

Calendar No. 607

117TH CONGRESS
2D SESSION**S. 4996**

To amend the National Defense Authorization Act for Fiscal Year 2020 to modify the establishment of a coordinator for detained ISIS members and relevant displaced populations in Syria, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2022

Mrs. SHAHEEN (for herself and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

DECEMBER 7, 2022

Reported by Mr. MENENDEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the National Defense Authorization Act for Fiscal Year 2020 to modify the establishment of a coordinator for detained ISIS members and relevant displaced populations in Syria, 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 Detainee and~~
5 ~~Displaced Persons Act”.~~

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE COMMITTEES OF CON-**
4 **GRESS.**—The term “appropriate committees of Con-
5 gress” means—

6 (A) the Committee on Armed Services, the
7 Committee on Foreign Relations, the Com-
8 mittee on the Judiciary, the Committee on
9 Banking, Housing, and Urban Affairs, the Se-
10 lect Committee on Intelligence, and the Com-
11 mittee on Appropriations of the Senate; and

12 (B) the Committee on Armed Services, the
13 Committee on Foreign Affairs, the Committee
14 on the Judiciary, the Committee on Financial
15 Services, the Permanent Select Committee on
16 Intelligence, and the Committee on Appropria-
17 tions of the House of Representatives.

18 (2) **ISIS MEMBER.**—The term “ISIS member”
19 means a person who was part of, or substantially
20 supported, the Islamic State in Iraq and Syria.

21 (3) **SENIOR COORDINATOR.**—The term “Senior
22 Coordinator” means the coordinator for detained
23 ISIS members and relevant displaced populations in
24 Syria designated under subsection (a) of section
25 1224 of the National Defense Authorization Act for

1 Fiscal Year 2020 (Public Law 116–92, 133 Stat.
2 1642), as amended by section 5.

3 **SEC. 3. FINDINGS; SENSE OF CONGRESS.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) The Islamic State of Iraq and Syria (ISIS)
7 rose to power in 2013 and reached its territorial
8 peak in December 2014.

9 (2) After the territorial defeat of ISIS in 2019,
10 displacement camps began to house detained alleged
11 ISIS members and families with perceived ISIS af-
12 filiation.

13 (3) The al-Hol and Roj displacement camps, lo-
14 cated in Syria near the Syria-Iraq border, now house
15 a significant number of individuals affiliated with
16 ISIS who live alongside other displaced persons.

17 (4) The al-Hol camp currently contains ap-
18 proximately 56,000 residents—

19 (A) an estimated 80 percent of whom are
20 women and children; and

21 (B) an estimated 50 percent of whom are
22 under 12 years of age.

23 (5) The al-Hol camp is severely underdeveloped,
24 with ragged tents, primitive water and sewage facili-

1 ties, and few healthcare facilities or safe spaces for
2 education.

3 (6) International organizations working in the
4 al-Hol and Roj camps, including Save the Children,
5 Doctors Without Borders, and the Norwegian Ref-
6 ugee Council, have all expressed concerns about poor
7 living conditions, criminal behavior, and death
8 threats against volunteers at the camps.

9 (7) The Syrian Democratic Forces, essential
10 partners in the ongoing fight to achieve an enduring
11 defeat of ISIS, and who are responsible for guarding
12 the al-Hol camp and other similar camps, assert
13 that they lack the resources to properly secure such
14 camps.

15 (8) The United States currently has troops de-
16 ployed in Syria to ensure the enduring defeat of
17 ISIS and support the Syrian Democratic Forces.

18 (9) In 2021, 90 incidents of violence were re-
19 ported inside the al-Hol camp. Syrian and Iraqi
20 camp residents and at least 2 aid workers were
21 killed during such incidents.

22 (10) Nearly 8,000 of the residents of the al-Hol
23 camp come from roughly 55 countries other than
24 Syria or Iraq, but such other countries have been
25 slow to acknowledge repatriation requests.

1 (11) Learning centers in the camps have closed
2 because of COVID-19. Lacking formal education,
3 some of the roughly 28,000 children inside the al-
4 Hol camp are being taught by their mothers and are
5 potentially being indoctrinated with ISIS ideology.

6 (12) The Syrian Democratic Forces operate 28
7 prisons that house approximately 12,000 captured
8 ISIS fighters and supporters.

9 (13) In January 2022, 10 ISIS fighters entered
10 the Hasakah prison and sought to liberate the ap-
11 proximately 5,000 ISIS prisoners. After a 10-day
12 battle, hundreds of ISIS fighters were able to es-
13 cape, and their whereabouts are still unknown.

14 (14) Beginning approximately on August 25,
15 2022, and ending approximately on September 18,
16 2022, Syrian Democratic Forces, supported by
17 United States troops, conducted an extensive secu-
18 rity sweep of the al-Hol displaced persons camp, ar-
19 resting 300 ISIS operatives, confiscating explosives,
20 and liberating 6 women who had been enslaved by
21 ISIS, at least 1 of whom had been so enslaved since
22 she was a child.

23 (15) In April 2022, General Michael “Erik”
24 Kurilla, Commander of the United States Central
25 Command, became the first senior official of United

1 States Armed Forces to inspect the al-Hol camp and
 2 Hasakah prison. General Kurilla has described the
 3 ISIS detainees as “an ISIS army-in-waiting” that
 4 “requires a whole-of-government approach focused
 5 on engagement with allies and partners.”.

6 (16) The first trial on United States soil of a
 7 major ISIS figure occurred in April 2022. The ISIS
 8 terrorist was sentenced to life in prison for his role
 9 in the kidnapping and murder of James Foley, Peter
 10 Kassig, Steven Sotloff, and Kayla Mueller.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
 12 gress that—

13 (1) ISIS detainees held by the Syrian Demo-
 14 cratic Forces and ISIS-affiliated individuals located
 15 within displaced persons camps in Syria pose a sig-
 16 nificant and growing humanitarian challenge and se-
 17 curity threat to the region;

18 (2) there is an urgent need to seek a sustain-
 19 able solution to such camps through repatriation and
 20 reintegration of the inhabitants;

21 (3) the United States should work closely with
 22 international allies and partners to facilitate the re-
 23 patriation and reintegration efforts required to pro-
 24 vide a long-term solution for such camps and pre-
 25 vent the resurgence of ISIS; and

1 (4) if left unaddressed, such camps will con-
 2 tinue to be drivers of instability that jeopardize the
 3 long-term prospects for peace and stability in the re-
 4 gion.

5 **SEC. 4. STATEMENT OF POLICY.**

6 It is the policy of the United States that—

7 (1) ISIS-affiliated individuals located within
 8 displacement camps in Syria, and other inhabitants
 9 of displacement camps in Syria, be repatriated or,
 10 where appropriate, prosecuted, and where possible,
 11 reintegrated into their country of origin, consistent
 12 with all applicable international laws prohibiting
 13 refoulement; and

14 (2) the camps will be closed as soon as is prac-
 15 ticable.

16 **SEC. 5. MODIFICATION OF ESTABLISHMENT OF COORDI-**
 17 **NATOR FOR DETAINED ISIS MEMBERS AND**
 18 **RELEVANT DISPLACED POPULATIONS IN**
 19 **SYRIA.**

20 Section 1224 of the National Defense Authorization
 21 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
 22 1642) is amended—

23 (1) by striking subsection (a);

24 (2) by amending subsection (b) to read as fol-
 25 lows:

1 “(a) DESIGNATION.—

2 “(1) IN GENERAL.—The President, in consulta-
 3 tion with the Secretary of Defense, the Secretary of
 4 State, the Director of National Intelligence, the Sec-
 5 retary of the Treasury, the Administrator of the
 6 United States Agency for International Develop-
 7 ment, and the Attorney General, shall designate an
 8 existing official to serve within the executive branch
 9 as senior-level coordinator to coordinate, in conjunc-
 10 tion with other relevant agencies, all matters related
 11 to ISIS members who are in the custody of the Syr-
 12 ian Democratic Forces and other relevant displaced
 13 populations in Syria, including—

14 “(A) the disposition of such individuals, in-
 15 cluding in all matters related to—

16 “(i) repatriation, transfer, prosecu-
 17 tion, and intelligence gathering;

18 “(ii) all multilateral and international
 19 engagements led by the Department of
 20 State and other agencies that are related
 21 to the current and future handling, deten-
 22 tion, and prosecution of such ISIS mem-
 23 bers, including such engagements with the
 24 International Criminal Police Organization;
 25 and

1 “(iii) the coordination of the provision
2 of technical and evidentiary assistance to
3 foreign countries to aid in the successful
4 prosecution of such ISIS members; as ap-
5 propriate, in accordance with international
6 humanitarian law and other internationally
7 recognized human rights and rule of law
8 standards;

9 “(B) all multilateral and international en-
10 gagements related to humanitarian access and
11 provision of basic services to, and freedom of
12 movement and security and safe return of, dis-
13 placed persons at camps or facilities in Syria
14 that hold family members of such ISIS mem-
15 bers;

16 “(C) coordination with relevant agencies
17 on matters described in this section; and

18 “(D) any other matter the Secretary of
19 State considers relevant.

20 “(2) RULE OF CONSTRUCTION.—If, on the date
21 of the enactment of the Syria Detainee and Dis-
22 placed Persons Act, an individual has already been
23 designated, consistent with the requirements and re-
24 sponsibilities described in paragraph (1), the re-
25 quirements under that paragraph shall be considered

1 to be satisfied with respect to such individual until
 2 the date on which such individual no longer serves
 3 as the Senior Coordinator.”;

4 (3) in subsection (c), by striking “subsection
 5 (b)” and inserting “subsection (a)”;

6 (4) in subsection (e), by striking “January 31,
 7 2021” and inserting “January 31, 2025”;

8 (5) in subsection (f)—

9 (A) by redesignating paragraph (2) as
 10 paragraph (3);

11 (B) by inserting after paragraph (1) the
 12 following new paragraph (2):

13 “(2) SENIOR COORDINATOR.—The term ‘Senior
 14 Coordinator’ means the individual designated under
 15 subsection (a).”; and

16 (C) by adding at the end the following new
 17 paragraph:

18 “(4) RELEVANT AGENCIES.—The term ‘relevant
 19 agencies’ means—

20 “(A) the Department of State;

21 “(B) the Department of Defense;

22 “(C) the Department of the Treasury;

23 “(D) the Department of Justice;

24 “(E) the United States Agency for Inter-
 25 national Development;

1 “(F) the Office of the Director of National
2 Intelligence; and

3 “(G) any other agency the President con-
4 siders relevant.”; and

5 (6) by redesignating subsections (e) through (f)
6 as subsections (b) through (e), respectively.

7 **SEC. 6. STRATEGY ON ISIS-RELATED DETAINEE AND DIS-**
8 **PLACEMENT CAMPS IN SYRIA.**

9 (a) **IN GENERAL.**—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of State,
11 in coordination with the Secretary of Defense, the Director
12 of National Intelligence, the Secretary of the Treasury, the
13 Administrator of the United States Agency for Inter-
14 national Development, and the Attorney General, shall
15 submit to the appropriate committees of Congress an
16 interagency strategy with respect to ISIS-affiliated indi-
17 viduals and ISIS-related detainee and other displaced per-
18 sons camps in Syria.

19 (b) **ELEMENTS.**—The strategy required by subsection
20 (a) shall include—

21 (1) methods to address—

22 (A) disengagement from and prevention of
23 recruitment into violence, violent extremism,
24 and other illicit activity in such camps;

1 ~~(B)~~ repatriation and, where appropriate,
2 prosecution of foreign nationals from such
3 camps, consistent with all applicable inter-
4 national laws;

5 ~~(C)~~ the return and reintegration of dis-
6 placed Syrian and Iraqi women and children
7 into their communities of origin;

8 ~~(D)~~ international engagement to develop
9 processes for repatriation and reintegration of
10 foreign nationals from such camps;

11 ~~(E)~~ contingency plans for the relocation of
12 detained and displaced persons who are not able
13 to be repatriated from such camps;

14 ~~(F)~~ efforts to improve the humanitarian
15 conditions in such camps, including through the
16 delivery of medicine, psychosocial support,
17 clothing, education, and improved housing; and

18 ~~(G)~~ assessed humanitarian and security
19 needs of all camps and detainment facilities
20 based on prioritization of such camps and facili-
21 ties most at risk of humanitarian crises, exter-
22 nal attacks, or internal violence; and

23 (2) a plan to improve, in such camps—

24 ~~(A)~~ security conditions, including by train-
25 ing of personnel and through construction; and

1 ~~(B)~~ humanitarian conditions;

2 ~~(3)~~ a framework for measuring progress of hu-
3 manitarian, security, and repatriation efforts with
4 the goal of closing such camps; and

5 ~~(4)~~ any other matter the Secretary of State
6 considers appropriate.

7 **SEC. 7. ANNUAL INTERAGENCY REPORT.**

8 ~~(a)~~ IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, and not less frequently
10 than annually thereafter through January 31, 2025, the
11 Senior Coordinator, in coordination with the relevant
12 agencies, shall submit to the appropriate committees of
13 Congress a detailed report that includes the following:

14 ~~(1)~~ A detailed description of the facilities and
15 camps where detained ISIS members, and families
16 with perceived ISIS affiliation, are being held and
17 housed, including—

18 ~~(A)~~ a description of the security and man-
19 agement of such facilities and camps

20 ~~(B)~~ an assessment of resources required
21 for the security of such facilities and camps;
22 and

23 ~~(C)~~ an assessment of the adherence by the
24 operators of such facilities and camps to inter-
25 national humanitarian law standards.

1 (2) A description of all efforts undertaken by
2 the United States Government to address deficits in
3 the humanitarian environment and security of such
4 facilities and camps.

5 (3) A description of all multilateral and inter-
6 national engagements related to humanitarian access
7 and provision of basic services to, and freedom of
8 movement and security and safe return of, displaced
9 persons at camps or facilities in Iraq, Syria, and any
10 other area affected by ISIS activity, including a de-
11 scription of—

12 (A) support for efforts by the Syrian
13 Democratic Forces to facilitate the return and
14 reintegration of displaced people from Iraq and
15 Syria;

16 (B) repatriation efforts with respect to dis-
17 placed women and children;

18 (C) any current or future potential threat
19 to United States national security interests
20 posed by detained ISIS members or displaced
21 families, including an analysis of the al-Hol
22 camp and annexes; and

23 (D) United States Government plans and
24 strategies to respond to any threat identified
25 under subparagraph (C).

1 (4) To the greatest extent practicable under the
2 law and consistent with Department of Justice pol-
3 icy, an analysis of—

4 (A) United States efforts to prosecute de-
5 tained or displaced ISIS members; and

6 (B) the outcomes of such efforts.

7 (5) A detailed description of any option to expe-
8 dite prosecution of any detained ISIS member, in-
9 cluding in a court of competent jurisdiction outside
10 of the United States.

11 (6) An analysis of factors on the ground in
12 Syria and Iraq that may result in the unintended re-
13 lease of detained or displaced ISIS members, and an
14 assessment of any measures available to mitigate
15 such releases.

16 (7) A detailed description of efforts to coordi-
17 nate the disposition and security of detained or dis-
18 placed ISIS members with other countries and inter-
19 national organizations, including the International
20 Criminal Police Organization, to ensure secure
21 chains of custody and locations of such ISIS mem-
22 bers.

23 (8) An analysis of the manner in which the
24 United States Government communicates on such
25 proposals and efforts with the families of United

1 States citizens believed to have been victims of a
 2 criminal act by a detained or displaced ISIS mem-
 3 ber.

4 (9) An analysis of all efforts between the
 5 United States and partner countries within the
 6 Global Coalition to Defeat ISIS or other countries to
 7 share intelligence or evidence that may aid in the
 8 prosecution of ISIS members, and any legal obsta-
 9 cles that may hinder such efforts.

10 (10) Any other matter the Coordinator con-
 11 siders appropriate.

12 (b) FORM.—The report required by subsection (a)
 13 shall be submitted in unclassified form but may include
 14 a classified annex.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Syria Detainee and Dis-*
 17 *placed Persons Act”.*

18 **SEC. 2. MODIFICATION OF ESTABLISHMENT OF COORDI-**
 19 **NATOR FOR DETAINED ISIS MEMBERS AND**
 20 **RELEVANT POPULATIONS IN SYRIA.**

21 (a) *DEFINITIONS.—In this section:*

22 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
 23 *The term “appropriate committees of Congress”*
 24 *means—*

1 (A) *the Committee on Armed Services, the*
 2 *Committee on Foreign Relations, the Committee*
 3 *on the Judiciary, the Committee on Banking,*
 4 *Housing, and Urban Affairs, the Select Com-*
 5 *mittee on Intelligence, and the Committee on Ap-*
 6 *propriations of the Senate; and*

7 (B) *the Committee on Armed Services, the*
 8 *Committee on Foreign Affairs, the Committee on*
 9 *the Judiciary, the Committee on Financial Serv-*
 10 *ices, the Permanent Select Committee on Intel-*
 11 *ligence, and the Committee on Appropriations of*
 12 *the House of Representatives.*

13 (2) *ISIS MEMBER.*—*The term “ISIS member”*
 14 *means a person who was part of, or substantially*
 15 *supported, the Islamic State in Iraq and Syria.*

16 (3) *SENIOR COORDINATOR.*—*The term “Senior*
 17 *Coordinator” means the coordinator for detained*
 18 *ISIS members and relevant displaced populations in*
 19 *Syria designated under subsection (a) of section 1224*
 20 *of the National Defense Authorization Act for Fiscal*
 21 *Year 2020 (Public Law 116–92; 133 Stat. 1642), as*
 22 *amended by subsection (d).*

23 (b) *SENSE OF CONGRESS.*—

24 *It is the sense of Congress that—*

1 (A) *ISIS detainees held by the Syrian*
2 *Democratic Forces and ISIS-affiliated individ-*
3 *uals located within displaced persons camps in*
4 *Syria pose a significant and growing humani-*
5 *tarian challenge and security threat to the re-*
6 *gion;*

7 (B) *the vast majority of individuals held in*
8 *displaced persons camps in Syria are women*
9 *and children, approximately 50 percent of whom*
10 *are under the age of 12 at the al-Hol camp, and*
11 *they face significant threats of violence and*
12 *radicalization, as well as lacking access to ade-*
13 *quate sanitation and health care facilities;*

14 (C) *there is an urgent need to seek a sus-*
15 *tainable solution to such camps through repatri-*
16 *ation and reintegration of the inhabitants;*

17 (D) *the United States should work closely*
18 *with international allies and partners to facili-*
19 *tate the repatriation and reintegration efforts re-*
20 *quired to provide a long-term solution for such*
21 *camps and prevent the resurgence of ISIS; and*

22 (E) *if left unaddressed, such camps will*
23 *continue to be drivers of instability that jeop-*
24 *ardize the long-term prospects for peace and sta-*
25 *bility in the region.*

1 (c) *STATEMENT OF POLICY.*—*It is the policy of the*
 2 *United States that—*

3 (1) *ISIS-affiliated individuals located within*
 4 *displacement camps in Syria, and other inhabitants*
 5 *of displacement camps in Syria, be repatriated and,*
 6 *where appropriate, prosecuted, or where possible, re-*
 7 *integrated into their country of origin, consistent*
 8 *with all relevant domestic laws and applicable inter-*
 9 *national laws prohibiting refoulement; and*

10 (2) *the camps will be closed as soon as is prac-*
 11 *ticable.*

12 (d) *MODIFICATION OF ESTABLISHMENT OF COORDI-*
 13 *NATOR FOR DETAINED ISIS MEMBERS AND RELEVANT*
 14 *DISPLACED POPULATIONS IN SYRIA.*—*Section 1224 of the*
 15 *National Defense Authorization Act for Fiscal Year 2020*
 16 *(Public Law 116–92; 133 Stat. 1642) is amended—*

17 (1) *by striking subsection (a);*

18 (2) *by amending subsection (b) to read as fol-*
 19 *lows:*

20 “(a) *DESIGNATION.*—

21 “(1) *IN GENERAL.*—*The President, in consulta-*
 22 *tion with the Secretary of Defense, the Secretary of*
 23 *State, the Director of National Intelligence, the Sec-*
 24 *retary of the Treasury, the Administrator of the*
 25 *United States Agency for International Development,*

1 *and the Attorney General, shall designate an existing*
2 *official to serve within the executive branch as senior-*
3 *level coordinator to coordinate, in conjunction with*
4 *other relevant agencies, matters related to ISIS mem-*
5 *bers who are in the custody of the Syrian Democratic*
6 *Forces and other relevant displaced populations in*
7 *Syria, including—*

8 “(A) *by engaging foreign partners to sup-*
9 *port the repatriation and disposition of such in-*
10 *dividuals, including by encouraging foreign*
11 *partners to repatriate, transfer, investigate, and*
12 *prosecute such ISIS members, and share intel-*
13 *ligence;*

14 “(B) *coordination of all multilateral and*
15 *international engagements led by the Depart-*
16 *ment of State and other agencies that are related*
17 *to the current and future handling, detention,*
18 *and prosecution of such ISIS members;*

19 “(C) *the funding and coordination of the*
20 *provision of technical and other assistance to for-*
21 *foreign countries to aid in the successful investiga-*
22 *tion and prosecution of such ISIS members, as*
23 *appropriate, in accordance with relevant domes-*
24 *tic laws, international humanitarian law, and*

1 *other internationally recognized human rights*
 2 *and rule of law standards;*

3 *“(D) coordination of all multilateral and*
 4 *international engagements related to humani-*
 5 *tarian access and provision of basic services to,*
 6 *and freedom of movement and security and safe*
 7 *return of, displaced persons at camps or facili-*
 8 *ties in Syria that hold family members of such*
 9 *ISIS members;*

10 *“(E) coordination with relevant agencies on*
 11 *matters described in this section; and*

12 *“(F) any other matter the President con-*
 13 *siders relevant.*

14 *“(2) RULE OF CONSTRUCTION.—If, on the date of*
 15 *the enactment of the Syria Detainee and Displaced*
 16 *Persons Act, an individual has already been des-*
 17 *ignated, consistent with the requirements and respon-*
 18 *sibilities described in paragraph (1), the requirements*
 19 *under that paragraph shall be considered to be satis-*
 20 *fied with respect to such individual until the date on*
 21 *which such individual no longer serves as the Senior*
 22 *Coordinator.”;*

23 *(3) in subsection (c), by striking “subsection (b)”*
 24 *and inserting “subsection (a)”;*

1 (4) in subsection (d), by striking “subsection (b)”
2 and inserting “subsection (a)”;

3 (5) in subsection (e), by striking “January 31,
4 2021” and inserting “January 31, 2024”;

5 (6) in subsection (f)—

6 (A) by redesignating paragraph (2) as
7 paragraph (3);

8 (B) by inserting after paragraph (1) the fol-
9 lowing new paragraph (2):

10 “(2) *SENIOR COORDINATOR.*—The term ‘Senior
11 Coordinator’ means the individual designated under
12 subsection (a).”; and

13 (C) by adding at the end the following new
14 paragraph:

15 “(4) *RELEVANT AGENCIES.*—The term ‘relevant
16 agencies’ means—

17 “(A) the Department of State;

18 “(B) the Department of Defense;

19 “(C) the Department of the Treasury;

20 “(D) the Department of Justice;

21 “(E) the United States Agency for Inter-
22 national Development;

23 “(F) the Office of the Director of National
24 Intelligence; and

1 “(G) any other agency the President con-
2 siders relevant.”; and

3 (7) by redesignating subsections (c) through (f)
4 as subsections (b) through (e), respectively.

5 (e) *STRATEGY ON ISIS-RELATED DETAINEE AND DIS-*
6 *PLACEMENT CAMPS IN SYRIA.*—

7 (1) *IN GENERAL.*—Not later than 180 days after
8 the date of the enactment of this Act, the Secretary of
9 State, in coordination with the Secretary of Defense,
10 the Director of National Intelligence, the Secretary of
11 the Treasury, the Administrator of the United States
12 Agency for International Development, and the Attor-
13 ney General, shall submit to the appropriate commit-
14 tees of Congress an interagency strategy with respect
15 to ISIS-affiliated individuals and ISIS-related de-
16 tainee and other displaced persons camps in Syria.

17 (2) *ELEMENTS.*—The strategy required by para-
18 graph (1) shall include—

19 (A) *methods to address—*

20 (i) *disengagement from and prevention*
21 *of recruitment into violence, violent extre-*
22 *mism, and other illicit activity in such*
23 *camps;*

24 (ii) *efforts to encourage and facilitate*
25 *repatriation and, as appropriate, investiga-*

tion and prosecution of foreign nationals from such camps, consistent with all relevant domestic and applicable international laws;

(iii) the return and reintegration of displaced Syrian and Iraqi women and children into their communities of origin;

(iv) international engagement to develop processes for repatriation and reintegration of foreign nationals from such camps;

(v) contingency plans for the relocation of detained and displaced persons who are not able to be repatriated from such camps;

(vi) efforts to improve the humanitarian conditions in such camps, including through the delivery of medicine, psychosocial support, clothing, education, and improved housing; and

(vii) assessed humanitarian and security needs of all camps and detainment facilities based on prioritization of such camps and facilities most at risk of humanitarian crises, external attacks, or internal violence;

1 (B) an assessment of—

2 (i) rehabilitation centers in northeast
3 Syria, including humanitarian conditions
4 and processes for admittance and efforts to
5 improve both humanitarian conditions and
6 admittance processes for such centers and
7 camps, as well as on the prevention of youth
8 radicalization; and

9 (ii) processes for being sent to, and re-
10 sources directed towards, rehabilitation cen-
11 ters and programs in countries that receive
12 returned ISIS affiliated individuals, with a
13 focus on the prevention of radicalization of
14 minor children;

15 (C) a plan to improve, in such camps—

16 (i) security conditions, including by
17 training of personnel and through construc-
18 tion; and

19 (ii) humanitarian conditions;

20 (D) a framework for measuring progress of
21 humanitarian, security, and repatriation efforts
22 with the goal of closing such camps; and

23 (E) any other matter the Secretary of State
24 considers appropriate.

1 (3) *FORM.*—*The strategy required by paragraph*
 2 (1) *shall be submitted in unclassified form but may*
 3 *include a classified annex that is transmitted sepa-*
 4 *rately.*

5 (f) *ANNUAL INTERAGENCY REPORT.*—

6 (1) *IN GENERAL.*—*Not later than 180 days after*
 7 *the date of the enactment of this Act, and not less fre-*
 8 *quently than annually thereafter through January 31,*
 9 *2024, the Senior Coordinator, in coordination with*
 10 *the relevant agencies, shall submit to the appropriate*
 11 *committees of Congress a detailed report that includes*
 12 *the following:*

13 (A) *A detailed description of the facilities*
 14 *and camps where detained ISIS members, and*
 15 *families with perceived ISIS affiliation, are*
 16 *being held and housed, including—*

17 (i) *a description of the security and*
 18 *management of such facilities and camps*

19 (ii) *an assessment of resources required*
 20 *for the security of such facilities and camps;*
 21 *and*

22 (iii) *an assessment of the adherence by*
 23 *the operators of such facilities and camps to*
 24 *international humanitarian law standards;*
 25 *and*

1 (iv) an assessment of children held
2 within such facilities and camps that may
3 be used as part of smuggling operations to
4 evade security at the facilities and camps.

5 (B) A description of all efforts undertaken
6 by, and the resources needed for, the United
7 States Government to address deficits in the hu-
8 manitarian environment and security of such fa-
9 cilities and camps.

10 (C) A description of all multilateral and
11 international engagements related to humani-
12 tarian access and provision of basic services to,
13 and freedom of movement and security and safe
14 return of, displaced persons at camps or facili-
15 ties in Iraq, Syria, and any other area affected
16 by ISIS activity, including a description of—

17 (i) support for efforts by the Syrian
18 Democratic Forces to facilitate the return
19 and reintegration of displaced people from
20 Iraq and Syria;

21 (ii) repatriation efforts with respect to
22 displaced women and children and male
23 children aging into adults while held in
24 these facilities and camps;

1 (iii) any current or future potential
2 threat to United States national security
3 interests posed by detained ISIS members
4 or displaced families, including an analysis
5 of the al-Hol camp and annexes; and

6 (iv) United States Government plans
7 and strategies to respond to any threat
8 identified under clause (iii).

9 (D) The number of individuals repatriated
10 from the custody of the Syrian Democratic
11 Forces.

12 (E) An analysis of factors on the ground in
13 Syria and Iraq that may result in the unin-
14 tended release of detained or displaced ISIS
15 members, and an assessment of any measures
16 available to mitigate such releases.

17 (F) A detailed description of efforts to en-
18 courage the final disposition and security of de-
19 tained or displaced ISIS members with other
20 countries and international organizations.

21 (G) A description of foreign repatriation
22 and rehabilitation programs deemed successful
23 systems to model, and an analysis of the long-
24 term results of such programs.

1 (H) *A description of the manner in which*
2 *the United States Government communicates re-*
3 *garding repatriation and disposition efforts with*
4 *the families of United States citizens believed to*
5 *have been victims of a criminal act by a de-*
6 *tained or displaced ISIS member, in accordance*
7 *with section 503(c) of the Victims' Rights and*
8 *Restitution Act of 1990 (34 U.S.C. 20141(c))*
9 *and section 3771 of title 18, United States Code.*

10 (I) *An analysis of all efforts between the*
11 *United States and partner countries within the*
12 *Global Coalition to Defeat ISIS or other coun-*
13 *tries to share intelligence or related information*
14 *that may aid in resolving the final disposition*
15 *of ISIS members, and any obstacles that may*
16 *hinder such efforts.*

17 (J) *Any other matter the Coordinator con-*
18 *siders appropriate.*

19 (2) *FORM.—The report required by paragraph*
20 *(1) shall be submitted in unclassified form but may*
21 *include a classified annex that is transmitted sepa-*
22 *rately.*

23 (g) *RULE OF CONSTRUCTION.—Nothing in this section,*
24 *or an amendment made by this section, may be construed—*

- 1 *(1) to limit the authority of any Federal agency*
2 *to independently carry out the authorized functions of*
3 *such agency; or*
4 *(2) to impair or otherwise affect the activities*
5 *performed by that agency as granted by law.*

Calendar No. 607

117TH CONGRESS
2D Session

S. 4996

A BILL

To amend the National Defense Authorization Act for Fiscal Year 2020 to modify the establishment of a coordinator for detained ISIS members and relevant displaced populations in Syria, and for other purposes.

DECEMBER 7, 2022

Reported with an amendment