

112TH CONGRESS
1ST SESSION

H. R. 1905

To strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2011

Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. ROYCE, Mr. SHERMAN, Mr. BURTON of Indiana, Mr. DEUTCH, Mr. CHABOT, and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, the Judiciary, 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 strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Iran Threat Reduction Act of 2011”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Statement of policy.

TITLE I—IRAN ENERGY SANCTIONS

- Sec. 101. Findings.
- Sec. 102. Sense of Congress.
- Sec. 103. Declaration of policy.
- Sec. 104. Multilateral regime.
- Sec. 105. Imposition of sanctions.
- Sec. 106. Description of sanctions.
- Sec. 107. Advisory opinions.
- Sec. 108. Termination of sanctions.
- Sec. 109. Duration of sanctions.
- Sec. 110. Reports required.
- Sec. 111. Determinations not reviewable.
- Sec. 112. Exclusion of certain activities.
- Sec. 113. Definitions.
- Sec. 114. Effective date.
- Sec. 115. Repeal.

TITLE II—IRAN FREEDOM SUPPORT

- Sec. 201. Codification of sanctions.
- Sec. 202. Declaration of Congress regarding United States policy toward Iran.
- Sec. 203. Assistance to support democracy in Iran.
- Sec. 204. Imposition of sanctions on certain persons who are responsible for or complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, elections in Iran.
- Sec. 205. Comprehensive strategy to promote Internet freedom and access to information in Iran.

TITLE III—IRAN REGIME AND IRAN REVOLUTIONARY GUARD
 CORPS ACCOUNTABILITY

- Sec. 301. Exportation of petroleum, oil, and natural gas produced by Iran’s Islamic Revolutionary Guard Corps or its affiliates.
- Sec. 302. Iranian activities in Iraq and Afghanistan.
- Sec. 303. United States policy toward Iran.
- Sec. 304. Definitions.

TITLE IV—IRAN FINANCIAL SANCTIONS; DIVESTMENT FROM
 CERTAIN COMPANIES THAT INVEST IN IRAN; AND PREVENTION
 OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECH-
 NOLOGIES TO IRAN

- Sec. 401. Iran financial sanctions.
- Sec. 402. Divestment from certain companies that invest in Iran.
- Sec. 403. Prevention of diversion of certain goods, services, and technologies to Iran.

TITLE V—SECURITIES AND EXCHANGE COMMISSION

Sec. 501. Disclosures to the Securities and Exchange Commission relating to sanctionable activities.

TITLE VI—GENERAL PROVISIONS

Sec. 601. Denial of visas for certain persons of the Government of Iran.
Sec. 602. Sunset.

1 SEC. 2. FINDINGS.

2 Congress makes the following findings:

3 (1) Successive administrations have clearly
4 identified the unacceptability of the Iranian regime's
5 pursuit of nuclear weapons capabilities and the dan-
6 ger that pursuit presents to the United States, to
7 our friends and allies, and to global security.

8 (2) In May 1995, President Clinton stated that
9 "The specter of an Iran armed with weapons of
10 mass destruction and the missiles to deliver them
11 haunts not only Israel but the entire Middle East
12 and ultimately all the rest of us as well. The United
13 States and, I believe, all the Western nations have
14 an overriding interest in containing the threat posed
15 by Iran."

16 (3) In the 2006 State of the Union Address,
17 President Bush stated that "The Iranian govern-
18 ment is defying the world with its nuclear ambitions,
19 and the nations of the world must not permit the
20 Iranian regime to gain nuclear weapons. America

1 will continue to rally the world to confront these
2 threats.”.

3 (4) In February 2009, President Obama com-
4 mitted the Administration to “developing a strategy
5 to use all elements of American power to prevent
6 Iran from developing a nuclear weapon”.

7 (5) Iran is a major threat to U.S. national se-
8 curity interests, not only exemplified by Tehran’s
9 nuclear program but also by its material assistance
10 to armed groups in Iraq and Afghanistan, to the
11 Palestinian group Hamas, to Lebanese Hezbollah,
12 and to other extremists that seek to undermine re-
13 gional stability. These capabilities provide the regime
14 with potential asymmetric delivery vehicles and
15 mechanisms for nuclear or other unconventional
16 weapons.

17 (6) Iran’s growing inventory of ballistic missile
18 and other destabilizing types of conventional weap-
19 ons provides the regime the capabilities to enhance
20 its power projection throughout the region and un-
21 dermine the national security interests of the U.S.
22 and its friends and allies.

23 (7) Were Iran to achieve a nuclear weapons ca-
24 pability, it would, inter alia—

1 (A) likely lead to the proliferation of such
2 weapons throughout the region, where several
3 states have already indicated interest in nuclear
4 programs, and would dramatically undercut 60
5 years of U.S. efforts to stop the spread of nu-
6 clear weapons;

7 (B) greatly increase the threat of nuclear
8 terrorism;

9 (C) significantly expand Iran's already-
10 growing influence in the region;

11 (D) insulate the regime from international
12 pressure, giving it wider scope further to op-
13 press its citizens and pursue aggression region-
14 ally and globally;

15 (E) embolden all Iranian-supported ter-
16 rorist groups, including Hamas and Hezbollah;
17 and

18 (F) directly threaten several U.S. friends
19 and allies, especially Israel, whose very right to
20 exist has been denied successively by every lead-
21 er of the Islamic Republic of Iran and which
22 Iranian President Ahmadinejad says should be
23 "wiped off the map".

24 (8) Successive Congresses have clearly recog-
25 nized the threat that the Iranian regime and its poli-

1 cies present to the United States, to our friends and
2 allies, and to global security, and responded with
3 successive bipartisan legislative initiatives.

4 (9) The extent of the Iranian threat is greater
5 today than when the Iran-Libya Sanctions Act was
6 signed into law in 1996, now known as the Iran
7 Sanction Act. That landmark legislation imposed
8 sanctions on foreign companies investing in Iran's
9 energy infrastructure in an effort to undermine the
10 strategic threat from Iran, by cutting off investment
11 in its petroleum sector and thereby denying the re-
12 gime its economic lifeline and its ability to pursue a
13 nuclear program.

14 (10) Legislation like ILSA, which was re-titled
15 the Iran Sanctions Act in 2006, paved the way for
16 similar legislation, such as the Iran, North Korea
17 and Syria Nonproliferation Act; the Iran-Iraq Arms
18 Nonproliferation Act (2006); the Iran Freedom Sup-
19 port Act (2006); and the Comprehensive Iran Sanc-
20 tions, Accountability, and Divestment Act (2010).

21 (11) U.S. sanctions on Iran have hindered
22 Iran's ability to attract capital, material, and tech-
23 nical support for its petroleum sector, creating fi-
24 nancial difficulties for the regime.

1 (12) In the Joint Explanatory Statement of the
2 Committee of Conference to the Comprehensive Iran
3 Sanctions, Accountability, and Divestment Act of
4 2010 (CISADA) (Public Law 111–195; 50 U.S.C.
5 1701 note) issued on June 23, 2010, the Members
6 of the Committee of Conference noted that “Al-
7 though [the Iran Sanctions Act] was enacted more
8 than a decade ago, no Administration has sanctioned
9 a foreign entity for investing \$20 million or more in
10 Iran’s energy sector, despite a number of such in-
11 vestments. Indeed, on only one occasion, in 1998,
12 did the Administration make a determination re-
13 garding a sanctions-triggering investment, but the
14 Administration waived sanctions against the offend-
15 ing persons. Conferees believe that the lack of en-
16 forcement of relevant enacted sanctions may have
17 served to encourage rather than deter Iran’s efforts
18 to pursue nuclear weapons.”.

19 (13) The Joint Explanatory Statement also
20 noted that “The effectiveness of this Act will depend
21 on its forceful implementation. The Conferees urge
22 the President to vigorously impose the sanctions pro-
23 vided for in this Act.”.

24 (14) The Comprehensive Iran Sanctions, Ac-
25 countability, and Divestment Act of 2010 mandates

1 (among other provisions) that the President initiate
2 investigations of potentially sanctionable activity
3 under the Iran Sanctions Act (Public Law 104–172;
4 50 U.S.C. 1701 note). Although more than 6
5 months have passed since enactment of this legisla-
6 tion, Congress has not received notice of the imposi-
7 tion of sanctions on any entities that do significant
8 business in the U.S., despite multiple reports of po-
9 tentially sanctionable activity by such entities. Al-
10 though, in accordance with CISADA, some poten-
11 tially sanctionable entities have been persuaded to
12 wind down and end their involvement in Iran, others
13 have not. In fact, since CISADA became law, only
14 two entities have been sanctioned, neither of which
15 does business in the U.S. and both of which are
16 therefore largely untouched by the sanctions.

17 (15) It is unlikely that Iran can be compelled
18 to abandon its pursuit of nuclear weapons unless
19 sanctions are fully and effectively implemented.

20 **SEC. 3. STATEMENT OF POLICY.**

21 It shall be the policy of the United States to—

22 (1) prevent Iran from—

23 (A) acquiring or developing nuclear weap-
24 ons and associated delivery capabilities;

1 (B) developing its unconventional weapons
2 and ballistic missile capabilities; and

3 (C) continuing its support for Foreign Ter-
4 rorist Organizations and other activities aimed
5 at undermining and destabilizing its neighbors
6 and other nations; and

7 (2) fully implement all multilateral and bilateral
8 sanctions against Iran in order to compel the Gov-
9 ernment of Iran to—

10 (A) abandon and verifiably dismantle its
11 nuclear capabilities;

12 (B) abandon and verifiably dismantle its
13 ballistic missile and unconventional weapons
14 programs; and

15 (C) cease all support for Foreign Terrorist
16 Organizations and other activities aimed at un-
17 dermining and destabilizing its neighbors and
18 other nations.

19 **TITLE I—IRAN ENERGY**
20 **SANCTIONS**

21 **SEC. 101. FINDINGS.**

22 Congress makes the following findings:

23 (1) The efforts of the Government of Iran to
24 achieve nuclear weapons capability and to acquire
25 other unconventional weapons and the means to de-

1 liver them, both through ballistic-missile and asym-
2 metric means, and its support for foreign terrorist
3 organizations and other extremists endanger the na-
4 tional security and foreign policy interests of the
5 United States and those countries with which the
6 United States shares common strategic and foreign
7 policy objectives.

8 (2) The objectives of preventing the prolifera-
9 tion of nuclear and other unconventional weapons
10 and countering the activities of foreign terrorist or-
11 ganizations and other extremists through existing
12 multilateral and bilateral initiatives require further
13 efforts to deny Iran the financial means to sustain
14 its nuclear, chemical, biological, and missile weapons
15 programs and its active support for terrorism.

16 (3) The Government of Iran uses its diplomatic
17 facilities and quasi-governmental institutions outside
18 of Iran to support foreign terrorist organizations
19 and other extremists, and assist its unconventional
20 weapons and missile programs, including its nuclear
21 program.

22 **SEC. 102. SENSE OF CONGRESS.**

23 It is the sense of Congress that the goal of compelling
24 Iran to abandon its pursuit of nuclear weapons and other
25 threatening activities can be achieved most effectively

1 through full implementation of all sanctions enacted into
2 law, including those sanctions set out in this title.

3 **SEC. 103. DECLARATION OF POLICY.**

4 Congress declares that it is the policy of the United
5 States to deny Iran the ability to support acts of foreign
6 terrorist organizations and extremists and develop uncon-
7 ventional weapons and ballistic missiles. A critical means
8 of achieving that goal is sanctions that limit Iran's ability
9 to develop its energy resources, including its ability to ex-
10 plore for, extract, refine, and transport by pipeline its hy-
11 drocarbon resources, in order to limit the funds Iran has
12 available for pursuing its objectionable activities.

13 **SEC. 104. MULTILATERAL REGIME.**

14 (a) **MULTILATERAL NEGOTIATIONS.**—In order to
15 further the objectives of section 103, Congress urges the
16 President immediately to initiate diplomatic efforts, both
17 in appropriate international fora such as the United Na-
18 tions, and bilaterally with allies of the United States, to
19 expand the multilateral sanctions regime regarding Iran,
20 including—

- 21 (1) qualitatively expanding the United Nations
22 Security Council sanctions regime against Iran;
- 23 (2) qualitatively expanding the range of sanc-
24 tions by the European Union, South Korea, Japan,
25 Australia, and other key United States allies;

1 (3) further efforts to limit Iran’s development
2 of petroleum resources and import of refined petro-
3 leum; and

4 (4) initiatives aimed at increasing non-Iranian
5 crude oil product output for current purchasers of
6 Iranian petroleum and petroleum byproducts.

7 (b) REPORTS TO CONGRESS.—Not later than 180
8 days after the date of the enactment of this Act, and annu-
9 ally thereafter, the President shall submit to the appro-
10 priate congressional committees a report on the extent to
11 which diplomatic efforts described in subsection (a) have
12 been successful. Each report shall include—

13 (1) the countries that have agreed to undertake
14 measures to further the objectives of section 103
15 with respect to Iran, and a description of those
16 measures; and

17 (2) the countries that have not agreed to meas-
18 ures described in paragraph (1), and, with respect to
19 those countries, other measures the President rec-
20 ommends that the United States take to further the
21 objectives of section 103 with respect to Iran.

22 (c) INTERIM REPORT ON MULTILATERAL SANC-
23 TIONS; MONITORING.—Not later than 90 days after the
24 date of the enactment of this Act, the President shall sub-

1 mit to the appropriate congressional committees a report
2 on—

3 (1) the countries that have established legisla-
4 tive or administrative standards providing for the
5 imposition of trade sanctions on persons or their af-
6 filiates that conduct business or have investments in
7 Iran;

8 (2) the extent and duration of each instance of
9 the application of such sanctions; and

10 (3) the disposition of any decision with respect
11 to such sanctions by the World Trade Organization
12 or its predecessor organization.

13 (d) INVESTIGATIONS.—

14 (1) IN GENERAL.—The President shall initiate
15 an investigation into the possible imposition of sanc-
16 tions under section 105 against a person upon re-
17 ceipt by the United States of credible information
18 indicating that such person is engaged in an activity
19 described in such section.

20 (2) DETERMINATION AND NOTIFICATION.—Not
21 later than 180 days after the date on which an in-
22 vestigation is initiated under paragraph (1), the
23 President shall (unless paragraph (6) applies) deter-
24 mine, pursuant to section 105, if a person has en-
25 gaged in an activity described in such section and

1 shall notify the appropriate congressional committees
2 of the basis for any such determination.

3 (3) BRIEFING.—

4 (A) IN GENERAL.—Not later than 30 days
5 after the date of the enactment of this Act, and
6 at the end of every three-month period there-
7 after, the President, acting through the Sec-
8 retary of State, shall brief the appropriate con-
9 gressional committees regarding investigations
10 initiated under this subsection.

11 (B) FORM.—The briefings required under
12 subparagraph (A) shall be provided in unclassi-
13 fied form, but may be provided in classified
14 form.

15 (4) SUBMISSION OF INFORMATION.—

16 (A) IN GENERAL.—The Secretary of State
17 shall, in accordance with section 15(b) of the
18 State Department Basic Authorities Act of
19 1956 (22 U.S.C. 2680(b)), provide to the ap-
20 propriate congressional committees all re-
21 quested information relating to investigations or
22 reviews initiated under this title.

23 (B) FORM.—The information required
24 under subparagraph (A) shall be provided in

1 unclassified form, but may contain a classified
2 annex.

3 (5) TERMINATION.—Subject to paragraph (6),
4 the President may, on a case-by-case basis, termi-
5 nate an investigation of a person initiated under this
6 subsection.

7 (6) SPECIAL RULE.—

8 (A) IN GENERAL.—The President need not
9 initiate an investigation, and may terminate an
10 investigation, on a case-by-case basis under this
11 subsection if the President certifies in writing
12 in to the appropriate congressional committees
13 15 days prior to the determination that—

14 (i) the person whose activity was the
15 basis for the investigation is no longer en-
16 gaging in the activity or is divesting all
17 holdings and terminating the activity with-
18 in one year from the date of the certifi-
19 cation; and

20 (ii) the President has received reliable
21 assurances that the person will not know-
22 ingly engage in an activity described in
23 section 105(a) in the future.

24 (B) APPLICATION OF SANCTIONS.—The
25 President shall apply the sanctions described in

1 section 106(a) in accordance with section
2 105(a) to a person described in subparagraph
3 (A) of this paragraph if the person fails to
4 verifiably divest all holdings and terminate the
5 activity described in subparagraph (A) of this
6 paragraph within one year from the date of cer-
7 tification.

8 **SEC. 105. IMPOSITION OF SANCTIONS.**

9 (a) SANCTIONS WITH RESPECT TO THE DEVELOP-
10 MENT OF PETROLEUM RESOURCES OF IRAN, PRODUC-
11 TION OF REFINED PETROLEUM PRODUCTS IN IRAN, AND
12 EXPORTATION OF REFINED PETROLEUM PRODUCTS TO
13 IRAN.—

14 (1) DEVELOPMENT OF PETROLEUM RESOURCES
15 OF IRAN.—

16 (A) IN GENERAL.—Except as provided in
17 subsection (f), the President shall impose a ma-
18 jority of the sanctions described in section
19 106(a) with respect to a person if the President
20 determines that the person knowingly, on or
21 after the date of the enactment of this Act—

22 (i) makes an investment described in
23 subparagraph (B) of \$20,000,000 or more;
24 or

1 (ii) makes a combination of invest-
2 ments described in subparagraph (B) in a
3 12-month period if each such investment is
4 of at least \$5,000,000 and such invest-
5 ments equal or exceed \$20,000,000 in the
6 aggregate.

7 (B) INVESTMENT DESCRIBED.—An invest-
8 ment described in this subparagraph is an in-
9 vestment that directly and significantly contrib-
10 utes to the enhancement of Iran’s ability to de-
11 velop petroleum resources.

12 (2) PRODUCTION OF REFINED PETROLEUM
13 PRODUCTS.—

14 (A) IN GENERAL.—Except as provided in
15 subsection (f), the President shall impose a ma-
16 jority of the sanctions described in section
17 106(a) with respect to a person if the President
18 determines that the person knowingly, on or
19 after the date of the enactment this Act, sells,
20 leases, or provides to Iran goods, services, tech-
21 nology, information, or support described in
22 subparagraph (B)—

23 (i) any of which has a fair market
24 value of \$1,000,000 or more; or

1 (ii) that, during a 12-month period,
2 have an aggregate fair market value of
3 \$5,000,000 or more.

4 (B) GOODS, SERVICES, TECHNOLOGY, IN-
5 FORMATION, OR SUPPORT DESCRIBED.—Goods,
6 services, technology, information, or support de-
7 scribed in this subparagraph are goods, serv-
8 ices, technology, information, or support that
9 could directly and significantly facilitate the
10 maintenance or expansion of Iran’s domestic
11 production of refined petroleum products, in-
12 cluding any direct and significant assistance
13 with respect to the construction, modernization,
14 or repair of petroleum refineries or associated
15 infrastructure, including construction of port
16 facilities, railways, and roads, the primary use
17 of which is to support the delivery of refined pe-
18 troleum products.

19 (3) EXPORTATION OF REFINED PETROLEUM
20 PRODUCTS TO IRAN.—

21 (A) IN GENERAL.—Except as provided in
22 subsection (f), the President shall impose a ma-
23 jority of the sanctions described in section
24 106(a) with respect to a person if the President

1 determines that the person knowingly, on or
2 after the date of the enactment of this Act—

3 (i) sells or provides to Iran refined pe-
4 troleum products—

5 (I) that have a fair market value
6 of \$1,000,000 or more; or

7 (II) that, during a 12-month pe-
8 riod, have an aggregate fair market
9 value of \$5,000,000 or more; or

10 (ii) sells, leases, or provides to Iran
11 goods, services, technology, information, or
12 support described in subparagraph (B)—

13 (I) any of which has a fair mar-
14 ket value of \$1,000,000 or more; or

15 (II) that, during a 12-month pe-
16 riod, have an aggregate fair market
17 value of \$5,000,000 or more.

18 (B) GOODS, SERVICES, TECHNOLOGY, IN-
19 FORMATION, OR SUPPORT DESCRIBED.—Goods,
20 services, technology, information, or support de-
21 scribed in this subparagraph are goods, serv-
22 ices, technology, information, or support that
23 could directly and significantly contribute to the
24 enhancement of Iran’s ability to import refined
25 petroleum products, including—

1 (i) except as provided in subparagraph
2 (C), underwriting or entering into a con-
3 tract to provide insurance or reinsurance
4 for the sale, lease, or provision of such
5 goods, services, service contracts, tech-
6 nology, information, or support;

7 (ii) financing or brokering such sale,
8 lease, or provision;

9 (iii) purchasing, subscribing to, or fa-
10 cilitating the issuance of Iranian sovereign
11 debt; or

12 (iv) providing ships or shipping serv-
13 ices.

14 (C) EXCEPTION FOR UNDERWRITERS AND
15 INSURANCE PROVIDERS EXERCISING DUE DILI-
16 GENCE.—The President may not impose sanc-
17 tions under this paragraph with respect to a
18 person that provides underwriting services or
19 insurance or reinsurance if the President deter-
20 mines that the person has exercised due dili-
21 gence in establishing and enforcing official poli-
22 cies, procedures, and controls to ensure that the
23 person does not underwrite or enter into a con-
24 tract to provide insurance or reinsurance for
25 the sale, lease, or provision of goods, services,

1 technology, information, or support described in
2 subparagraph (B).

3 (b) MANDATORY SANCTIONS WITH RESPECT TO DE-
4 VELOPMENT OF WEAPONS OF MASS DESTRUCTION OR
5 OTHER MILITARY CAPABILITIES.—

6 (1) IN GENERAL.—The President shall impose
7 a majority of the sanctions described in section
8 106(a) if the President determines that a person, on
9 or after the date of the enactment of this Act, has
10 knowingly exported, transferred, permitted, hosted,
11 or otherwise facilitated transshipment that may have
12 enabled a person to export, transfer, or transship to
13 Iran or otherwise provided to Iran any goods, serv-
14 ices, technology, or other items that would con-
15 tribute materially to the ability of Iran to—

16 (A) acquire or develop chemical, biological,
17 or nuclear weapons or related technologies; or

18 (B) acquire or develop destabilizing num-
19 bers and types of advanced conventional weap-
20 ons.

21 (2) ADDITIONAL MANDATORY SANCTIONS RE-
22 LATING TO TRANSFER OF NUCLEAR TECHNOLOGY.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraphs (B) and (C), in any case in
25 which a person is subject to sanctions under

1 paragraph (1) because of an activity described
2 in that paragraph that relates to the acquisition
3 or development of nuclear weapons or related
4 technology or of missiles or advanced conven-
5 tional weapons that are designed or modified to
6 deliver a nuclear weapon, no license may be
7 issued for the export, and no approval may be
8 given for the transfer or retransfer, directly or
9 indirectly, to the country the government of
10 which has primary jurisdiction over the person,
11 of any nuclear material, facilities, components,
12 or other goods, services, or technology that are
13 or would be subject to an agreement for co-
14 operation between the United States and that
15 government.

16 (B) EXCEPTION.—The sanctions described
17 in subparagraph (A) shall not apply with re-
18 spect to a country the government of which has
19 primary jurisdiction over a person that engages
20 in an activity described in that subparagraph if
21 the President determines and notifies the ap-
22 propriate congressional committees that the
23 government of the country—

24 (i) does not know or have reason to
25 know about the activity; or

1 (ii) has taken, or is taking, all reason-
2 able steps necessary to prevent a recur-
3 rence of the activity and to penalize the
4 person for the activity.

5 (C) INDIVIDUAL APPROVAL.—Notwith-
6 standing subparagraph (A), the President may,
7 on a case-by-case basis, approve the issuance of
8 a license for the export, or approve the transfer
9 or retransfer, of any nuclear material, facilities,
10 components, or other goods, services, or tech-
11 nology that are or would be subject to an agree-
12 ment for cooperation, to a person in a country
13 to which subparagraph (A) applies (other than
14 a person that is subject to the sanctions under
15 paragraph (1)) if the President—

16 (i) determines that such approval is
17 vital to the national security interests of
18 the United States; and

19 (ii) not later than 15 days before
20 issuing such license or approving such
21 transfer or retransfer, submits to the Com-
22 mittee on Foreign Affairs of the House of
23 Representatives and the Committee on
24 Foreign Relations of the Senate the jus-

1 tification for approving such license, trans-
2 fer, or retransfer.

3 (D) CONSTRUCTION.—The restrictions in
4 subparagraph (A) shall apply in addition to all
5 other applicable procedures, requirements, and
6 restrictions contained in the Atomic Energy Act
7 of 1954 and other related laws.

8 (E) DEFINITION.—In this paragraph, the
9 term “agreement for cooperation” has the
10 meaning given that term in section 11 b. of the
11 Atomic Energy Act of 1954 (42 U.S.C.
12 2014(b)).

13 (F) APPLICABILITY.—The sanctions de-
14 scribed in subparagraph (A) shall apply only in
15 a case in which a person is subject to sanctions
16 under paragraph (1) because of an activity de-
17 scribed in such paragraph in which such person
18 engages on or after the date of the enactment
19 of this Act.

20 (c) PERSONS AGAINST WHICH THE SANCTIONS ARE
21 TO BE IMPOSED.—The sanctions described in subsections
22 (a) and (b)(1) shall be imposed on—

23 (1) any person the President determines has
24 carried out the activities described in subsection (a)
25 or (b), respectively; and

1 (2) any person that—

2 (A) is a successor entity to the person re-
3 ferred to in paragraph (1);

4 (B) owns or controls the person referred to
5 in paragraph (1), if the person that owns or
6 controls the person referred to in paragraph (1)
7 had actual knowledge or should have known
8 that the person referred to in paragraph (1) en-
9 gaged in the activities referred to in that para-
10 graph; or

11 (C) is owned or controlled by, or under
12 common ownership or control with, the person
13 referred to in paragraph (1), if the person
14 owned or controlled by, or under common own-
15 ership or control with (as the case may be), the
16 person referred to in paragraph (1) knowingly
17 engaged in the activities referred to in that
18 paragraph.

19 For purposes of this title, any person or entity de-
20 scribed in this subsection shall be referred to as a
21 “sanctioned person”.

22 (d) PUBLICATION IN FEDERAL REGISTER.—The
23 President shall cause to be published in the Federal Reg-
24 ister a current list of persons and entities on whom sanc-
25 tions have been imposed under this title. The removal of

1 persons or entities from, and the addition of persons and
2 entities to, the list, shall also be so published.

3 (e) PUBLICATION OF PROJECTS.—The President
4 shall cause to be published in the Federal Register a list
5 of all significant projects that have been publicly tendered
6 in the oil and gas sector in Iran.

7 (f) EXCEPTIONS.—The President shall not be re-
8 quired to apply or maintain the sanctions under subsection
9 (a) or (b)—

10 (1) in the case of procurement of defense arti-
11 cles or defense services—

12 (A) under existing contracts or sub-
13 contracts, including the exercise of options for
14 production quantities to satisfy requirements
15 essential to the national security of the United
16 States;

17 (B) if the President determines in writing
18 that the person to which the sanctions would
19 otherwise be applied is a sole source supplier of
20 the defense articles or services, that the defense
21 articles or services are essential, and that alter-
22 native sources are not readily or reasonably
23 available; or

24 (C) if the President determines in writing
25 that such articles or services are essential to the

1 national security under defense coproduction
2 agreements;

3 (2) in the case of procurement, to eligible prod-
4 ucts, as defined in section 308(4) of the Trade
5 Agreements Act of 1979 (19 U.S.C. 2518(4)), of
6 any foreign country or instrumentality designated
7 under section 301(b) of that Act (19 U.S.C.
8 2511(b));

9 (3) to products, technology, or services provided
10 under contracts entered into before the date on
11 which the President publishes in the Federal Reg-
12 ister the name of the person on whom the sanctions
13 are to be imposed;

14 (4) to—

15 (A) spare parts which are essential to
16 United States products or production;

17 (B) component parts, but not finished
18 products, essential to United States products or
19 production; or

20 (C) routine servicing and maintenance of
21 products, to the extent that alternative sources
22 are not readily or reasonably available;

23 (5) to information and technology essential to
24 United States products or production; or

1 (6) to medicines, medical supplies, or other hu-
2 manitarian items.

3 **SEC. 106. DESCRIPTION OF SANCTIONS.**

4 (a) IN GENERAL.—The sanctions to be imposed on
5 a sanctioned person under section 105 are as follows:

6 (1) EXPORT-IMPORT BANK ASSISTANCE FOR
7 EXPORTS TO SANCTIONED PERSONS.—The President
8 may direct the Export-Import Bank of the United
9 States to not give approval to for the issuance of
10 any guarantee, insurance, extension of credit, or
11 participation in the extension of credit in connection
12 with the export of any goods or services to any sanc-
13 tioned person.

14 (2) EXPORT SANCTION.—Except as provided in
15 subparagraph (B), the President may order the
16 United States Government not to issue any specific
17 license and not to grant any other specific permis-
18 sion or authority to export any goods or technology
19 to a sanctioned person under—

20 (A) the Export Administration Act of 1979
21 (as continued in effect pursuant to the Inter-
22 national Emergency Economic Powers Act);

23 (B) the Arms Export Control Act;

24 (C) the Atomic Energy Act of 1954; or

1 (D) any other law that requires the prior
2 review and approval of the United States Gov-
3 ernment as a condition for the export or re-ex-
4 port of goods or services.

5 (3) LOANS FROM UNITED STATES FINANCIAL
6 INSTITUTIONS.—The United States Government
7 may prohibit any United States financial institution
8 from making loans or providing credits to any sanc-
9 tioned person totaling more than \$10,000,000 in
10 any 12-month period unless such person is engaged
11 in activities to relieve human suffering and the loans
12 or credits are provided for such activities.

13 (4) PROHIBITIONS ON FINANCIAL INSTITU-
14 TIONS.—The following prohibitions may be imposed
15 against a sanctioned person that is a financial insti-
16 tution:

17 (A) PROHIBITION ON DESIGNATION AS
18 PRIMARY DEALER.—Neither the Board of Gov-
19 ernors of the Federal Reserve System nor the
20 Federal Reserve Bank of New York may des-
21 ignate, or permit the continuation of any prior
22 designation of, such financial institution as a
23 primary dealer in United States Government
24 debt instruments.

1 (B) PROHIBITION ON SERVICE AS A RE-
2 POSITORY OF GOVERNMENT FUNDS.—Such fi-
3 nancial institution may not serve as agent of
4 the United States Government or serve as re-
5 pository for United States Government funds.

6 The imposition of either sanction under subpara-
7 graph (A) or (B) shall be treated as one sanction for
8 purposes of section 105, and the imposition of both
9 such sanctions shall be treated as two sanctions for
10 purposes of section 105.

11 (5) PROCUREMENT SANCTION.—The United
12 States Government may not procure, or enter into
13 any contract for the procurement of, any goods or
14 services from a sanctioned person.

15 (6) FOREIGN EXCHANGE.—The President may
16 prohibit any transactions in foreign exchange that
17 are subject to the jurisdiction of the United States
18 and in which the sanctioned person has any interest.

19 (7) BANKING TRANSACTIONS.—The President
20 may prohibit any transfers of credit or payments be-
21 tween financial institutions or by, through, or to any
22 financial institution, to the extent that such trans-
23 fers or payments are subject to the jurisdiction of
24 the United States and involve any interest of the
25 sanctioned person.

1 (8) PROPERTY TRANSACTIONS.—The President
2 may prohibit any person from—

3 (A) acquiring, holding, withholding, using,
4 transferring, withdrawing, transporting, import-
5 ing, or exporting any property that is subject to
6 the jurisdiction of the United States and with
7 respect to which a sanctioned person has any
8 interest;

9 (B) dealing in or exercising any right,
10 power, or privilege with respect to such prop-
11 erty; or

12 (C) conducting any transaction involving
13 such property.

14 (9) GROUNDS FOR EXCLUSION.—The Secretary
15 of State may deny a visa to, and the Secretary of
16 Homeland Security may exclude from the United
17 States, any alien whom the Secretary of State deter-
18 mines is an alien who, on or after the date of the
19 enactment of this Act, is a—

20 (A) corporate officer, principal, or share-
21 holder with a controlling interest of a person
22 against whom sanctions have been imposed
23 under subsection (a) or (b);

24 (B) corporate officer, principal, or share-
25 holder with a controlling interest of a successor

1 entity to or a parent or subsidiary of such a
2 sanctioned person;

3 (C) corporate officer, principal, or share-
4 holder with a controlling interest of an affiliate
5 of such a sanctioned person, if such affiliate en-
6 gaged in a sanctionable activity described in
7 subsection (a) or (b) and if such affiliate is con-
8 trolled in fact by such sanctioned person; or

9 (D) spouse, minor child, or agent of a per-
10 son excludable under subparagraph (A), (B), or
11 (C).

12 (10) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
13 FICERS.—The President may impose on the prin-
14 cipal executive officer or officers of any sanctioned
15 person, or on persons performing similar functions
16 and with similar authorities as such officer or offi-
17 cers, any of the sanctions under this subsection. The
18 President shall include on the list published under
19 section 105(d) the name of any person against
20 whom sanctions are imposed under this paragraph.

21 (11) ADDITIONAL SANCTIONS.—The President
22 shall impose sanctions, as appropriate, to restrict
23 imports with respect to a sanctioned person, in ac-
24 cordance with the International Emergency Eco-
25 nomic Powers Act (50 U.S.C. 1701 et seq.).

1 (b) ADDITIONAL MEASURE RELATING TO GOVERN-
2 MENT CONTRACTS.—

3 (1) MODIFICATION OF FEDERAL ACQUISITION
4 REGULATION.—The Federal Acquisition Regulation
5 issued pursuant to section 25 of the Office of Fed-
6 eral Procurement Policy Act (41 U.S.C. 421) shall
7 require a certification from each person that is a
8 prospective contractor that such person does not en-
9 gage in any activity for which sanctions may be im-
10 posed under section 105.

11 (2) REMEDIES.—

12 (A) IN GENERAL.—If the head of an execu-
13 tive agency determines that a person has sub-
14 mitted a false certification under paragraph (1)
15 after the date on which the Federal Acquisition
16 Regulation is revised to implement the require-
17 ments of this subsection, the head of that execu-
18 tive agency shall terminate a contract with
19 such person or debar or suspend such person
20 from eligibility for Federal contracts for a pe-
21 riod of not more than three years. Any such de-
22 barment or suspension shall be subject to the
23 procedures that apply to debarment and sus-
24 pension under the Federal Acquisition Regula-

1 tion under subpart 9.4 of part 9 of title 48,
2 Code of Federal Regulations.

3 (B) INCLUSION ON LIST OF PARTIES EX-
4 CLUDED FROM FEDERAL PROCUREMENT AND
5 NONPROCUREMENT PROGRAMS.—The Adminis-
6 trator of General Services shall include on the
7 List of Parties Excluded from Federal Procure-
8 ment and Nonprocurement Programs main-
9 tained by the Administrator under part 9 of the
10 Federal Acquisition Regulation issued pursuant
11 to section 25 of the Office of Federal Procure-
12 ment Policy Act (41 U.S.C. 421) each person
13 that is debarred, suspended, or proposed for de-
14 barment or suspension by the head of an execu-
15 tive agency on the basis of a determination of
16 a false certification under subparagraph (A).

17 (3) CLARIFICATION REGARDING CERTAIN PROD-
18 UCTS.—The remedies specified in paragraph (2)
19 shall not apply with respect to the procurement of
20 eligible products, as defined in section 308(4) of the
21 Trade Agreements Act of 1974 (19 U.S.C. 2518(4)),
22 of any foreign country or instrumentality designated
23 under section 301(b) of such Act (19 U.S.C.
24 2511(b)).

1 (4) **RULE OF CONSTRUCTION.**—This subsection
2 shall not be construed to limit the use of other rem-
3 edies available to the head of an executive agency or
4 any other official of the Federal Government on the
5 basis of a determination of a false certification
6 under paragraph (1).

7 (5) **WAIVER.**—The President may, on a case-
8 by-case basis, waive the requirement that a person
9 make a certification under paragraph (1) if the
10 President determines and certifies in writing to the
11 appropriate congressional committees that it is in
12 the national interest of the United States to do so.

13 (6) **EXECUTIVE AGENCY DEFINED.**—In this
14 subsection, the term “executive agency” has the
15 meaning given such term in section 104 of the Office
16 of Federal Procurement Policy Act (41 U.S.C. 403).

17 (7) **APPLICABILITY.**—The revisions to the Fed-
18 eral Acquisition Regulation required under para-
19 graph (1) shall apply with respect to contracts for
20 which solicitations are issued on or after the date
21 that is 90 days after the date of the enactment of
22 this Act.

23 **SEC. 107. ADVISORY OPINIONS.**

24 The Secretary of State may, upon the request of any
25 person, issue an advisory opinion to such person as to

1 whether a proposed activity by such person would subject
2 such person to sanctions under this title. Any person who
3 relies in good faith on such an advisory opinion which
4 states that such proposed activity would not subject such
5 person to such sanctions, and any such person who there-
6 after engages in such activity, shall not be made subject
7 to such sanctions on account of such activity.

8 **SEC. 108. TERMINATION OF SANCTIONS.**

9 (a) CERTIFICATION.—The requirement under section
10 105 to impose sanctions shall no longer have force or ef-
11 fect with respect to Iran if the President determines and
12 certifies to the appropriate congressional committees that
13 Iran—

14 (1) has ceased and verifiably dismantled its ef-
15 forts to design, develop, manufacture, or acquire—

16 (A) a nuclear explosive device or related
17 materials and technology;

18 (B) chemical and biological weapons; and

19 (C) ballistic missiles and ballistic missile
20 launch technology;

21 (2) no longer provides support for acts of inter-
22 national terrorism; and

23 (3) poses no threat to the national security, in-
24 terests, or allies of the United States.

1 (b) NOTIFICATION.—The President shall notify the
2 appropriate congressional committees not later than 15
3 days before making the certification described in sub-
4 section (a).

5 **SEC. 109. DURATION OF SANCTIONS.**

6 (a) DELAY OF SANCTIONS.—

7 (1) CONSULTATIONS.—If the President makes a
8 determination described in section 105 with respect
9 to a foreign person, Congress urges the President to
10 initiate consultations immediately with the govern-
11 ment with primary jurisdiction over such foreign
12 person with respect to the imposition of sanctions
13 under such section.

14 (2) ACTIONS BY GOVERNMENT OF JURISDIC-
15 TION.—In order to pursue consultations under para-
16 graph (1) with the government concerned, the Presi-
17 dent may delay for up to 90 days the imposition of
18 sanctions under section 105. Following such con-
19 sultations, the President shall immediately impose
20 on the foreign person referred to in paragraph (1)
21 such sanctions unless the President determines and
22 certifies to Congress that the government has taken
23 specific and effective actions, including, as appro-
24 priate, the imposition of appropriate penalties to ter-
25minate the involvement of the foreign person in the

1 activities that resulted in the determination by the
2 President under section 105 concerning such foreign
3 person and the foreign person is no longer engaged
4 in such activities.

5 (b) DURATION OF SANCTIONS.—A sanction imposed
6 under section 105 shall remain in effect—

7 (1) for a period of not less than two years be-
8 ginning on the date on which such sanction is im-
9 posed; or

10 (2) until such time as the President determines
11 and certifies to Congress that the person whose ac-
12 tivities were the basis for imposing such sanction is
13 no longer engaging in such activities and that the
14 President has received reliable assurances that such
15 person will not knowingly engage in such activities
16 in the future, except that such sanction shall remain
17 in effect for a period of at least one year.

18 (c) WAIVER.—

19 (1) AUTHORIZATION.—

20 (A) IN GENERAL.—The President may
21 waive the requirements in section 105(a) or
22 105(b)(2) to impose a sanction or sanctions,
23 and may waive, on a case-by-case basis, the
24 continued imposition of a sanction or sanctions
25 under subsection (b) of this section, if the

1 President determines and so reports to the ap-
2 propriate congressional committees 15 days
3 prior to the exercise of waiver authority that
4 failure to exercise such waiver authority would
5 pose an unusual and extraordinary threat to the
6 vital national security interests of the United
7 States.

8 (B) CONTENTS OF REPORT.—Any report
9 under subparagraph (A) shall provide a specific
10 and detailed rationale for a determination made
11 pursuant to such paragraph, including—

12 (i) a description of the conduct that
13 resulted in the determination under section
14 105(a);

15 (ii) in the case of a foreign person, an
16 explanation of the efforts to secure the co-
17 operation of the government with primary
18 jurisdiction over such person to terminate
19 or, as appropriate, penalize the activities
20 that resulted in the determination under
21 section 105(a);

22 (iii) an estimate of the significance of
23 the conduct of the person concerned in
24 contributing to the ability of Iran to de-
25 velop petroleum resources, produce refined

1 petroleum products, or import refined pe-
2 troleum products; and

3 (iv) a statement as to the response of
4 the United States in the event that the
5 person concerned engages in other activi-
6 ties that would be subject to a sanction or
7 sanctions under section 105(a).

8 (2) WAIVER WITH RESPECT TO PERSONS IN
9 COUNTRIES THAT COOPERATE IN MULTILATERAL
10 EFFORTS WITH RESPECT TO IRAN.—

11 (A) IN GENERAL.—The President may, on
12 a case by case basis, waive for a period of not
13 more than 12 months the application of section
14 105(a) with respect to a person if the Presi-
15 dent, at least 30 days before the waiver is to
16 take effect—

17 (i) certifies to the appropriate con-
18 gressional committees that—

19 (I) the government with primary
20 jurisdiction over the person is closely
21 cooperating with the United States in
22 multilateral efforts to prevent Iran
23 from—

24 (aa) acquiring or developing
25 chemical, biological, or nuclear

1 weapons or related technologies;

2 or

3 (bb) acquiring or developing
4 destabilizing numbers and types
5 of advanced conventional weap-
6 ons; and

7 (II) such a waiver is vital to the
8 national security interests of the
9 United States; and

10 (ii) submits to the appropriate con-
11 gressional committees a report identi-
12 fying—

13 (I) the person with respect to
14 which the President waives the appli-
15 cation of sanctions; and

16 (II) the actions taken by the gov-
17 ernment described in clause (i)(I) to
18 cooperate in multilateral efforts de-
19 scribed in that clause.

20 (B) SUBSEQUENT RENEWAL OF WAIVER.—

21 At the conclusion of the period of a waiver
22 under subparagraph (A), the President may
23 renew the waiver—

1 (i) if the President determines, in ac-
2 cordance with subparagraph (A) that the
3 waiver is appropriate; and

4 (ii) for subsequent periods of not
5 more than 12 months each.

6 **SEC. 110. REPORTS REQUIRED.**

7 (a) REPORT ON CERTAIN INTERNATIONAL INITIA-
8 TIVES.—Not later than 180 days after the date of the en-
9 actment of this Act and every 180 days thereafter, the
10 President shall transmit to the appropriate congressional
11 committees a report describing—

12 (1) the efforts of the President to mount a mul-
13 tilateral campaign to persuade all countries to pres-
14 sure Iran to cease its nuclear, chemical, biological,
15 and missile weapons programs and its support of
16 acts of international terrorism;

17 (2) the efforts of the President to persuade
18 other governments to ask Iran to reduce in the
19 countries of such governments the presence of Ira-
20 nian diplomats and representatives of other govern-
21 ment and military or quasi-governmental institutions
22 of Iran, and to withdraw any such diplomats or rep-
23 resentatives who participated in the takeover of the
24 United States Embassy in Tehran, Iran, on Novem-

1 ber 4, 1979, or the subsequent holding of United
2 States hostages for 444 days;

3 (3) the extent to which the International Atom-
4 ic Energy Agency has established regular inspections
5 of all nuclear facilities in Iran, including those facili-
6 ties presently under construction; and

7 (4) Iran's use of Iranian diplomats and rep-
8 resentatives of other government and military or
9 quasi-governmental institutions of Iran to promote
10 acts of international terrorism or to develop or sus-
11 tain Iran's nuclear, chemical, biological, or missile
12 weapons programs.

13 (b) REPORT ON EFFECTIVENESS OF ACTIONS
14 UNDER THIS ACT.—Not later than 180 days after the
15 date of the enactment of this Act and annually thereafter,
16 the President shall transmit to Congress a report that de-
17 scribes—

18 (1) the extent to which actions relating to trade
19 taken pursuant to this title have—

20 (A) been effective in achieving the policy
21 objective described in section 103 and any other
22 foreign policy or national security objectives of
23 the United States with respect to Iran; and

1 (B) affected humanitarian interests in
2 Iran, the country in which a sanctioned person
3 is located, or in other countries; and

4 (2) the impact of actions relating to trade taken
5 pursuant to this title on other national security, eco-
6 nomic, and foreign policy interests of the United
7 States, including relations with countries friendly to
8 the United States, and on the United States econ-
9 omy.

10 The President may include in such reports the President's
11 recommendation on whether or not this Act should be ter-
12 minated or modified.

13 (c) OTHER REPORTS.—The President shall ensure
14 the continued transmittal to Congress of reports describ-
15 ing—

16 (1) the nuclear and other military capabilities
17 of Iran, as required under section 601(a) of the Nu-
18 clear Non-Proliferation Act of 1978 and section
19 1607 of the National Defense Authorization Act for
20 Fiscal Year 1993; and

21 (2) the support provided by Iran for acts of
22 international terrorism, as part of the Department
23 of State's annual reports on international terrorism.

24 (d) REPORTS ON GLOBAL TRADE RELATING TO
25 IRAN.—Not later than 180 days after the date of the en-

1 actment of the this Act and annually thereafter, the Presi-
2 dent shall transmit to the appropriate congressional com-
3 mittees a report, with respect to the most recent 12-month
4 period for which data are available, on the dollar value
5 amount of trade, including in the energy sector, between
6 Iran and each country maintaining membership in the
7 Group of 20 Finance Ministers and Central Bank Gov-
8 ernors.

9 **SEC. 111. DETERMINATIONS NOT REVIEWABLE.**

10 A determination to impose sanctions under this title
11 shall not be reviewable in any court.

12 **SEC. 112. EXCLUSION OF CERTAIN ACTIVITIES.**

13 Nothing in this title shall apply to any activities sub-
14 ject to the reporting requirements of title V of the Na-
15 tional Security Act of 1947.

16 **SEC. 113. DEFINITIONS.**

17 In this title:

18 (1) **ACT OF INTERNATIONAL TERRORISM.**—The
19 term “act of international terrorism” has the mean-
20 ing given such term in section 2331 of title 18,
21 United States Code.

22 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
23 **TEES.**—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Finance, the Com-
2 mittee on Banking, Housing, and Urban Af-
3 fairs, and the Committee on Foreign Relations
4 of the Senate; and

5 (B) the Committee on Ways and Means,
6 the Committee on Banking and Financial Serv-
7 ices, the Committee on Financial Services, and
8 the Committee on Foreign Affairs of the House
9 of Representatives.

10 (3) COMPONENT PART.—The term “component
11 part” has the meaning given such term in section
12 11A(e)(1) of the Export Administration Act of 1979
13 (50 U.S.C. App. 2410a(e)(1)).

14 (4) CREDIBLE INFORMATION.—The term “cred-
15 ible information” means, with respect to a person,
16 such person’s public announcement of an investment
17 described in section 105, Iranian governmental an-
18 nouncements of such an investment, reports to
19 stockholders, annual reports, industry reports, Gov-
20 ernment Accountability Office products, and trade
21 publications.

22 (5) DEVELOP AND DEVELOPMENT.—The terms
23 “develop” and “development” mean the exploration
24 for, or the extraction, refining, or transportation by
25 pipeline of, petroleum resources.

1 (6) FINANCIAL INSTITUTION.—The term “fi-
2 nancial institution” includes—

3 (A) a depository institution (as defined in
4 section 3(e)(1) of the Federal Deposit Insur-
5 ance Act), including a branch or agency of a
6 foreign bank (as defined in section 1(b)(7) of
7 the International Banking Act of 1978);

8 (B) a credit union;

9 (C) a securities firm, including a broker or
10 dealer;

11 (D) an insurance company, including an
12 agency or underwriter; and

13 (E) any other company that provides fi-
14 nancial services including joint ventures with
15 Iranian entities both inside and outside of Iran
16 and partnerships or investments with Iranian
17 government-controlled entities or affiliated enti-
18 ties.

19 (7) FINISHED PRODUCT.—The term “finished
20 product” has the meaning given such term in section
21 11A(e)(2) of the Export Administration Act of 1979
22 (50 U.S.C. App. 2410a(e)(2)).

23 (8) FOREIGN PERSON.—The term “foreign per-
24 son” means—

1 (A) an individual who is not a United
2 States person or an alien lawfully admitted for
3 permanent residence into the United States; or

4 (B) a corporation, partnership, joint ven-
5 ture, cooperative venture, or other nongovern-
6 mental entity which is not a United States per-
7 son.

8 (9) FOREIGN TERRORIST ORGANIZATION.—The
9 term “foreign terrorist organization” means an or-
10 ganization designated by the Secretary of State as a
11 foreign terrorist organization in accordance with sec-
12 tion 219(a) of the Immigration and Nationality Act
13 (8 U.S.C. 1189(a)).

14 (10) GOODS AND TECHNOLOGY.—The terms
15 “goods” and “technology” have the meanings given
16 such terms in section 16 of the Export Administra-
17 tion Act of 1979 (50 U.S.C. App. 2415).

18 (11) INVESTMENT.—The term “investment”
19 means any of the following activities if any of such
20 activities is undertaken pursuant to an agreement,
21 or pursuant to the exercise of rights under such an
22 agreement, that is entered into with the Government
23 of Iran or a nongovernmental entity in Iran, on or
24 after the date of the enactment of this Act:

1 (A) The entry into a contract that includes
2 responsibility for the development of petroleum
3 resources located in Iran, or the entry into a
4 contract providing for the general supervision
5 and guarantee of another person’s performance
6 of such a contract.

7 (B) The purchase of a share of ownership,
8 including an equity interest, in the development
9 described in subparagraph (A).

10 (C) The entry into a contract providing for
11 the participation in royalties, earnings, or prof-
12 its in the development described in subpara-
13 graph (A), without regard to the form of such
14 participation.

15 (D) The provision of goods, services, or
16 technology related to petroleum resources.

17 (12) IRAN.—The term “Iran” includes any
18 agency or instrumentality of Iran.

19 (13) IRANIAN DIPLOMATS AND REPRESENTA-
20 TIVES OF OTHER GOVERNMENT AND MILITARY OR
21 QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.—
22 The term “Iranian diplomats and representatives of
23 other government and military or quasi-govern-
24 mental institutions of Iran” includes employees, rep-
25 resentatives, or affiliates of Iran’s—

- 1 (A) Foreign Ministry;
- 2 (B) Ministry of Intelligence and Security;
- 3 (C) Revolutionary Guard Corps and affli-
- 4 ated entities;
- 5 (D) Crusade for Reconstruction;
- 6 (E) Qods (Jerusalem) Forces;
- 7 (F) Interior Ministry;
- 8 (G) Foundation for the Oppressed and
- 9 Disabled;
- 10 (H) Prophet's Foundation;
- 11 (I) June 5th Foundation;
- 12 (J) Martyr's Foundation;
- 13 (K) Islamic Propagation Organization; and
- 14 (L) Ministry of Islamic Guidance.

15 (14) KNOWINGLY.—The term “knowingly”,

16 with respect to conduct, a circumstance, or a result

17 means that a person has actual knowledge, or should

18 have known, of the conduct, the circumstance, or the

19 result of such conduct, circumstance, or result.

20 (15) NUCLEAR EXPLOSIVE DEVICE.—The term

21 “nuclear explosive device” means any device, wheth-

22 er assembled or disassembled, that is designed to

23 produce an instantaneous release of an amount of

24 nuclear energy from special nuclear material (as de-

25 fined in section 11 aa. of the Atomic Energy Act of

1 1954 (42 U.S.C. 2014 aa.)) that is greater than the
2 amount of energy that would be released from the
3 detonation of one pound of trinitrotoluene (TNT).

4 (16) PERSON.—

5 (A) IN GENERAL.—The term “person”
6 means—

7 (i) a natural person;

8 (ii) a corporation, business associa-
9 tion, partnership, society, trust, financial
10 institution, insurer, underwriter, guar-
11 antor, or any other business organization,
12 any other nongovernmental entity, organi-
13 zation, or group, and any governmental en-
14 tity operating as a business enterprise; and

15 (iii) any successor to any entity de-
16 scribed in clause (ii).

17 (B) EXCLUSION.—The term “person” does
18 not include a government or governmental enti-
19 ty that is not operating as a business enter-
20 prise.

21 (17) PETROLEUM RESOURCES.—The term “pe-
22 troleum resources” includes petroleum and natural
23 gas resources, refined petroleum products, oil or liq-
24 uefied natural gas, oil or liquefied natural gas tank-
25 ers, and products used to construct or maintain

1 pipelines used to transport oil or liquefied natural
2 gas.

3 (18) REFINED PETROLEUM PRODUCTS.—The
4 term “refined petroleum products” means diesel,
5 gasoline, jet fuel (including naphtha-type and ker-
6 osene-type jet fuel), and aviation gasoline.

7 (19) UNITED STATES OR STATE.—The terms
8 “United States” and “State” mean the several
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, the Commonwealth of the Northern
11 Mariana Islands, American Samoa, Guam, the
12 United States Virgin Islands, and any other terri-
13 tory or possession of the United States.

14 (20) UNITED STATES PERSON.—The term
15 “United States person” means—

16 (A) a natural person who is a citizen of the
17 United States or who owes permanent alle-
18 giance to the United States; and

19 (B) a corporation or other legal entity that
20 is organized under the laws of the United
21 States or any State if a natural person de-
22 scribed in subparagraph (A) owns, directly or
23 indirectly, more than 50 percent of the out-
24 standing capital stock or other beneficial inter-
25 est in such corporation or legal entity.

1 **SEC. 114. EFFECTIVE DATE.**

2 This title shall take effect on the date of the enact-
3 ment of this Act and shall apply with respect to an invest-
4 ment or activity described in subsection (a) or (b) of sec-
5 tion 105 that is commenced on or after such date of enact-
6 ment.

7 **SEC. 115. REPEAL.**

8 (a) IN GENERAL.—The Iran Sanctions Act of 1996
9 (50 U.S.C. 1701 note) is repealed.

10 (b) FEDERAL ACQUISITION REGULATION.—Notwith-
11 standing the repeal made by subsection (a), the modifica-
12 tion to the Federal Acquisition Regulation made pursuant
13 to section 6(b)(1) of the Iran Sanctions Act of 1996 shall
14 continue in effect until the modification to such Regula-
15 tion that is made pursuant to section 106(b)(1) of this
16 Act takes effect.

17 **TITLE II—IRAN FREEDOM**
18 **SUPPORT**

19 **SEC. 201. CODIFICATION OF SANCTIONS.**

20 United States sanctions with respect to Iran imposed
21 pursuant to sections 1 and 3 of Executive Order 12957,
22 sections 1(e), (1)(g), and (3) of Executive Order 12959,
23 sections 2, 3, and 5 of Executive Order 13059 (relating
24 to exports and certain other transactions with Iran), and
25 sections 1, 5, 6, 7, and 8 of Executive Order 13553, as
26 in effect on January 1, 2011, shall remain in effect until

1 the President certifies to the appropriate congressional
2 committees, at least 90 days before the removal of such
3 sanctions, that the Government of Iran has verifiably dis-
4 mantled its nuclear weapons program, its biological and
5 chemical weapons programs, its ballistic missile develop-
6 ment programs, and ceased its support for international
7 terrorism.

8 **SEC. 202. DECLARATION OF CONGRESS REGARDING**
9 **UNITED STATES POLICY TOWARD IRAN.**

10 It shall be the policy of the United States to support
11 those individuals in Iran seeking a free, democratic gov-
12 ernment that respects the rule of law and protects the
13 rights of all citizens.

14 **SEC. 203. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.**

15 (a) STATEMENT OF POLICY.—The President is au-
16 thorized to provide financial and political assistance (in-
17 cluding the award of grants) to foreign and domestic indi-
18 viduals, organizations, and entities that support democ-
19 racy and the promotion of democracy in Iran. Such assist-
20 ance may include the award of grants to eligible inde-
21 pendent pro-democracy broadcasting organizations and
22 new media that broadcast into Iran.

23 (b) ELIGIBILITY FOR ASSISTANCE.—Financial and
24 political assistance authorized under this section shall be

1 provided only to an individual, organization, or entity
2 that—

3 (1) officially opposes the use of violence and
4 terrorism and has not been designated as a foreign
5 terrorist organization under section 219(a) of the
6 Immigration and Nationality Act (8 U.S.C. 1189(a))
7 at any time during the preceding four years;

8 (2) advocates the adherence by Iran to non-
9 proliferation regimes for nuclear, chemical, and bio-
10 logical weapons and materiel;

11 (3) is dedicated to democratic values and sup-
12 ports the adoption of a democratic form of govern-
13 ment in Iran;

14 (4) is dedicated to respect for human rights, in-
15 cluding the fundamental equality of women;

16 (5) works to establish equality of opportunity
17 for all people; and

18 (6) supports freedom of the press, freedom of
19 speech, freedom of association, and freedom of reli-
20 gion.

21 (c) FUNDING.—Financial and political assistance au-
22 thorized under this section may only be provided using—

23 (1) funds available to the Middle East Partner-
24 ship Initiative (MEPI), the Broader Middle East
25 and North Africa Initiative, the Human Rights and

1 Democracy Fund, and the Near East Regional De-
2 mocracy Fund; and

3 (2) amounts made available pursuant to the au-
4 thorization of appropriations under subsection (f).

5 (d) NOTIFICATION.—Not later than 15 days before
6 each obligation of assistance under this section, and in ac-
7 cordance with the procedures under section 634A of the
8 Foreign Assistance Act of 1961 (22 U.S.C. 2394–l), the
9 President shall notify the Committee on Foreign Affairs
10 and the Committee on Appropriations of the House of
11 Representatives and the Committee on Foreign Relations
12 and the Committee on Appropriations of the Senate of
13 such obligation of assistance. Such notification shall in-
14 clude, as practicable, a description of the types of pro-
15 grams supported by such assistance and an identification
16 of the recipients of such assistance.

17 (e) SENSE OF CONGRESS REGARDING DIPLOMATIC
18 ASSISTANCE.—It is the sense of Congress that—

19 (1) contacts should be expanded with opposition
20 groups in Iran that meet the criteria for eligibility
21 for assistance under subsection (b);

22 (2) support for those individuals seeking democ-
23 racy in Iran should be expressed by United States
24 representatives and officials in all appropriate inter-
25 national fora; and

1 (3) officials and representatives of the United
2 States should—

3 (A) strongly and unequivocally support in-
4 digenous efforts in Iran calling for free, trans-
5 parent, and democratic elections; and

6 (B) draw international attention to viola-
7 tions by the Government of Iran of human
8 rights, freedom of religion, freedom of assem-
9 bly, and freedom of the press.

10 **SEC. 204. IMPOSITION OF SANCTIONS ON CERTAIN PER-**
11 **SONS WHO ARE RESPONSIBLE FOR OR**
12 **COMPLICIT IN HUMAN RIGHTS ABUSES COM-**
13 **MITTED AGAINST CITIZENS OF IRAN OR**
14 **THEIR FAMILY MEMBERS AFTER THE JUNE**
15 **12, 2009, ELECTIONS IN IRAN.**

16 (a) LIST OF PERSONS WHO ARE RESPONSIBLE FOR
17 OR COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES;
18 SANCTIONS ON SUCH PERSONS.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the President
21 shall transmit to the appropriate congressional com-
22 mittees a list of all persons who are officials of the
23 Government of Iran, including the Supreme Leader,
24 the President, Members of the Cabinet, Members of
25 the Assembly of Experts, Members of the Ministry

1 of Intelligence Services, or any Member of the Ira-
2 nian Revolutionary Guard Corps with the rank of
3 brigadier general and above, including members of
4 paramilitary organizations such as Ansar-e-
5 Hezbollah and Basij-e Mostaz'afin.

6 (2) CERTIFICATION.—The President shall im-
7 pose on the persons specified in the list under para-
8 graph (1) the sanctions described in subsection (b).
9 The President shall exempt any such person from
10 such imposition if the President determines and cer-
11 tifies to the appropriate congressional committees
12 that such person, based on credible evidence, is not
13 responsible for or complicit in, or responsible for or-
14 dering, controlling, or otherwise directing, the com-
15 mission of serious human rights abuses against citi-
16 zens of Iran or their family members on or after
17 June 12, 2009, regardless of whether such abuses
18 occurred in Iran.

19 (3) UPDATES OF LIST.—The President shall
20 transmit to the appropriate congressional commit-
21 tees an updated list under paragraph (1)—

22 (A) not later than every 60 days beginning
23 after the date of the initial transmittal under
24 such paragraph; and

25 (B) as new information becomes available.

1 (4) FORM OF REPORT; PUBLIC AVAILABILITY.—

2 (A) FORM.—The list required under para-
3 graph (1) shall be submitted in unclassified
4 form but may contain a classified annex.

5 (B) PUBLIC AVAILABILITY.—The unclassi-
6 fied portion of the list required under para-
7 graph (1) shall be made available to the public
8 and posted on the Web sites of the Department
9 of the Treasury and the Department of State.

10 (5) CONSIDERATION OF DATA FROM OTHER
11 COUNTRIES AND NONGOVERNMENTAL ORGANIZA-
12 TIONS.—In preparing the list required under para-
13 graph (1), the President shall consider credible data
14 already obtained by other countries and nongovern-
15 mental organizations, including organizations in
16 Iran, that monitor the human rights abuses of the
17 Government of Iran.

18 (b) SANCTIONS DESCRIBED.—The sanctions de-
19 scribed in this subsection are ineligibility for a visa to
20 enter the United States and sanctions pursuant to the
21 International Emergency Economic Powers Act (50
22 U.S.C. 1701 et seq.), including blocking of property and
23 restrictions or prohibitions on financial transactions and
24 the exportation and importation of property, subject to
25 such regulations as the President may prescribe, including

1 regulatory exceptions to permit the United States to com-
2 ply with the Agreement between the United Nations and
3 the United States of America regarding the Headquarters
4 of the United Nations, signed June 26, 1947, and entered
5 into force November 21, 1947, and other applicable inter-
6 national obligations.

7 (c) TERMINATION OF SANCTIONS.—The provisions of
8 this section shall terminate on the date on which the Presi-
9 dent determines and certifies to the appropriate congres-
10 sional committees that the Government of Iran has—

11 (1) unconditionally released all political pris-
12 oners, including the citizens of Iran detained in the
13 aftermath of the June 12, 2009, presidential election
14 in Iran;

15 (2) ceased its practices of violence, unlawful de-
16 tention, torture, and abuse of citizens of Iran while
17 engaging in peaceful political activity;

18 (3) conducted a transparent investigation into
19 the killings, arrests, and abuse of peaceful political
20 activists that occurred in the aftermath of the June
21 12, 2009, presidential election in Iran and pros-
22 ecuted the individuals responsible for such killings,
23 arrests, and abuse; and

24 (4) has—

1 (A) established an independent judiciary;
2 and

3 (B) is respecting the human rights and
4 basic freedoms recognized in the Universal Dec-
5 laration of Human Rights.

6 **SEC. 205. COMPREHENSIVE STRATEGY TO PROMOTE**
7 **INTERNET FREEDOM AND ACCESS TO INFOR-**
8 **MATION IN IRAN.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of the enactment of this Act and annually thereafter,
11 the Secretary of State shall submit to the Committees on
12 Foreign Affairs and Appropriations of the House of Rep-
13 resentatives and the Committees on Foreign Relations and
14 Appropriations of the Senate a comprehensive strategy
15 to—

16 (1) help the people of Iran produce, access, and
17 share information freely and safely via the Internet,
18 including in Farsi and regional languages;

19 (2) support the development of counter-censor-
20 ship technologies that enable the citizens of Iran to
21 undertake Internet activities without interference
22 from the Government of Iran;

23 (3) increase the capabilities and availability of
24 secure mobile communications among human rights
25 and democracy activists in Iran;

1 (4) provide resources for digital safety training
2 for media, unions, and academic and civil society or-
3 ganizations in Iran;

4 (5) increase the amount of accurate Internet
5 content in local languages in Iran;

6 (6) increase emergency resources for the most
7 vulnerable human rights advocates seeking to orga-
8 nize, share information, and support human rights
9 in Iran;

10 (7) expand surrogate radio, television, live
11 stream, and social network communications inside
12 Iran;

13 (8) expand activities to safely assist and train
14 human rights, civil society, and union activists in
15 Iran to operate effectively and securely;

16 (9) defeat all attempts by the Government of
17 Iran to jam or otherwise deny international satellite
18 broadcasting signals; and

19 (10) expand worldwide United States embassy
20 and consulate programming for and outreach to Ira-
21 nian dissident communities.

22 (b) FORM.—The comprehensive strategies required
23 under subsection (a) shall be in unclassified form and may
24 include a classified annex.

1 **TITLE III—IRAN REGIME AND**
2 **IRAN REVOLUTIONARY**
3 **GUARD CORPS ACCOUNT-**
4 **ABILITY**

5 **SEC. 301. EXPORTATION OF PETROLEUM, OIL, AND NAT-**
6 **URAL GAS PRODUCED BY IRAN'S ISLAMIC**
7 **REVOLUTIONARY GUARD CORPS OR ITS AF-**
8 **FILIATES.**

9 (a) IN GENERAL.—Except as provided in subsection
10 (c), the President shall impose the sanctions described in
11 section 106(a) with respect to a person if the President
12 determines that such person knowingly, on or after the
13 date of the enactment of the Iran Threat Reduction Act
14 of 2011, provides any service described in subsection (b)
15 with respect to the exportation of petroleum, oil, or lique-
16 fied natural gas to be refined or otherwise processed out-
17 side of Iran if—

18 (1) Iran's Islamic Revolutionary Guard Corps
19 or any of its affiliates was directly and significantly
20 involved in the development, extraction, production,
21 transportation, or sale of such petroleum, oil, or lique-
22 fied natural gas in Iran; and

23 (2)(A) the fair market value of such petroleum,
24 oil, or liquefied natural gas is \$1,000,000 or more;
25 or

1 (B) during a 12-month period, the aggregate
2 fair market value of such petroleum, oil, or liquefied
3 natural gas is \$5,000,000 or more.

4 (b) SERVICES DESCRIBED.—The services referred to
5 in subsection (a) are—

6 (1) refining or otherwise processing petroleum,
7 oil, or liquefied natural gas;

8 (2) the provision of ships or shipping services;
9 or

10 (3) financing, brokering, underwriting, or pro-
11 viding insurance or reinsurance.

12 (c) EXCEPTION FOR UNDERWRITERS AND INSUR-
13 ANCE PROVIDERS EXERCISING DUE DILIGENCE.—The
14 President may not impose sanctions under this paragraph
15 with respect to a person that provides underwriting serv-
16 ices or insurance or reinsurance if the President deter-
17 mines that such person has exercised due diligence in es-
18 tablishing and enforcing official policies, procedures, and
19 controls to ensure that such person does not underwrite
20 or enter into a contract to provide insurance or reinsur-
21 ance with respect to the exportation of petroleum, oil, or
22 liquefied natural gas in violation of subsection (a).

23 **SEC. 302. IRANIAN ACTIVITIES IN IRAQ AND AFGHANISTAN.**

24 (a) FREEZING OF ASSETS.—In accordance with sub-
25 section (b), all property and interests in property of the

1 foreign persons described in Executive Orders 13382 and
2 13224, or their affiliates, that are in the United States,
3 that on or after the date of the enactment of this Act come
4 within the United States, or that on or after the date of
5 the enactment of this Act come within the possession or
6 control of United States persons, are blocked and may not
7 be transferred, paid, exported, withdrawn, or otherwise
8 dealt in with respect to any such person determined by
9 the Secretary of State, in consultation with the Secretary
10 of the Treasury and the Secretary of Defense to—

11 (1) have committed, or to pose a significant
12 risk of committing, an act or acts of violence that
13 have the purpose or effect of—

14 (A) threatening the peace or stability of
15 Iraq or the Government of Iraq;

16 (B) undermining efforts to promote eco-
17 nomic reconstruction and political reform in
18 Iraq or to provide humanitarian assistance to
19 the Iraqi people;

20 (C) threatening the peace or stability of
21 Afghanistan or the Government of Afghanistan;

22 or

23 (D) undermining efforts to promote eco-
24 nomic reconstruction and political reform in Af-

1 ghanistan or to provide humanitarian assistance
2 to the Afghan people;

3 (2) have materially assisted, sponsored, or pro-
4 vided financial, material, logistical, or technical sup-
5 port for, or goods or services in support of, such an
6 act or acts of violence or any person or entity whose
7 property and interests in property are blocked pur-
8 suant this subsection; or

9 (3) be owned or controlled by, or to have acted
10 or purported to act for or on behalf of, directly or
11 indirectly, any person whose property and interests
12 in property are blocked pursuant to this subsection.

13 (b) DESCRIPTION OF PROHIBITIONS.—The prohibi-
14 tions described in subsection (a) include—

15 (1) the making of any contribution or provision
16 of funds, goods, or services by, to, or for the benefit
17 of any person whose property and interests in prop-
18 erty are blocked; and

19 (2) the receipt of any contribution or provision
20 of funds, goods, or services from any such person.

21 (c) STATEMENT OF POLICY.—An increase in both the
22 quantity and quality of Iranian arms shipments and tech-
23 nological expertise to the Iraqi insurgents, the Taliban,
24 other terrorist organizations, and criminal elements has
25 the potential to significantly change the battlefield in both

1 Iraq and Afghanistan, and lead to a large increase in
2 United States, International Security Assistance Force,
3 Coalition, and Iraqi and Afghan casualties.

4 **SEC. 303. UNITED STATES POLICY TOWARD IRAN.**

5 (a) NATIONAL STRATEGY REQUIRED.—The Presi-
6 dent shall develop a strategy, to be known as the “Na-
7 tional Strategy to Counter Iran” that provides strategic
8 guidance for activities that support the objective of ad-
9 dressing, countering, and containing the threats posed by
10 Iran.

11 (b) ANNUAL REPORT.—

12 (1) IN GENERAL.—Not later than January 30
13 of each year, the President shall transmit to the ap-
14 propriate congressional committees in Congress a re-
15 port on the current and future strategy of the
16 United States toward Iran, and the implementation
17 of the National Strategy to Counter Iran required
18 under subsection (a).

19 (2) FORM.—If the President considers it appro-
20 priate, the report required under this subsection, or
21 appropriate parts thereof, may be transmitted in
22 classified form.

23 (c) MATTERS TO BE INCLUDED.—The report re-
24 quired under subsection (b) shall include a description of

1 the security posture and objectives of Iran, including at
2 least the following:

3 (1) A description and assessment of Iranian
4 grand strategy and security strategy, including—

5 (A) the goals of Iran’s grand strategy and
6 security strategy, and strategic objectives; and

7 (B) Iranian strategy to achieve such objec-
8 tives in the Middle East, Europe, Africa, West-
9 ern Hemisphere, and Asia.

10 (2) An assessment of the capabilities of Iran’s
11 conventional forces and Iran’s unconventional forces,
12 including—

13 (A) the size and capabilities of Iran’s con-
14 ventional forces and Iran’s unconventional
15 forces;

16 (B) an analysis of the formal and informal
17 national command authority for Iran’s conven-
18 tional forces and Iran’s unconventional forces;

19 (C) the size and capability of Iranian for-
20 eign and domestic intelligence and special oper-
21 ations units, including the Iranian Revolu-
22 tionary Guard Corps-Quds Force;

23 (D) a description and analysis of Iranian
24 military doctrine;

1 (E) the types and amount of support, in-
2 cluding funding, lethal and nonlethal supplies,
3 and training, provided to groups designated by
4 the United States as foreign terrorist organiza-
5 tions and regional militant groups; and

6 (F) an estimate of the levels of funding
7 and funding and procurement sources by Iran
8 to develop and support Iran's conventional
9 forces and Iran's unconventional forces.

10 (3) An assessment of Iranian strategy and ca-
11 pabilities related to nuclear, unconventional, and
12 missile forces development, including—

13 (A) a summary and analysis of nuclear
14 weapons capabilities;

15 (B) an estimate of the amount and sources
16 of funding expended by, and an analysis of pro-
17 curement networks utilized by, Iran to develop
18 its nuclear weapons capabilities;

19 (C) a summary of the capabilities of Iran's
20 unconventional weapons and Iran's ballistic
21 missile forces and Iran's cruise missile forces,
22 including developments in the preceding year,
23 the size of Iran's ballistic missile forces and
24 Iran's cruise missile forces, and the locations of
25 missile launch sites;

1 (D) a detailed analysis of the effectiveness
2 of Iran's unconventional weapons and Iran's
3 ballistic missile forces and Iran's cruise missile
4 forces; and

5 (E) an estimate of the amount and sources
6 of funding expended by, and an analysis of pro-
7 curement networks utilized by, Iran on pro-
8 grams to develop a capability to develop uncon-
9 ventional weapons and Iran's ballistic missile
10 forces and Iran's cruise missile forces.

11 (4) The Government of Iran's economic strat-
12 egy, including—

13 (A) sources of funding for the activities of
14 the Government of Iran described in this sec-
15 tion;

16 (B) the role of the Government of Iran in
17 the formal and informal sector of the domestic
18 Iranian economy;

19 (C) evasive and other efforts by the Gov-
20 ernment of Iran to circumvent international
21 and bilateral sanctions regimes;

22 (D) the effect of bilateral and multilateral
23 sanctions on the ability of Iran to implement its
24 grand strategy and security strategy described
25 in paragraph (1); and

1 (E) Iran’s strategy and efforts to leverage
2 economic and political influence, cooperation,
3 and activities in the Middle East Europe, Afri-
4 ca, Western Hemisphere, and Asia.

5 (5) Key vulnerabilities identified in paragraph
6 (1), and an implementation plan for the National
7 Strategy to Counter Iran required under subsection
8 (a).

9 (d) CLASSIFIED ANNEX.—The reports required
10 under subsection (b) shall be in unclassified form to the
11 greatest extent possible, and may include a classified
12 annex where necessary.

13 **SEC. 304. DEFINITIONS.**

14 In this title:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Foreign Affairs, the
19 Committee on Armed Services, the Committee
20 on Appropriations, and the Permanent Select
21 Committee on Intelligence of the House of Rep-
22 resentatives; and

23 (B) the Committee on Foreign Relations,
24 the Committee on Armed Services, the Com-

1 mittee on Appropriations, and the Permanent
2 Select Committee on Intelligence of the Senate.

3 (2) IRAN'S BALLISTIC MISSILE FORCES.—The
4 term “Iran’s ballistic missile forces” means those
5 elements of the Government of Iran that employ bal-
6 listic missiles.

7 (3) IRAN'S BALLISTIC MISSILE AND UNCONVEN-
8 TIONAL WEAPONS.—The term “Iran’s ballistic mis-
9 sile and unconventional weapons” means Iran’s bal-
10 listic missile forces and chemical, biological, and ra-
11 diological weapons programs.

12 (4) IRAN'S CRUISE MISSILE FORCES.—The term
13 “Iran’s cruise missile forces” means those elements
14 of the Government of Iran that employ cruise mis-
15 siles capable of flights less than 500 kilometers.

16 (5) IRAN'S CONVENTIONAL FORCES.—The term
17 “Iran’s conventional forces”—

18 (A) means military forces of Iran designed
19 to conduct operations on sea, air, or land, other
20 than Iran’s unconventional forces and Iran’s
21 ballistic missile forces and Iran’s cruise missile
22 forces; and

23 (B) includes Iran’s Army, Air Force, Navy,
24 domestic law enforcement, and elements of the
25 Iranian Revolutionary Guard Corps, other than

1 the Iranian Revolutionary Guard Corps Quds
2 Force.

3 (6) IRAN'S UNCONVENTIONAL FORCES.—The
4 term “Iran’s unconventional forces”—

5 (A) means forces of Iran that carry out
6 missions typically associated with special oper-
7 ations forces; and

8 (B) includes—

9 (i) the Iranian Revolutionary Guard
10 Corps-Quds Force;

11 (ii) paramilitary organizations;

12 (iii) formal and informal intelligence
13 agencies and entities; and

14 (iv) any organization that—

15 (I) has been designated as a for-
16 eign terrorist organization under sec-
17 tion 219(a) of the Immigration and
18 Nationality Act (8 U.S.C. 1189(a));

19 (II) receives assistance from
20 Iran; and

21 (III) is assessed—

22 (aa) as being willing in some
23 or all cases of carrying out at-
24 tacks on behalf of Iran; or

1 (bb) as likely to carry out
2 attacks in response to an attack
3 by another country on Iran or its
4 interests.

5 **TITLE IV—IRAN FINANCIAL**
6 **SANCTIONS; DIVESTMENT**
7 **FROM CERTAIN COMPANIES**
8 **THAT INVEST IN IRAN; AND**
9 **PREVENTION OF DIVERSION**
10 **OF CERTAIN GOODS, SERV-**
11 **ICES, AND TECHNOLOGIES TO**
12 **IRAN**

13 **SEC. 401. IRAN FINANCIAL SANCTIONS.**

14 (a) FINANCIAL INSTITUTION CERTIFICATION.—Sec-
15 tion 104(e) of the Comprehensive Iran Sanctions, Ac-
16 countability, and Divestment Act of 2010 (Public Law
17 111–195; 22 U.S.C. 8513(e)) is amended by adding at
18 the end the following new paragraph:

19 “(3) CERTIFICATION.—Not later than 90 days
20 after the date of the enactment of this paragraph,
21 the Secretary of the Treasury shall prescribe regula-
22 tions to require any person owned or controlled by
23 a domestic financial institution to provide positive
24 certification to the Secretary that such person is not
25 engaged in corresponding relations or business activ-

1 ity with a foreign person or financial institution that
2 facilitates transactions from persons and domestic fi-
3 nancial institutions described in subsection (d).”.

4 (b) REPORT ON THE ACTIVITIES OF THE CENTRAL
5 BANK OF IRAN.—Section 104 of the Comprehensive Iran
6 Sanctions, Accountability, and Divestment Act of 2010 is
7 amended—

8 (1) by redesignating subsection (i) as subsection
9 (j); and

10 (2) by inserting after subsection (h) the fol-
11 lowing new subsection:

12 “(i) REPORT ON THE ACTIVITIES OF THE CENTRAL
13 BANK OF IRAN.—

14 “(1) IN GENERAL.—Not later than 90 days
15 after the date of the enactment of this subsection
16 and annually thereafter, the Secretary of State, in
17 consultation with the Secretary of the Treasury,
18 shall submit to Congress a report on how the activi-
19 ties of the Central Bank of Iran facilitate Iran’s ef-
20 forts to acquire nuclear weapons capabilities, uncon-
21 ventional weapons and ballistic and cruise missile
22 development, and activities as a designated state
23 sponsor of terrorism.

1 “(2) FORM.—The reports required under this
2 subsection shall be submitted in unclassified form
3 and may contain a classified annex.”.

4 (c) CONTINUATION IN EFFECT.—Sections 104, 106,
5 107, 108, 109, 110, 111, and 115 of the Comprehensive
6 Iran Sanctions, Accountability, and Divestment Act of
7 2010 shall remain in effect until the President makes the
8 certification described in section 602 of this Act.

9 **SEC. 402. DIVESTMENT FROM CERTAIN COMPANIES THAT**
10 **INVEST IN IRAN.**

11 Title II of the Comprehensive Iran Sanctions, Ac-
12 countability, and Divestment Act of 2010 shall remain in
13 effect until the President makes the certification described
14 in section 602 of this Act.

15 **SEC. 403. PREVENTION OF DIVERSION OF CERTAIN GOODS,**
16 **SERVICES, AND TECHNOLOGIES TO IRAN.**

17 Title III of the Comprehensive Iran Sanctions, Ac-
18 countability, and Divestment Act of 2010 shall remain in
19 effect until the President makes the certification described
20 in section 602 of this Act.

1 **TITLE V—SECURITIES AND**
2 **EXCHANGE COMMISSION**

3 **SEC. 501. DISCLOSURES TO THE SECURITIES AND EX-**
4 **CHANGE COMMISSION RELATING TO**
5 **SANCTIONABLE ACTIVITIES.**

6 (a) IN GENERAL.—Section 13 of the Securities Ex-
7 change Act of 1934 (15 U.S.C. 78m) is amended by add-
8 ing at the end the following new subsection:

9 “(r) DISCLOSURE OF CERTAIN ACTIVITIES RELAT-
10 ING TO IRAN, TERRORISM, AND THE PROLIFERATION OF
11 WEAPONS OF MASS DESTRUCTION.—

12 “(1) GENERAL DISCLOSURE REQUIRED.—Each
13 issuer required to file an annual or quarterly report
14 under subsection (a) shall include with such report
15 a statement of whether, during the period since the
16 issuer made the last such report, the issuer or any
17 affiliate of the issuer—

18 “(A) engaged in an activity described in
19 section 5 of the Iran Sanctions Act of 1996
20 (Public Law 104–172; 50 U.S.C. 1701 note);

21 “(B) knowingly engaged in an activity de-
22 scribed in subsection (c)(2) of section 104 of
23 the Comprehensive Iran Sanctions, Account-
24 ability, and Divestment Act of 2010 (Public
25 Law 111–195; 22 U.S.C. 8513) or knowingly

1 violated regulations prescribed under subsection
2 (d)(1) or (e)(1) of such section 104; or

3 “(C) knowingly conducted any transaction
4 or dealing with—

5 “(i) any person the property and in-
6 terests in property of which are blocked
7 pursuant to Executive Order 13224 (66
8 Fed. Reg. 49079; relating to blocking
9 property and prohibiting transacting with
10 persons who commit, threaten to commit,
11 or support terrorism);

12 “(ii) any person the property and in-
13 terests in property of which are blocked
14 pursuant to Executive Order 13382 (70
15 Fed. Reg. 38567; relating to blocking of
16 property of weapons of mass destruction
17 proliferators and their supporters); or

18 “(iii) any person on the list contained
19 in Appendix A to part 560 of title 31,
20 Code of Federal Regulations (commonly
21 known as the ‘Iranian Transactions Regu-
22 lations’).

23 “(2) SPECIFIC DISCLOSURE REQUIRED.—If an
24 issuer reports under paragraph (1) that the issuer or
25 an affiliate of the issuer has engaged in any activity

1 described in that paragraph, the issuer shall include
2 with the statement required under that paragraph a
3 detailed description of each such activity, includ-
4 ing—

5 “(A) the nature and extent of the activity;

6 “(B) the revenues and profits, if any, at-
7 tributable to the activity; and

8 “(C) whether the issuer or the affiliate of
9 the issuer (as the case may be) intends to con-
10 tinue the activity.

11 “(3) INVESTIGATION OF DISCLOSURES.—When
12 the Commission receives a report under paragraph
13 (1) from an issuer that the issuer or an affiliate of
14 the issuer has engaged in any activity described in
15 that paragraph, the President shall—

16 “(A) initiate an investigation into the pos-
17 sible imposition of sanctions under the Iran
18 Sanctions Act of 1996 (Public Law 104–172;
19 50 U.S.C. 1701 note), section 104 of the Com-
20 prehensive Iran Sanctions, Accountability, and
21 Divestment Act of 2010 (22 U.S.C. 8513), the
22 Executive Orders or regulations specified in
23 paragraph (1)(C), or any other provision of law;
24 and

1 “(B) not later than 180 days after initi-
2 ating such an investigation, make a determina-
3 tion with respect to whether sanctions should be
4 imposed with respect to the issuer or the affil-
5 iate of the issuer (as the case may be).

6 “(4) PUBLIC DISCLOSURE OF INFORMATION.—

7 The Commission shall promptly—

8 “(A) make the information provided to the
9 Commission under paragraphs (1) and (2)
10 available to the public by posting the informa-
11 tion on the Internet Web site of the Commis-
12 sion; and

13 “(B) provide a copy of that information
14 to—

15 “(i) the President;

16 “(ii) the Committee on Foreign Af-
17 fairs and the Committee on Financial
18 Services of the House of Representatives;
19 and

20 “(iii) the Committee on Foreign Rela-
21 tions and the Committee on Banking,
22 Housing, and Urban Affairs of the Senate.

23 “(5) SUNSET.—The provisions of this sub-
24 section shall terminate on the date that is 30 days
25 after the date on which the President makes the cer-

1 tification described in section 401(a) of the Com-
2 prehensive Iran Sanctions, Accountability, and Di-
3 vestment Act of 2010 (22 U.S.C. 8551(a)).”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall take effect with respect to reports re-
6 quired to be filed with the Securities and Exchange Com-
7 mission after the date that is 90 days after the date of
8 the enactment of this Act.

9 **TITLE VI—GENERAL** 10 **PROVISIONS**

11 **SEC. 601. DENIAL OF VISAS FOR CERTAIN PERSONS OF THE** 12 **GOVERNMENT OF IRAN.**

13 (a) IN GENERAL.—Except as necessary to meet
14 United States obligations under the Agreement between
15 the United Nations and the United States of America re-
16 garding the Headquarters of the United Nations, signed
17 June 26, 1947, and entered into force November 21,
18 1947, and other applicable international treaty obliga-
19 tions, the Secretary of State shall deny a visa to and the
20 Secretary of Homeland Security shall exclude from the
21 United States a person of the Government of Iran pursu-
22 ant to section 6(j)(1)(A) of the Export Administration Act
23 of 1979 (as in effect pursuant to the International Emer-
24 gency Economic Powers Act; 50 U.S.C. 1701 et seq.), sec-
25 tion 40(d) of the Arms Export Control Act (22 U.S.C.

1 2780(d)), and section 620A of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2371) if the Secretary determines that
3 such person—

4 (1) is an agent, instrumentality, or official of,
5 is affiliated with, or is serving as a representative of
6 the Government of Iran; and

7 (2) presents a threat to the United States or is
8 directly or indirectly affiliated with terrorist organi-
9 zations.

10 (b) **RESTRICTION ON MOVEMENT.**—The Secretary of
11 State shall restrict in Washington, DC, and at the United
12 Nations in New York City, the travel to only within a 25-
13 mile radius of Washington, DC, or the United Nations
14 headquarters building, respectively, of any person identi-
15 fied in subsection (a).

16 **SEC. 602. SUNSET.**

17 (a) **SUNSET.**—The provisions of this Act shall termi-
18 nate, and shall cease to be effective, on the date that is
19 30 days after the date on which the President certifies
20 to Congress that Iran—

21 (1) has ceased and verifiably dismantled its ef-
22 forts to design, develop, manufacture, or acquire—

23 (A) a nuclear explosive device or related
24 materials and technology;

25 (B) chemical and biological weapons; and

1 (C) ballistic missiles and ballistic missile
2 launch technology;

3 (2) no longer provides support for acts of inter-
4 national terrorism; and

5 (3) poses no threat to United States national
6 security, interests, or allies.

7 (b) NOTIFICATION.—The President shall notify the
8 Committee on Foreign Affairs of the House of Representa-
9 tives and the Committee on Foreign Relations of the Sen-
10 ate not later than 15 days before making a certification
11 described in subsection (a).

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