

Union Calendar No. 189

106<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 1883**

[Report No. 106-315, Part I]

---

---

**A BILL**

To provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, and for other purposes.

---

---

SEPTEMBER 14, 1999

Reported from the Committee on International Relations  
with an amendment

SEPTEMBER 14, 1999

Referral to the Committee on Science extended for a  
period ending not later than September 14, 1999

SEPTEMBER 14, 1999

Committee on Science discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed



# Union Calendar No. 189

106TH CONGRESS  
1ST SESSION

# H. R. 1883

**[Report No. 106-315, Part I]**

To provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1999

Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. SENSENBRENNER, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 14, 1999

Reported from the Committee on International Relations with an amendment

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

SEPTEMBER 14, 1999

Referral to the Committee on Science extended for a period ending not later than September 14, 1999

SEPTEMBER 14, 1999

Additional sponsors: Mr. NORWOOD, Mr. SHOWS, Mr. PASTOR, Mr. BACHUS, Mr. FORBES, Mr. STUMP, Mr. CAMPBELL, Mr. KING, Mr. GORDON, Mr. ACKERMAN, Mr. BILIRAKIS, Mr. CROWLEY, Mr. SHERMAN, Mr. TIERNEY, Mr. GUTIERREZ, Mr. SALMON, Mr. MCGOVERN, Mr. GRAHAM, Mr. MCINTOSH, Mr. HOLT, Ms. SCHAKOWSKY, Mr. FORD, Mr. PALLONE, Mr. DIXON, Mrs. MYRICK, Mrs. MORELLA, Mr. ARMEY, Ms. WOOLSEY, Mr. DOYLE, Mr. WYNN, Mr. WEINER, Mr. MCCOLLUM, Mr. SCARBOROUGH, Mr. COBLE, Mrs. NORTHUP, Mr. SHADEGG, Mr. GONZALEZ, Mr. FROST, Mr. MENENDEZ, Mr. HAYES, Mr. FOLEY, Mrs. LOWEY, Mr. WEXLER, Mr. DEUTSCH, Mr. McNULTY, Mr. HAYWORTH, Mr. KINGSTON, Ms. DUNN, Mr. FARR of California, Mrs. THURMAN, Mr. ENGEL, Mr. MCINTYRE, Ms. GRANGER, Mr. WELLER, Mr. SMITH of Washington, Mr.

MALONEY of Connecticut, Mr. WU, Mr. HORN, Mr. VISCLOSKY, Ms. ESHOO, Mr. ETHERIDGE, Mr. LUCAS of Oklahoma, Mr. ROTHMAN, Mr. CAMP, Mr. GREEN of Wisconsin, Mr. UNDERWOOD, Ms. ROS-LEHTINEN, Mr. STEARNS, Mr. SABO, Mr. PORTER, Mr. MCDERMOTT, Mr. LUCAS of Kentucky, Mr. THOMPSON of California, Mr. NETHERCUTT, Mr. KLINK, Mr. BLILEY, Mr. GOODLING, Mr. BAIRD, Mr. DEAL of Georgia, Mr. TURNER, Mr. WEYGAND, Mr. NADLER, Mr. SIMPSON, Mr. HOLDEN, Mr. HOEFFEL, Ms. RIVERS, Mr. BORSKI, Ms. BERKLEY, Mr. DELAY, Mr. SHIMKUS, Mr. POMBO, Mr. SESSIONS, Mr. CANNON, Mr. LEVIN, Ms. SANCHEZ, Mr. HILL of Montana, Mr. PAYNE, Mr. VENTO, Mr. PASCRELL, Mr. METCALF, Mr. HALL of Texas, Mr. CUNNINGHAM, Mr. MILLER of Florida, Mr. TANCREDO, Ms. DELAURO, Mrs. MALONEY of New York, Mr. ADERHOLT, Mr. DICKS, Mrs. TAUSCHER, Mr. BURR of North Carolina, Mr. SWEENEY, Mr. ABERCROMBIE, Mr. DUNCAN, Mr. HUNTER, Mr. CLYBURN, Mr. SKELTON, Mr. RODRIGUEZ, Mr. GARY MILLER of California, Mr. LOBIONDO, Mr. LAZIO, Mr. BAKER, Mr. GREEN of Texas, Mr. KLECZKA, Mr. LATOURETTE, Mr. BATEMAN, Mr. MASCARA, Ms. BALDWIN, Mr. LINDER, Mr. WHITFIELD, Mr. HINCHEY, Mr. KNOLLENBERG, Mr. BEREUTER, Mr. WICKER, Mr. BARTON of Texas, Mr. SUNUNU, Mr. TERRY, Mr. COSTELLO, Mr. COOK, Mr. BILBRAY, Mr. WAXMAN, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. VITTER, Ms. LEE, Mrs. KELLY, Mr. BOEHLERT, Mr. STRICKLAND, Mr. CARDIN, Ms. PRYCE of Ohio, Mrs. MCCARTHY of New York, Mr. WATTS of Oklahoma, Mr. FLETCHER, Mr. BRYANT, Mr. LARGENT, Ms. DEGETTE, Mr. TOWNS, Mr. WOLF, Mrs. CUBIN, Mr. BRADY of Pennsylvania, Mr. STUPAK, Mr. MARKEY, Ms. STABENOW, Mr. BLAGOJEVICH, Mr. HEFLEY, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, Mr. KIND, Mr. MATSUI, Mr. ANDREWS, Mr. TIAHRT, Mr. WELDON of Florida, Mr. RYAN of Wisconsin, Mr. WAMP, Mr. REYNOLDS, Ms. PELOSI, Mr. DEMINT, Mr. DELAHUNT, Mr. FOSSELLA, Mrs. NAPOLITANO, Mr. MINGE, Mr. PHELPS, Mr. DREIER, Mr. LEWIS of Georgia, Mr. LEACH, Mr. SOUDER, Mr. ISAKSON, Mr. TANNER, Mr. KOLBE, Mr. CALVERT, Mr. CRAMER, Mr. COYNE, Mr. PICKERING, Mr. BARCIA, Mr. SISISKY, Mrs. MEEK of Florida, Mr. FRANKS of New Jersey, Mrs. JONES of Ohio, Mr. SMITH of Michigan, Mr. ALLEN, Ms. BROWN of Florida, Mr. INSLEE, Mr. MOORE, Mr. LARSON, Mr. LUTHER, Mr. SANFORD, Mr. KUYKENDALL, Mr. RYUN of Kansas, Mr. CHABOT, Mr. OBERSTAR, Mr. NUSSLE, Mr. GILCHREST, Mr. BOYD, Mr. HASTINGS of Florida, Mr. BECERRA, Mr. STENHOLM, Mr. RAMSTAD, Mr. OSE, Mr. YOUNG of Alaska, Mr. CLEMENT, Ms. KAPTUR, Mr. LANTOS, Mr. GEPHARDT, Ms. MCCARTHY of Missouri, Mr. WALDEN of Oregon, Mr. HUTCHINSON, AND Mr. SHAYS

SEPTEMBER 14, 1999

Committee on Science discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

# A BILL

To provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, 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 “Iran Nonproliferation*  
5 *Act of 1999”.*

6 **SEC. 2. REPORTS ON PROLIFERATION TO IRAN.**

7       (a) *REPORTS.*—*The President shall, at the times speci-*  
8 *fied in subsection (b), submit to the Committee on Inter-*  
9 *national Relations of the House of Representatives and the*  
10 *Committee on Foreign Relations of the Senate a report*  
11 *identifying every foreign person with respect to whom there*  
12 *is credible information indicating that that person, on or*  
13 *after January 1, 1999, transferred to Iran—*

14               (1) *goods, services, or technology listed on—*

15                       (A) *the Nuclear Suppliers Group Guidelines*  
16 *for the Export of Nuclear Material, Equipment*  
17 *and Technology (published by the International*  
18 *Atomic Energy Agency as Information Circular*  
19 *INFCIRC/254/Rev.3/Part 1, and subsequent revi-*

1           *sions) and Guidelines for Transfers of Nuclear-*  
2           *Related Dual-Use Equipment, Material, and Re-*  
3           *lated Technology (published by the International*  
4           *Atomic Energy Agency as Information Circular*  
5           *INFCIRC/254/Rev.3/Part 2, and subsequent revi-*  
6           *sions);*

7                     *(B) the Missile Technology Control Regime*  
8           *Equipment and Technology Annex of June 11,*  
9           *1996, and subsequent revisions;*

10                    *(C) the lists of items and substances relat-*  
11           *ing to biological and chemical weapons the ex-*  
12           *port of which is controlled by the Australia*  
13           *Group;*

14                    *(D) the Schedule One or Schedule Two list*  
15           *of toxic chemicals and precursors the export of*  
16           *which is controlled pursuant to the Convention*  
17           *on the Prohibition of the Development, Produc-*  
18           *tion, Stockpiling and Use of Chemical Weapons*  
19           *and on Their Destruction; or*

20                    *(E) the Wassenaar Arrangement list of*  
21           *Dual Use Goods and Technologies and Munitions*  
22           *list of July 12, 1996, and subsequent revisions;*  
23           *or*

24                    *(2) goods, services, or technology not listed on*  
25           *any list identified in paragraph (1) but which never-*

1        *theless would be, if they were United States goods,*  
2        *services, or technology, prohibited for export to Iran*  
3        *because of their potential to make a material con-*  
4        *tribution to the development of nuclear, biological, or*  
5        *chemical weapons, or of ballistic or cruise missile sys-*  
6        *tems.*

7        *(b) TIMING OF REPORTS.—The reports under sub-*  
8        *section (a) shall be submitted not later than 90 days after*  
9        *the date of the enactment of this Act, not later than 6*  
10       *months after such date of enactment, and not later than*  
11       *the end of each 6-month period thereafter.*

12       *(c) EXCEPTIONS.—Any foreign person who—*

13                *(1) was identified in a previous report submitted*  
14        *under subsection (a) on account of a particular trans-*  
15        *fer, or*

16                *(2) has engaged in a transfer on behalf of, or in*  
17        *concert with, the Government of the United States,*  
18        *is not required to be identified on account of that same*  
19        *transfer in any report submitted thereafter under this sec-*  
20        *tion, except to the degree that new information has emerged*  
21        *indicating that the particular transfer may have continued,*  
22        *or been larger, more significant, or different in nature than*  
23        *previously reported under this section.*

24        *(d) SUBMISSION IN CLASSIFIED FORM.—When the*  
25        *President considers it appropriate, reports submitted under*

1 subsection (a), or appropriate parts thereof, may be sub-  
2 mitted in classified form.

3 **SEC. 3. APPLICATION OF MEASURES TO CERTAIN FOREIGN**  
4 **PERSONS.**

5 (a) *APPLICATION OF MEASURES.*—Subject to sections  
6 4 and 5, the President is authorized to apply with respect  
7 to each foreign person identified in a report submitted pur-  
8 suant to section 2(a), for such period of time as he may  
9 determine, any or all of the measures described in sub-  
10 section (b).

11 (b) *DESCRIPTION OF MEASURES.*—The measures re-  
12 ferred to in subsections (a) are the following:

13 (1) *EXECUTIVE ORDER 12938 PROHIBITIONS.*—  
14 The measures set forth in subsections (b) and (c) of  
15 section 4 of Executive Order 12938 shall be applied  
16 with respect to that person.

17 (2) *ARMS EXPORT PROHIBITION.*—The United  
18 States Government shall not sell to that foreign per-  
19 son any item on the United States Munitions List as  
20 in effect on August 8, 1995, and shall terminate sales  
21 to that person of any defense articles, defense services,  
22 or design and construction services under the Arms  
23 Export Control Act.

24 (3) *DUAL USE EXPORT PROHIBITION.*—The  
25 President shall deny licenses and suspend existing li-

1        *censes for the transfer to that person of items the ex-*  
2        *port of which is controlled under the Export Adminis-*  
3        *tration Act of 1979 or the Export Administration*  
4        *Regulations.*

5        *(c) EFFECTIVE DATE OF MEASURES.—Measures ap-*  
6        *plied pursuant to subsection (a) shall be effective with re-*  
7        *spect to a foreign person no later than—*

8                *(1) 90 days after the report identifying the for-*  
9                *foreign person is submitted, if the report is submitted on*  
10              *or before the date required by section 2(b);*

11              *(2) 90 days after the date required by section*  
12              *2(b) for submitting the report, if the report identi-*  
13              *fying the foreign person is submitted within 60 days*  
14              *after that date; or*

15              *(3) on the date that the report identifying the*  
16              *foreign person is submitted, if that report is sub-*  
17              *mitted more than 60 days after the date required by*  
18              *section 2(b).*

19        *(d) PUBLICATION IN FEDERAL REGISTER.—The appli-*  
20        *cation of measures to a foreign person pursuant to sub-*  
21        *section (a) shall be announced by notice published in the*  
22        *Federal Register.*

23        **SEC. 4. PROCEDURES IF MEASURES ARE NOT APPLIED.**

24        *(a) REQUIREMENT TO NOTIFY CONGRESS.—Should*  
25        *the President not exercise the authority of section 3(a) to*

1 *apply any or all of the measures described in section 3(b)*  
2 *with respect to a foreign person identified in a report sub-*  
3 *mitted pursuant to section 2(a), he shall so notify the Com-*  
4 *mittee on International Relations of the House of Rep-*  
5 *resentatives and the Committee on Foreign Relations of the*  
6 *Senate no later than the effective date under section 3(c)*  
7 *for measures with respect to that person.*

8       **(b) WRITTEN JUSTIFICATION.**—*Any notification sub-*  
9 *mitted by the President under subsection (a) shall include*  
10 *a written justification describing in detail the facts and cir-*  
11 *cumstances relating specifically to the foreign person identi-*  
12 *fied in a report submitted pursuant to section 2(a) that*  
13 *support the President’s decision not to exercise the authority*  
14 *of section 3(a) with respect to that person.*

15       **(c) SUBMISSION IN CLASSIFIED FORM.**—*When the*  
16 *President considers it appropriate, the notification of the*  
17 *President under subsection (a), and the written justification*  
18 *under subsection (b), or appropriate parts thereof, may be*  
19 *submitted in classified form.*

20 **SEC. 5. DETERMINATION EXEMPTING FOREIGN PERSON**  
21 **FROM SECTIONS 3 AND 4.**

22       **(a) IN GENERAL.**—*Sections 3 and 4 shall not apply*  
23 *to a foreign person 15 days after the President reports to*  
24 *the Committee on International Relations of the House of*  
25 *Representatives and the Committee on Foreign Relations of*

1 *the Senate that the President has determined, on the basis*  
2 *of information provided by that person, or otherwise ob-*  
3 *tained by the President, that—*

4           (1) *the person did not, on or after January 1,*  
5 *1999, knowingly transfer to Iran the goods, services,*  
6 *or technology the apparent transfer of which caused*  
7 *that person to be identified in a report submitted*  
8 *pursuant to section 2(a);*

9           (2) *the goods, services, or technology the transfer*  
10 *of which caused that person to be identified in a re-*  
11 *port submitted pursuant to section 2(a) did not mate-*  
12 *rially contribute to Iran's efforts to develop nuclear,*  
13 *biological, or chemical weapons, or ballistic or cruise*  
14 *missile systems;*

15           (3) *the person is subject to the primary jurisdic-*  
16 *tion of a government that is an adherent to one or*  
17 *more relevant nonproliferation regime, and the trans-*  
18 *fer of goods, services, or technology which caused that*  
19 *person to be identified in a report submitted pursuant*  
20 *to section 2(a) was made consistent with the guide-*  
21 *lines and parameters of all such relevant regimes of*  
22 *which such government is an adherent; or*

23           (4) *the government with primary jurisdiction*  
24 *over the person has imposed meaningful penalties on*  
25 *that person on account of the transfer of the goods,*

1        *services, or technology which caused that person to be*  
 2        *identified in a report submitted pursuant to section*  
 3        *2(a).*

4        (b) *SUBMISSION IN CLASSIFIED FORM.—When the*  
 5        *President considers it appropriate, the determination and*  
 6        *report of the President under subsection (a), or appropriate*  
 7        *parts thereof, may be submitted in classified form.*

8        **SEC. 6. RESTRICTION ON EXTRAORDINARY PAYMENTS IN**  
 9                        **CONNECTION WITH THE INTERNATIONAL**  
 10                        **SPACE STATION.**

11        (a) *RESTRICTION ON EXTRAORDINARY PAYMENTS IN*  
 12        *CONNECTION WITH THE INTERNATIONAL SPACE STA-*  
 13        *TION.—Notwithstanding any other provision of law, no*  
 14        *agency of the United States Government may make extraor-*  
 15        *dinary payments in connection with the International*  
 16        *Space Station to the Russian Space Agency, any organiza-*  
 17        *tion or entity under the jurisdiction or control of the Rus-*  
 18        *sian Space Agency, or any other organization, entity, or*  
 19        *element of the Government of the Russian Federation, un-*  
 20        *less, during the fiscal year in which the extraordinary pay-*  
 21        *ments in connection with the International Space Station*  
 22        *are to be made, the President has made the determination*  
 23        *described in subsection (b), and reported such determina-*  
 24        *tion to the Committee on International Relations and the*  
 25        *Committee on Science of the House of Representatives and*

1 *the Committee on Foreign Relations and the Committee on*  
2 *Commerce, Science, and Transportation of the Senate.*

3 (b) *DETERMINATION REGARDING RUSSIAN COOPERA-*  
4 *TION IN PREVENTING PROLIFERATION TO IRAN.*—*The deter-*  
5 *mination referred to in subsection (a) is a determination*  
6 *by the President that—*

7 (1) *it is the policy of the Government of the Rus-*  
8 *sian Federation to oppose the proliferation to Iran of*  
9 *weapons of mass destruction and missile systems ca-*  
10 *pable of delivering such weapons;*

11 (2) *the Government of the Russian Federation*  
12 *(including the law enforcement, export promotion, ex-*  
13 *port control, and intelligence agencies of such govern-*  
14 *ment) has demonstrated and continues to demonstrate*  
15 *through the implementation of concrete steps a sus-*  
16 *tained commitment to seek out and prevent the trans-*  
17 *fer to Iran of goods, services, and technology that*  
18 *could make a material contribution to the develop-*  
19 *ment of nuclear, biological, or chemical weapons, or*  
20 *of ballistic or cruise missile systems, including*  
21 *through the imposition of meaningful penalties on*  
22 *persons who make such transfers; and*

23 (3) *neither the Russian Space Agency, nor any*  
24 *organization or entity under the jurisdiction or con-*  
25 *trol of the Russian Space Agency, has, during the 1-*

1        *year period prior to the date of the determination*  
2        *pursuant to this subsection, made transfers to Iran*  
3        *reportable under section 2(a) of this Act (other than*  
4        *transfers with respect to which a determination pursu-*  
5        *ant to section 5 has been or will be made).*

6        *(c) PRIOR NOTIFICATION.—Not less than 30 days be-*  
7        *fore making a determination under subsection (b), the*  
8        *President shall notify the Committee on International Rela-*  
9        *tions and the Committee on Science of the House of Rep-*  
10       *resentatives and the Committee on Foreign Relations and*  
11       *the Committee on Commerce, Science, and Transportation*  
12       *of the Senate of his intention to make such determination.*

13       *(d) WRITTEN JUSTIFICATION.—A determination of the*  
14       *President under subsection (b) and a prior notification*  
15       *under subsection (c) shall include a written justification de-*  
16       *scribing in detail the facts and circumstances supporting*  
17       *the President's conclusion.*

18       *(e) SUBMISSION IN CLASSIFIED FORM.—When the*  
19       *President considers it appropriate, a determination of the*  
20       *President under subsection (b), a prior notification under*  
21       *subsection (c), and a written justification under subsection*  
22       *(d), or appropriate parts thereof, may be submitted in clas-*  
23       *sified form.*

24       *(f) SERVICE MODULE EXCEPTION.—(1) The National*  
25       *Aeronautics and Space Administration may make extraor-*

1 *dinary payments that would otherwise be prohibited under*  
2 *this section to the Russian Space Agency, any organization*  
3 *or entity under the jurisdiction of the Russian Space Agen-*  
4 *cy, or any subcontractor thereof for the construction, test-*  
5 *ing, preparation, delivery, launch, or maintenance of the*  
6 *Service Module if—*

7           (A) *the President has notified Congress at least*  
8           *5 days before making such payments;*

9           (B) *no report has been made under section 2*  
10          *with respect to an activity of the entity to receive*  
11          *such payment, and the President has no information*  
12          *of any activity that would require such a report; and*

13          (C) *the United States will receive a share of*  
14          *ownership of the Service Module commensurate with*  
15          *the value of the extraordinary payments made.*

16          (2) *For purposes of this subsection, the term “mainte-*  
17          *nance” means activities which cannot be performed by the*  
18          *National Aeronautics and Space Administration and which*  
19          *must be performed in order for the Service Module to pro-*  
20          *vide environmental control, life support, and orbital main-*  
21          *tenance functions which cannot be performed by an alter-*  
22          *native means at the time of payment.*

23          (3) *This subsection shall cease to be effective 60 days*  
24          *after a United States propulsion module is in place at the*  
25          *International Space Station.*

1 **SEC. 7. DEFINITIONS.**

2 *For purposes of this Act, the following terms have the*  
3 *following meanings:*

4 (1) *EXTRAORDINARY PAYMENTS IN CONNECTION*  
5 *WITH THE INTERNATIONAL SPACE STATION.*—*The*  
6 *term “extraordinary payments in connection with the*  
7 *International Space Station” means payments in*  
8 *cash or in kind made or to be made by the United*  
9 *States Government—*

10 (A) *for work on the International Space*  
11 *Station which the Russian Government pledged*  
12 *at any time to provide at its expense; or*

13 (B) *for work on the International Space*  
14 *Station, or for the purchase of goods or services*  
15 *relating to human space flight, that are not re-*  
16 *quired to be made under the terms of a contract*  
17 *or other agreement that was in effect on January*  
18 *1, 1999, as those terms were in effect on such*  
19 *date.*

20 (2) *FOREIGN PERSON; PERSON.*—*The terms “for-*  
21 *foreign person” and “person” mean—*

22 (A) *a natural person that is an alien;*

23 (B) *a corporation, business association,*  
24 *partnership, society, trust, or any other non-*  
25 *governmental entity, organization, or group, that*  
26 *is organized under the laws of a foreign country*

1           or has its principal place of business in a foreign  
2           country;

3           (C) any foreign governmental entity oper-  
4           ating as a business enterprise; and

5           (D) any successor, subunit, or subsidiary of  
6           any entity described in subparagraph (B) or (C).

7           (3) *EXECUTIVE ORDER 12938*.—The term “*Execu-*  
8           *tive Order 12938*” means *Executive Order 12938* as  
9           in effect on January 1, 1999.

10          (4) *ADHERENT TO RELEVANT NONPROLIFERA-*  
11          *TION REGIME*.—A government is an “adherent” to a  
12          “relevant nonproliferation regime” if that govern-  
13          ment—

14                (A) is a member of the Nuclear Suppliers  
15                Group with respect to a transfer of goods, serv-  
16                ices, or technology described in section  
17                2(a)(1)(A);

18                (B) is a member of the Missile Technology  
19                Control Regime with respect to a transfer of  
20                goods, services, or technology described in section  
21                2(a)(1)(B), or is a party to a binding inter-  
22                national agreement with the United States that  
23                was in effect on January 1, 1999, to control the  
24                transfer of such goods, services, or technology in

1           *accordance with the criteria and standards set*  
2           *forth in the Missile Technology Control Regime;*

3           *(C) is a member of the Australia Group*  
4           *with respect to a transfer of goods, services, or*  
5           *technology described in section 2(a)(1)(C);*

6           *(D) is a party to the Convention on the*  
7           *Prohibition of the Development, Production,*  
8           *Stockpiling and Use of Chemical Weapons and*  
9           *on Their Destruction with respect to a transfer*  
10          *of goods, services, or technology described in sec-*  
11          *tion 2(a)(1)(D); or*

12          *(E) is a member of the Wassenaar Arrange-*  
13          *ment with respect to a transfer of goods, services,*  
14          *or technology described in section 2(a)(1)(E).*

15          (5) ORGANIZATION OR ENTITY UNDER THE JU-  
16          RISDICTION OR CONTROL OF THE RUSSIAN SPACE  
17          AGENCY.—(A) The term “organization or entity  
18          under the jurisdiction or control of the Russian Space  
19          Agency” means an organization or entity that—

20                 (i) was made part of the Russian Space  
21                 Agency upon its establishment on February 25,  
22                 1992;

23                 (ii) was transferred to the Russian Space  
24                 Agency by decree of the Russian Government on  
25                 July 25, 1994, or May 12, 1998;

1           (iii) was or is transferred to the Russian  
2           Space Agency by decree of the Russian Govern-  
3           ment at any other time before, on, or after the  
4           date of the enactment of this Act; or

5           (iv) is a joint stock company in which the  
6           Russian Space Agency has at any time held con-  
7           trolling interest.

8           (B) Any organization or entity described in sub-  
9           paragraph (A) shall be deemed to be under the juris-  
10          diction or control of the Russian Space Agency re-  
11          gardless of whether—

12           (i) such organization or entity, after being  
13           part of or transferred to the Russian Space  
14           Agency, is removed from or transferred out of the  
15           Russian Space Agency; or

16           (ii) the Russian Space Agency, after hold-  
17           ing a controlling interest in such organization or  
18           entity, divests its controlling interest.