. 14. DEFINITIONS.**

4 In this Act:

5 (1) **ADMISSION; ADMITTED; ALIEN.**—The terms
6 “admission”, “admitted”, and “alien” have the
7 meanings given those terms in section 101 of the
8 Immigration and Nationality Act (8 U.S.C. 1101).

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

12 (A) the Committee on Foreign Affairs, the
13 Committee on Armed Services, and the Com-
14 mittee on Financial Services of the House of
15 Representatives; and

16 (B) the Committee on Foreign Relations,
17 the Committee on Armed Services, and the
18 Committee on Banking, Housing, and Urban
19 Affairs of the Senate.

20 (3) **FOREIGN PERSON.**—The term “foreign per-
21 son” means an individual or entity that is not a
22 United States person.

23 (4) **KNOWINGLY.**—The term “knowingly” with
24 respect to conduct, a circumstance, or a result,
25 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.

3 (5) UNITED STATES PERSON.—The term
4 “United States person” means—

5 (A) a United States citizen or an alien law-
6 fully admitted for permanent residence to the
7 United States; or

8 (B) an entity organized under the laws of
9 the United States or any jurisdiction within the
10 United States, including a foreign branch of
11 such an entity.

12 **SEC. 15. SUNSET.**

13 This Act shall terminate on the date that is three
14 years after the date on which sanctions imposed pursuant
15 to this Act have terminated.