

111TH CONGRESS
1ST SESSION

H. R. 2375

To require the application of sanctions against affiliates of the Iran Revolutionary Guard Corps, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2009

Mr. SHERMAN (for himself, Ms. ROS-LEHTINEN, Mr. KLEIN of Florida, Mr. BURTON of Indiana, and Mr. KIRK) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Ways and Means, 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

A BILL

To require the application of sanctions against affiliates of the Iran Revolutionary Guard Corps, 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 Revolutionary
5 Guard Corps Designation Implementation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Iran Revolutionary Guard Corps
2 (IRGC) is a political and ideological military organi-
3 zation of Iran’s government, separate from the Ira-
4 nian military. It globally spreads Iran’s ideology to
5 terrorist groups and began deploying fighters abroad
6 during the Iran-Iraq War in an effort to spread the
7 ideology of the Iranian Revolution throughout the
8 Middle East.

9 (2) The Qods Force, a paramilitary arm of the
10 IRGC, was created to conduct foreign operations—
11 beginning in Iraq’s Kurdish region—and to forge re-
12 lationships with Shiite and Kurdish groups. A Qods
13 unit was also deployed to Lebanon in 1982, where
14 it helped to form Hizballah.

15 (3) The IRGC was designated as an entity of
16 proliferation concern under Executive Order 13382
17 on October 21, 2007, and the Qods Force was des-
18 ignated as a terrorism supporting entity under Exec-
19 utive Order 13224 on October 25, 2007.

20 (4) To further the support of terrorism abroad,
21 Iran’s government allows the IRGC to raise funds
22 and own businesses. The IRGC often operates
23 through front businesses and affiliate groups.

24 (5) The IRGC and Qods Force front businesses
25 and affiliate groups represent an important part of

1 the Iranian economy. The National Iranian Gas
2 Company issued one such firm, Khatam-ol-Anbia
3 (Ghorb), a \$1.3 billion contract to construct Iran's
4 seventh gas pipeline. In June 2006, Pars Oil and
5 Gas Company, a subsidiary of the state-owned Na-
6 tional Iranian Oil Company, awarded Ghorb a \$2.3
7 billion contract to develop Phases 15-16 of Iran's
8 South Pars development—the world's second largest
9 gas field. In July 2006, Tehran Urban & Suburban
10 Railway Company granted Ghorb a \$1.2 billion con-
11 tract to build the seventh line of Tehran's metro sys-
12 tem and a \$350 million civil engineering contract for
13 the fourth line.

14 (6) In 2008, IRGC naval ships aggressively ap-
15 proached the USS Port Royal, USS Hopper, and
16 USS Ingraham, during a routine transit at the
17 Strait of Hormuz.

18 (7) Members of the IRGC captured 15 British
19 sailors and marines who were inspecting ships in the
20 Persian Gulf near the demarcation line that sepa-
21 rates the territorial waters of Iran and Iraq.

22 (8) In December 2006 and January 2007, Ira-
23 nian surrogates—the Qazali and Sheibani networks,
24 which are now collectively referred to as the Special
25 Groups—stepped up their attacks on Iraqi and Coa-

1 lition forces. The Qazali network conducted sophisti-
2 cated operations against United States forces at the
3 Karbala Joint Provincial Coordination Center, kid-
4 napping and killing five United States soldiers dur-
5 ing the aborted operation.

6 (9) The Qods Force has provided aid in the
7 form of weapons, training, and funding to Hamas,
8 Palestine Islamic Jihad, the Popular Front for the
9 Liberation of Palestine-General Command,
10 Hizballah, Iraq-based militants, and Taliban fighters
11 in Afghanistan.

12 (10) The United States military reported in
13 February 2007 that the Qods Force was furnishing
14 assistance to Shiite militias in Iraq to assemble im-
15 proved explosive devices (IEDs) and explosively
16 formed projectiles (EFPs) that had been used to kill
17 over 150 United States service personnel.

18 (11) United States commanders in Afghani-
19 stan—along with the Department of State’s Report
20 on International Terrorism for 2007 and 2008—
21 have cited specific weapons shipments by Iran, im-
22 plemented by the Qods Force, to Taliban militants
23 in Afghanistan. The Qods Force provided training to
24 the Taliban on small unit tactics, small arms, explo-
25 sives, and indirect fire weapons. Since at least 2006,

1 Iran has arranged arms shipments including small
2 arms and associated ammunition, rocket propelled
3 grenades, mortar rounds, 107-mm rockets, and plas-
4 tic explosives to select Taliban members.

5 **SEC. 3. SANCTIONS AGAINST AFFILIATES OF THE IRAN**
6 **REVOLUTIONARY GUARD CORPS.**

7 (a) PUBLICATION OF NAMES OF AFFILIATES IN FED-
8 ERAL REGISTER.—Not later than 90 days after the date
9 of the enactment of this Act, and as appropriate there-
10 after, the President shall publish in the Federal Register
11 the name of each foreign person or foreign entity for which
12 there is credible information indicating that the person or
13 entity is as an agent, alias, front, instrumentality, official,
14 or affiliate of the Iran Revolutionary Guard Corps or is
15 an individual serving as a representative of the Iran Revo-
16 lutionary Guard Corps.

17 (b) APPLICATION OF EXISTING SANCTIONS AGAINST
18 IRAN TO AFFILIATES.—The President shall apply to each
19 foreign person or foreign entity identified in the Federal
20 Register pursuant to subsection (a) all applicable sanc-
21 tions of the United States in force against the Iran Revo-
22 lutionary Guard Corps as of the date of publication of the
23 name of the person or entity in the Federal Register, in-
24 cluding measures contained in the following Executive or-
25 ders:

1 (1) Executive Order 13224 (66 Fed. Reg.
2 49079; relating to blocking property and prohibiting
3 transactions with persons who commit, threaten to
4 commit, or support terrorism).

5 (2) Executive Order 13382 (70 Fed. Reg.
6 38567; relating to blocking property of weapons of
7 mass destruction proliferators and their supporters).

8 (c) SANCTIONS UNDER EXECUTIVE ORDER 13438.—

9 (1) PUBLICATION OF NAMES OF AFFILIATES IN
10 FEDERAL REGISTER.—Not later than 90 days after
11 the date of the enactment of this Act, and as appro-
12 priate thereafter, the President shall publish in the
13 Federal Register the name of each foreign person or
14 foreign entity—

15 (A) for which there is credible information
16 indicating that the person or entity is as an
17 agent, alias, front, instrumentality, official, or
18 affiliate of the Iran Revolutionary Guard Corps
19 or is an individual serving as a representative
20 of the Iran Revolutionary Guard Corps; and

21 (B) for which there is credible evidence
22 that the foreign person or foreign entity—

23 (i) has committed, or poses a signifi-
24 cant risk of committing, an act or acts of

1 violence that have the purpose or effect
2 of—

3 (I) threatening the peace or sta-
4 bility of Iraq or the Government of
5 Iraq; or

6 (II) undermining efforts to pro-
7 mote economic reconstruction and po-
8 litical reform in Iraq or to provide hu-
9 manitarian assistance to the Iraqi
10 people;

11 (ii) has materially assisted, sponsored,
12 or provided financial, material, logistical,
13 or technical support for, or goods or serv-
14 ices in support of, such an act or acts of
15 violence or any person whose property and
16 interests in property are blocked pursuant
17 to Executive Order 13438; or

18 (iii) is owned or controlled by, or has
19 acted or purported to act for or on behalf
20 of, directly or indirectly, any person whose
21 property and interests in property are
22 blocked pursuant to Executive Order
23 13438.

24 (2) APPLICATION OF SANCTIONS UNDER EXEC-
25 UTIVE ORDER 13438.—The President shall apply to

1 each foreign person or foreign entity identified in the
2 Federal Register pursuant to paragraph (1) all ap-
3 plicable sanctions and measures of the United States
4 contained in Executive Order 13438 (72 Fed. Reg.
5 39719; relating to blocking property of certain per-
6 sons who threaten stabilization efforts in Iraq).

7 (d) EXCLUSION FROM UNITED STATES.—The Sec-
8 retary of State shall deny a visa to, and the Secretary of
9 Homeland Security shall exclude from the United States,
10 any alien who, on or after the date of the enactment of
11 this Act, is a foreign person identified in the Federal Reg-
12 ister pursuant to subsection (a) or (c).

13 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion shall be construed to remove any sanction of the
15 United States in force against the Iran Revolutionary
16 Guard Corps as of the date of the enactment of this Act
17 by reason of the fact that the Iran Revolutionary Guard
18 Corps is an entity of the Government of Iran.

19 **SEC. 4. MEASURES AGAINST FOREIGN PERSONS OR ENTI-**
20 **TIES SUPPORTING THE IRAN REVOLU-**
21 **TIONARY GUARD CORPS.**

22 (a) NOTIFICATION.—Whenever the President deter-
23 mines that there is credible information indicating that a
24 foreign person or foreign entity, on or after the date of
25 the enactment of this Act, knowingly—

1 (1) provided material support to the Iran Revo-
2 lutionary Guard Corps or any affiliated foreign per-
3 son or foreign entity identified pursuant to section
4 3 (a) or (c), or

5 (2) conducted any commercial transaction or fi-
6 nancial transaction with the Iran Revolutionary
7 Guards Corps or any affiliated foreign person or for-
8 eign entity identified pursuant to section 3 (a) or
9 (c),

10 the President shall submit to the appropriate congres-
11 sional committees a notification that contains the name
12 of the foreign person or foreign entity (as the case may
13 be).

14 (b) FORM.—The President may submit the notifica-
15 tion required under subsection (a) in classified form.

16 (c) EXECUTIVE ORDER 12938 SANCTIONS.—Not
17 later than 60 days after the date on which the President
18 provides notice to the appropriate congressional commit-
19 tees pursuant to subsection (a), the President shall apply
20 to each foreign person or foreign entity identified in such
21 notice, for such time as the President may determine, the
22 measures set forth in section 4 of Executive Order 12938
23 (59 Fed. Reg. 59099; relating to proliferation of weapons
24 of mass destruction) and shall terminate such measures
25 in accordance with the provisions of such section.

1 (d) IEEPA SANCTIONS.—The President may exer-
2 cise the authorities the President has under section 203(a)
3 of the International Emergency Economic Powers Act (50
4 U.S.C. 1702(a)) to impose additional sanctions on each
5 foreign person or foreign entity identified pursuant to sub-
6 section (a) of this section, for such time as the President
7 may determine, without regard to section 202 of that Act.

8 (e) WAIVER.—The President may waive the applica-
9 tion of any measure described in subsection (c) with re-
10 spect to a foreign person or foreign entity if the Presi-
11 dent—

12 (1)(A) determines that the person or entity has
13 ceased the offending activity and has taken meas-
14 ures to prevent its recurrence; or

15 (B) determines that it is vital to the national
16 security interests of the United States to do so; and

17 (2) submits to the appropriate congressional
18 committees a report that contains the reasons for
19 the determination.

20 **SEC. 5. SPECIAL MEASURES AGAINST FOREIGN GOVERN-**
21 **MENTS SUPPORTING THE IRAN REVOLU-**
22 **TIONARY GUARDS CORPS.**

23 (a) EXECUTIVE ORDER 12938 SANCTIONS.—With
24 respect to any foreign entity identified pursuant to section
25 4(a) that is a foreign government, the President shall, in

1 addition to applying to the entity the measures described
2 in section 4(d), apply to the entity the measures set forth
3 in section 5(b) of Executive Order 12938.

4 (b) WAIVER.—The President may waive the applica-
5 tion of any measure described in subsection (a) with re-
6 spect to a foreign entity if the President—

7 (1)(A) determines that the entity has ceased
8 the offending activity and has taken measures to
9 prevent its recurrence; or

10 (B) determines that it is vital to the national
11 security interests of the United States to do so; and

12 (2) submits to the appropriate congressional
13 committees a report that contains the reasons for
14 the determination.

15 **SEC. 6. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means the Committee on Foreign Affairs of
20 the House of Representatives and the Committee on
21 Foreign Relations of the Senate.

22 (2) FOREIGN PERSON.—The term “foreign per-
23 son” has the meaning given the term in section 14
24 of the Iran Sanctions Act of 1996.

1 (3) IRAN REVOLUTIONARY GUARD CORPS.—The
2 term “Iran Revolutionary Guard Corps” includes the
3 Iran Revolutionary Guard Corps-Qods Force.

○