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H. R. 893

To provide for the imposition of sanctions with respect to foreign persons who transfer to or acquire from Iran, North Korea, or Syria certain goods, services, or technology that contribute to the proliferation activities of Iran, North Korea, or Syria, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2013

Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Science, Space, and Technology, Financial Services, and Transportation and Infrastructure, 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 provide for the imposition of sanctions with respect to foreign persons who transfer to or acquire from Iran, North Korea, or Syria certain goods, services, or technology that contribute to the proliferation activities of Iran, North Korea, or Syria, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Iran, North Korea, and Syria Nonproliferation Account-
4 ability Act of 2013”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Statement of policy.
- Sec. 3. Imposition of sanctions against certain foreign persons.
- Sec. 4. Determination exempting a foreign person from the imposition of cer-
tain sanctions.
- Sec. 5. Restrictions on nuclear cooperation with countries aiding proliferation
by Iran, North Korea, or Syria.
- Sec. 6. Identification of countries that enable proliferation to or from Iran,
North Korea, or Syria.
- Sec. 7. Prohibition on United States assistance to countries assisting prolifera-
tion activities by Iran, North Korea, or Syria.
- Sec. 8. Restriction on extraordinary payments in connection with the Inter-
national Space Station.
- Sec. 9. Exclusion from the United States of senior officials of foreign persons
who have aided proliferation relating to Iran, North Korea, and
Syria.
- Sec. 10. Prohibition on certain vessels landing in the United States; enhanced
inspections.
- Sec. 11. Sanctions with respect to critical defense resources provided to or ac-
quired from Iran, North Korea, or Syria.
- Sec. 12. Multilateral actions against Iran, North Korea, or Syria.
- Sec. 13. Repeal of waiver of sanctions relating to development of weapons of
mass destruction or other military capabilities.
- Sec. 14. Definitions.
- Sec. 15. Repeal of Iran, North Korea, and Syria Nonproliferation Act.
- Sec. 16. Rule of construction.

7 **SEC. 2. STATEMENT OF POLICY.**

8 It shall be the policy of the United States to fully
9 implement and enforce sanctions against any person, enti-
10 ty, or country that assists the proliferation activities or
11 policies of Iran, North Korea, or Syria.

1 **SEC. 3. IMPOSITION OF SANCTIONS AGAINST CERTAIN FOR-**
2 **EIGN PERSONS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 day of the enactment of this Act, the President shall im-
5 pose, for a period of not less than two years, the sanctions
6 specified in subsection (c) with respect to a foreign person
7 if the President determines and certifies to the appro-
8 priate congressional committees that the person—

9 (1)(A) on or after September 1, 2007, trans-
10 ferred to or acquired from Iran, North Korea, or
11 Syria—

12 (i) goods, services, or technology listed
13 on—

14 (I) the Nuclear Suppliers Group
15 Guidelines for the Export of Nuclear
16 Material, Equipment and Technology
17 (published by the International Atom-
18 ic Energy Agency as Information Cir-
19 cular INFCIRC/254/Rev. 3/Part 1,
20 and subsequent revisions) and Guide-
21 lines for Transfers of Nuclear-Related
22 Dual-Use Equipment, Material, and
23 Related Technology (published by the
24 International Atomic Energy Agency
25 as Information Circular INFCIRC/

1 254/Rev. 3/Part 2, and subsequent re-
2 visions);

3 (II) the Missile Technology Con-
4 trol Regime Equipment and Tech-
5 nology Annex of June 11, 1996, and
6 subsequent revisions;

7 (III) the lists of items and sub-
8 stances relating to biological and
9 chemical weapons the export of which
10 is controlled by the Australia Group;

11 (IV) the Schedule One or Sched-
12 ule Two list of toxic chemicals and
13 precursors the export of which is con-
14 trolled pursuant to the Convention on
15 the Prohibition of the Development,
16 Production, Stockpiling and Use of
17 Chemical Weapons and on Their De-
18 struction; or

19 (V) the Wassenaar Arrangement
20 list of Dual Use Goods and Tech-
21 nologies and Munitions list of July 12,
22 1996, and subsequent revisions; or

23 (ii) goods, services, or technology not
24 listed on any list specified in clause (i) but
25 which nevertheless would be, if such goods,

1 services, or technology were United States
2 goods, services, or technology, prohibited
3 for export to Iran, North Korea, or Syria,
4 as the case may be, because of the poten-
5 tial of such goods, services or technology to
6 contribute to the development of nuclear,
7 biological, or chemical weapons, or of bal-
8 listic or cruise missile systems or desta-
9 bilizing types and amounts of conventional
10 weapons; and

11 (B) with respect to the transfer of goods,
12 services, or technology, knew or should have
13 known that the transfer of goods, services, or
14 technology, to Iran, North Korea, or Syria, as
15 the case may be, would contribute to the ability
16 of Iran, North Korea, or Syria, as the case may
17 be, to—

18 (i) acquire or develop chemical, bio-
19 logical, or nuclear weapons or related tech-
20 nologies; or

21 (ii) acquire or develop advanced or de-
22 stabilizing types and numbers of conven-
23 tional weapons;

1 (2)(A) on or after September 1, 2007, trans-
2 ferred to another person goods, services, or tech-
3 nology described in paragraph (1)(A)(i) or (ii); and

4 (B) knew or should have known that the trans-
5 fer of goods, services, or technology to another per-
6 son would likely result in such other person export-
7 ing, transferring, transshipping, or otherwise pro-
8 viding the goods, services, technology to the Govern-
9 ment of Iran, North Korea, or Syria, or to a person
10 acting on behalf of or owned or controlled by, the
11 Government of Iran, North Korea, or Syria, as the
12 case may be;

13 (3) on or after September 1, 2007, acquired
14 materials mined or otherwise extracted within the
15 territory or control of Iran, North Korea, or Syria,
16 as the case may be, for purposes relating to the nu-
17 clear, biological, or chemical weapons, or ballistic or
18 cruise missile development programs of Iran, North
19 Korea, or Syria, as the case may be;

20 (4) on or after September 1, 2007, transferred
21 to Iran, Syria, or North Korea goods, services, or
22 technology that could assist efforts to extract or mill
23 uranium ore within the territory or control of Iran,
24 North Korea, or Syria, as the case may be;

1 (5) on or after September 1, 2007, provided de-
2 stabilizing types and amounts of conventional weap-
3 ons and technical assistance to the Government of
4 Iran, North Korea, or Syria, or to a person acting
5 on behalf of or owned or controlled by, the Govern-
6 ment of Iran, North Korea, or Syria, as the case
7 may be; or

8 (6) on or after August 10, 2010, provided a
9 vessel, insurance or reinsurance, or any other ship-
10 ping service for the transportation of goods to or
11 from Iran, North Korea, or Syria for purposes relat-
12 ing to the nuclear, biological, or chemical weapons,
13 or ballistic or cruise missile development programs
14 of Iran, North Korea, or Syria, as the case may be.

15 (b) JOINT VENTURES RELATING TO THE MINING,
16 PRODUCTION, OR TRANSPORTATION OF URANIUM.—

17 (1) IN GENERAL.—Not later than 90 days after
18 the date of the enactment of this Act, the President
19 shall impose, for a period of not less than two years,
20 the sanctions specified in subsection (c) with respect
21 to a foreign person if the President determines that
22 the person knowingly participated, on or after Au-
23 gust 10, 2012, in a joint venture that involves any
24 activity relating to the mining, production, or trans-
25 portation of uranium—

1 (A)(i) established on or after February 2,
2 2012; and

3 (ii) with—

4 (I) the Government of Iran, the Gov-
5 ernment of North Korea, or the Govern-
6 ment of Syria;

7 (II) an entity incorporated and sub-
8 ject to the jurisdiction of the Government
9 of Iran, in North Korea or subject to the
10 jurisdiction of the Government of North
11 Korea, or Syria or subject to the jurisdic-
12 tion of the Government of Syria, as the
13 case may be; or

14 (III) a person acting on behalf of or
15 at the direction of, or owned or controlled
16 by, the Government of Iran or an entity
17 described in subclause (II) with respect to
18 Iran, the Government of North Korea or
19 an entity described in subclause (II) with
20 respect to North Korea, or the Government
21 of Syria or an entity described in subclause
22 (II) with respect to Syria, as the case may
23 be; or

24 (B)(i) established before February 2, 2012;

(ii) with the Government of Iran, an entity described in subclause (II) of subparagraph (A)(ii) with respect to Iran, or a person described in subclause (III) of that subparagraph with respect to Iran, the Government of North Korea, an entity described in subclause (II) of subparagraph (A)(ii) with respect to North Korea, or a person described in subclause (III) of that subparagraph with respect to North Korea, or the Government of Syria, an entity described in subclause (II) of subparagraph (A)(ii) with respect to Syria, or a person described in subclause (III) of that subparagraph with respect to Syria, as the case may; and

(iii) through which—

(I) uranium is transferred directly to Iran, North Korea, or Syria, as the case may be, or indirectly to Iran, North Korea, or Syria, as the case may be, through a third country;

(II) the Government of Iran, the Government of North Korea, or the Government of Syria, as the case may be, receives significant revenue; or

1 (III) Iran, North Korea, or Syria, as
2 the case may be, could, through a direct
3 operational role or by other means, receive
4 technological knowledge or equipment not
5 previously available to such country that
6 could contribute materially to the ability of
7 such country to develop nuclear weapons
8 or related technologies.

9 (2) APPLICABILITY OF SANCTIONS.—Paragraph
10 (1) shall not apply with respect to participation in
11 a joint venture established before August 10, 2012,
12 if the person participating in the joint venture termi-
13 nated, with respect to Iran, that participation not
14 later than the date that is 180 days after such such
15 date with respect to North Korea and Syria, termi-
16 nates that participation not later than the date that
17 is 90 days after the date of enactment of this Act.

18 (c) DESCRIPTION OF SANCTIONS.—The sanctions re-
19 ferred to in subsections (a) and (b) are the following:

20 (1) EXECUTIVE ORDER 12938 PROHIBITIONS.—
21 The measures specified in the first sentence of sub-
22 section (b) and subsections (c) and (d) of section 4
23 of Executive Order 12938 (50 U.S.C. 1701 note; re-
24 lating to proliferation of weapons of mass destruc-
25 tion).

1 (2) ARMS EXPORT PROHIBITION.—Prohibition
2 on United States Government sales to a person de-
3 scribed in subsection (a) or subsection (b) of any
4 item on the United States Munitions List and termi-
5 nation of sales to such person of any defense arti-
6 cles, defense services, or design and construction
7 services under the Arms Export Control Act (22
8 U.S.C. 2751 et seq.).

9 (3) DUAL USE EXPORT PROHIBITION.—Denial
10 of licenses and suspension of existing licenses for the
11 transfer to a foreign person described in subsection
12 (a) or subsection (b) of items the export of which is
13 controlled under the Export Administration Act of
14 1979 (50 U.S.C. App. 2401 et seq.), as in effect
15 pursuant to the International Emergency Economic
16 Powers Act, or the Export Administration Regula-
17 tions.

18 (4) INVESTMENT PROHIBITION.—Prohibition on
19 any investment by a United States person in prop-
20 erty, including entities, owned or controlled by a for-
21 eign person described in subsection (a) or subsection
22 (b).

23 (5) FINANCING PROHIBITION.—Prohibition on
24 any approval, financing, or guarantee by a United
25 States person, wherever located, of a transaction by

1 a foreign person described in subsection (a) or sub-
2 section (b).

3 (6) FINANCIAL ASSISTANCE PROHIBITION.—De-
4 nial by the United States Government of any credit,
5 credit guarantees, grants, or other financial assist-
6 ance by any agency of the United States Govern-
7 ment to a foreign person described in subsection (a)
8 or subsection (b).

9 (7) BAN ON INVESTMENT IN EQUITY OR DEBT
10 OF SANCTIONED PERSON.—Prohibition on any
11 United States person from investing in or pur-
12 chasing significant amounts of equity or debt instru-
13 ments of a foreign person described in subsection (a)
14 or subsection (b).

15 (8) EXCLUSION OF CORPORATE OFFICERS.—
16 The Secretary of State shall deny a visa to, and the
17 Secretary of Homeland Security to exclude from the
18 United States, any alien that the President deter-
19 mines is a corporate officer or principal of, or a
20 shareholder with a controlling interest in, a foreign
21 person described in subsection (a) or subsection (b).

22 (9) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
23 FICERS.—The President shall impose on the prin-
24 cipal executive officer or officers of a foreign person
25 described in subsection (a) or subsection (b), or on

1 persons performing similar functions and with simi-
2 lar authorities as such officer or officers, any of the
3 sanctions under this subsection.

4 (d) PUBLICATION IN FEDERAL REGISTER.—

5 (1) IN GENERAL.—The Secretary of the Treas-
6 ury shall publish in the Federal Register notice of
7 the imposition against a foreign person of sanctions
8 pursuant to subsection (a) or subsection (b).

9 (2) CONTENT.—Each notice published in ac-
10 cordance with paragraph (1) shall include the name
11 and address (where known) of each foreign person
12 with respect to which sanctions have been imposed
13 pursuant to subsection (a) of subsection (b).

14 **SEC. 4. DETERMINATION EXEMPTING A FOREIGN PERSON**
15 **FROM THE IMPOSITION OF CERTAIN SANC-**
16 **TIONS.**

17 (a) IN GENERAL.—The imposition of any sanction
18 described in section 3(c) to a foreign person described in
19 subsection (a) or (b) of section 3 shall cease to be effective
20 beginning 30 days after the date on which the President
21 determines and certifies to the appropriate congressional
22 committees that—

23 (1) in the case of a transfer or acquisition of
24 goods, services, or technology described in section
25 3(a)(1)—

1 (A) such person did not, on or after Sep-
2 tember 1, 2007, knowingly transfer to or ac-
3 quire from Iran, North Korea, or Syria, as the
4 case may be, such goods, services, or technology
5 the apparent transfer of which caused such per-
6 son to be subject to sanctions under section 3;

7 (B) such transfer did not contribute to the
8 efforts of Iran, North Korea, or Syria, as the
9 case may be, to develop—

10 (i) nuclear, biological, or chemical
11 weapons, or ballistic or cruise missile sys-
12 tems, or weapons listed on the Wassenaar
13 Arrangement Munitions List of July 12,
14 1996, or any subsequent revision of such
15 List; or

16 (ii) destabilizing types or amounts of
17 conventional weapons or acquire technical
18 assistance;

19 (C) such person is subject to the primary
20 jurisdiction of a government that is an adherent
21 to one or more relevant nonproliferation re-
22 gimes or that has a sanctions regime under its
23 governing foreign law concerning Iran, North
24 Korea, or Syria, and such transfer was made in
25 accordance with the guidelines and parameters

1 of all such relevant nonproliferation or sanc-
2 tions regimes; or

3 (D) the government with primary jurisdic-
4 tion over such person has imposed meaningful
5 penalties on such person on account of the
6 transfer of such goods, services, or technology
7 that caused such person to be subject to sanc-
8 tions under section 3;

9 (2) in the case of an acquisition of materials
10 mined or otherwise extracted within the territory of
11 Iran, North Korea, or Syria, as the case may be, de-
12 scribed in section 3(a)(2) for purposes relating to
13 the nuclear, biological, or chemical weapons, or bal-
14 listic or cruise missile development programs of
15 Iran, North Korea, or Syria, as the case may be,
16 such person did not acquire such materials; or

17 (3) in the case of the provision of a vessel, in-
18 surance or reinsurance, or another shipping service
19 for the transportation of goods to or from Iran,
20 North Korea, or Syria, as the case may be, described
21 in section 3(a)(3) for purposes relating to the nu-
22 clear, biological, or chemical weapons, or ballistic or
23 cruise missile development programs of Iran, North
24 Korea, or Syria, as the case may be, such person did
25 not provide such a vessel or service.

1 (b) OPPORTUNITY TO PROVIDE INFORMATION.—

2 Congress urges the President—

3 (1) in every appropriate case, to contact in a
4 timely fashion each person described in subsection
5 (a) or (b) of section 3, or the government with pri-
6 mary jurisdiction over such person, in order to af-
7 ford such person, or such government, the oppor-
8 tunity to provide explanatory, exculpatory, or other
9 additional information with respect to the transfer
10 that caused such person to be subject to sanctions
11 under section 3; and

12 (2) to exercise the authority described in sub-
13 section (a) in all cases in which information obtained
14 from each person described in subsection (a) or (b)
15 of section 3, or from the government with primary
16 jurisdiction over such person, establishes that the ex-
17 ercise of such authority is warranted.

18 (c) FORM OF TRANSMISSION.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), the determination and report of the
21 President under subsection (a) shall be transmitted
22 in unclassified form.

23 (2) EXCEPTION.—The determination and report
24 of the President under subsection (a) may be trans-
25 mitted in classified form if the President certifies to

1 the appropriate congressional committees that it is
2 vital to the national security interests of the United
3 States to do so.

4 **SEC. 5. RESTRICTIONS ON NUCLEAR COOPERATION WITH**
5 **COUNTRIES AIDING PROLIFERATION BY**
6 **IRAN, NORTH KOREA, OR SYRIA.**

7 (a) IN GENERAL.—

8 (1) RESTRICTIONS.—Notwithstanding any other
9 provision of law, on or after the date of the enact-
10 ment of this Act—

11 (A) no agreement for cooperation between
12 the United States and the government of any
13 country that is assisting the nuclear program of
14 Iran, North Korea, or Syria, or transferring ad-
15 vanced conventional weapons or missiles to
16 Iran, North Korea, or Syria may be submitted
17 to the President or to Congress pursuant to
18 section 123 of the Atomic Energy Act of 1954
19 (42 U.S.C. 2153),

20 (B) no such agreement may enter into
21 force with respect to such country,

22 (C) no license may be issued for export di-
23 rectly or indirectly to such country of any nu-
24 clear material, facilities, components, or other

1 goods, services, or technology that would be
2 subject to such agreement, and

3 (D) no approval may be given for the
4 transfer or retransfer directly or indirectly to
5 such country of any nuclear material, facilities,
6 components, or other goods, services, or tech-
7 nology that would be subject to such agreement,
8 until the President makes the determination and re-
9 port under paragraph (2).

10 (2) DETERMINATION AND REPORT.—The deter-
11 mination and report referred to in paragraph (1) are
12 a determination and report by the President, sub-
13 mitted to the Committee on Foreign Affairs of the
14 House of Representatives and the Committee on
15 Foreign Relations of the Senate, that—

16 (A) Iran, North Korea, or Syria, as the
17 case may, has ceased its efforts to design, de-
18 velop, or acquire a nuclear explosive device or
19 related materials or technology; or

20 (B) the government of the country that is
21 assisting the nuclear programs of Iran, North
22 Korea, or Syria, as the case may be, or trans-
23 ferring advanced conventional weapons or mis-
24 siles to Iran, North Korea, or Syria, as the case
25 may be—

1 (i) has suspended all nuclear assist-
2 ance to Iran, North Korea, or Syria, as the
3 case may be, and all transfers of advanced
4 conventional weapons and missiles to Iran,
5 North Korea, or Syria, as the case may be;
6 and

7 (ii) is committed to maintaining that
8 suspension until Iran, North Korea, or
9 Syria, as the case may be, has imple-
10 mented measures that would permit the
11 President to make the determination de-
12 scribed in subparagraph (A).

13 (b) RULES OF CONSTRUCTION.—The restrictions de-
14 scribed in subsection (a)(1)—

15 (1) shall apply in addition to all other applica-
16 ble procedures, requirements, and restrictions de-
17 scribed in the Atomic Energy Act of 1954 and other
18 applicable Acts;

19 (2) shall not be construed as affecting the valid-
20 ity of an agreement for cooperation between the
21 United States and the government of a country that
22 is in effect on the date of the enactment of this Act;
23 and

24 (3) shall not be construed as applying to assist-
25 ance for the Bushehr nuclear reactor, unless such

1 assistance is determined by the President to be con-
2 tributing to the efforts of Iran to develop nuclear
3 weapons.

4 (c) DEFINITIONS.—In this section:

5 (1) AGREEMENT FOR COOPERATION.—The term
6 “agreement for cooperation” has the meaning given
7 that term in section 11 b. of the Atomic Energy Act
8 of 1954 (42 U.S.C. 2014 b.).

9 (2) ASSISTING THE NUCLEAR PROGRAM OF
10 IRAN, NORTH KOREA, OR SYRIA.—The term “assist-
11 ing the nuclear program of Iran, North Korea, or
12 Syria” means the intentional transfer to Iran, North
13 Korea, or Syria by a government, or by a person
14 subject to the jurisdiction of a government with the
15 knowledge and acquiescence of that government, of
16 goods, services, or technology listed on the Nuclear
17 Suppliers Group Guidelines for the Export of Nu-
18 clear Material, Equipment and Technology (pub-
19 lished by the International Atomic Energy Agency as
20 Information Circular INFCIRC/254/Rev. 3/Part 1,
21 and subsequent revisions), or the Nuclear Suppliers
22 Group Guidelines for Transfers of Nuclear-Related
23 Dual-Use Equipment, Material, and Related Tech-
24 nology (published by the International Atomic En-

ergy Agency as Information Circular INFCIR/254/
Rev. 3/Part 2, and subsequent revisions).

(3) COUNTRY THAT IS ASSISTING THE NUCLEAR PROGRAM OF IRAN, NORTH KOREA, OR SYRIA OR TRANSFERRING ADVANCED CONVENTIONAL WEAPONS OR MISSILES TO IRAN, NORTH KOREA, OR SYRIA.—The term “country that is assisting the nuclear program of Iran, North Korea, or Syria or transferring advanced conventional weapons or missiles to Iran, North Korea, or Syria” means any country determined by the President to be assisting the nuclear program of Iran, North Korea, or Syria or transferring advanced conventional weapons or missiles to Iran, North Korea, or Syria.

(4) TRANSFER.—The term “transfer” means the conveyance of technological or intellectual property, or the conversion of intellectual or technological advances into marketable goods, services, or articles of value, developed and generated in one place, to another through illegal or illicit means to a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (as in effect pursuant to the International Emergency Economic Powers Act; 50 U.S.C. 1701 et seq.), section 40(d)

1 of the Arms Export Control Act (22 U.S.C.
2 2780(d)), and section 620A of the Foreign Assist-
3 ance Act of 1961 (22 U.S.C. 2371), is a government
4 that has repeatedly provided support for acts of
5 international terrorism.

6 (5) TRANSFERRING ADVANCED CONVENTIONAL
7 WEAPONS OR MISSILES TO IRAN, NORTH KOREA, OR
8 SYRIA.—The term “transferring advanced conven-
9 tional weapons or missiles to Iran, North Korea, or
10 Syria” means the intentional transfer to Iran, North
11 Korea, or Syria by a government, or by a person
12 subject to the jurisdiction of a government with the
13 knowledge and acquiescence of that government, of
14 goods, services, or technology listed on—

15 (A) the Wassenaar Arrangement list of
16 Dual Use Goods and Technologies and Muni-
17 tions list of July 12, 1996, and subsequent revi-
18 sions; or

19 (B) the Missile Technology Control Regime
20 Equipment and Technology Annex of June 11,
21 1996, and subsequent revisions.

1 **SEC. 6. IDENTIFICATION OF COUNTRIES THAT ENABLE**
2 **PROLIFERATION TO OR FROM IRAN, NORTH**
3 **KOREA, OR SYRIA.**

4 (a) ANNUAL REPORT.—Not later than 90 days after
5 the date of the enactment of this Act, and every 120 days
6 thereafter, the President shall transmit to the appropriate
7 congressional committees and make available to the public
8 a report that identifies each person subject to sanctions
9 under section 3 and each foreign country that allows one
10 or more persons under the jurisdiction of such country to
11 engage in activities that are sanctionable under section 3
12 despite requests by the United States Government to the
13 government of such country to prevent such activities.

14 (b) FORM.—The report required under subsection (a)
15 shall be submitted in unclassified form, but may contain
16 a classified annex if necessary to protect United States
17 national security interests.

18 **SEC. 7. PROHIBITION ON UNITED STATES ASSISTANCE TO**
19 **COUNTRIES ASSISTING PROLIFERATION AC-**
20 **TIVITIES BY IRAN, NORTH KOREA, OR SYRIA.**

21 (a) IN GENERAL.—The President shall prohibit as-
22 sistance (other than humanitarian assistance) under the
23 Foreign Assistance Act of 1961 and shall not issue export
24 licenses for defense articles or defense services under the
25 Arms Export Control Act to—

1 (1) a foreign country the government of which
2 the President has received credible information is as-
3 sisting Iran, North Korea, or Syria in the acqui-
4 sition, development, or proliferation of weapons of
5 mass destruction or ballistic missiles; or

6 (2) a foreign country identified in the most-re-
7 cent report transmitted to the appropriate congres-
8 sional committees under section 6(a).

9 (b) RESUMPTION OF ASSISTANCE.—The President is
10 authorized to provide assistance described in subsection
11 (a) to a foreign country subject to the prohibition in sub-
12 section (a) if the President determines and notifies the ap-
13 propriate congressional committees that there is credible
14 information that the government of the country is no
15 longer assisting Iran, North Korea, or Syria in the acqui-
16 sition, development, or proliferation of weapons of mass
17 destruction or ballistic missiles and has taken appropriate
18 steps to correct the behavior that resulted in it being in-
19 cluded in the report in section 6(A).

20 (c) DEFINITION.—In this section, the term “assist-
21 ing” means providing material or financial support of any
22 kind, including purchasing of material, technology or
23 equipment from Iran, North Korea, or Syria.

1 **SEC. 8. RESTRICTION ON EXTRAORDINARY PAYMENTS IN**
2 **CONNECTION WITH THE INTERNATIONAL**
3 **SPACE STATION.**

4 (a) RESTRICTION.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law, no agency of the United States
7 Government may make extraordinary payments in
8 connection with the International Space Station to
9 the Russian Aviation and Space Agency, any organi-
10 zation or entity under the jurisdiction or control of
11 the Russian Aviation and Space Agency, or any
12 other organization, entity, or element of the Govern-
13 ment of the Russian Federation, unless, during the
14 fiscal year in which such extraordinary payments are
15 to be made, the President has made the determina-
16 tion described in subsection (b), and reported such
17 determination to the Committee on Foreign Affairs
18 and the Committee on Science, Space, and Tech-
19 nology of the House of Representatives and the
20 Committee on Foreign Relations and the Committee
21 on Commerce, Science, and Transportation of the
22 Senate.

23 (2) WAIVER.—If the President is unable to
24 make the determination described in subsection (b)
25 with respect to a fiscal year in which extraordinary
26 payments in connection with the International Space

1 Station are to be made, the President is authorized
2 to waive the application of paragraph (1) on a case-
3 by-case basis with respect to the fiscal year if not
4 less than 15 days prior to the date on which the
5 waiver is to take effect the President submits to the
6 appropriate congressional committees a report that
7 contains—

8 (A) the reasons why the determination de-
9 scribed in subsection (b) cannot be made;

10 (B) the amount of the extraordinary pay-
11 ment to be made under the waiver;

12 (C) the steps being undertaken by the
13 United States to ensure compliance by the Rus-
14 sian Federation with the conditions described in
15 subsection (b); and

16 (D) a determination of the President that
17 the waiver is vital to the national interests of
18 the United States.

19 (b) DETERMINATION REGARDING RUSSIAN CO-
20 OPERATION IN PREVENTING PROLIFERATION RELATING
21 TO IRAN, NORTH KOREA, AND SYRIA.—The determina-
22 tion referred to in subsection (a) is a determination by
23 the President that—

24 (1) it is the policy of the Government of the
25 Russian Federation (including the law enforcement,

1 export promotion, export control, and intelligence
2 agencies of such Government) to oppose the pro-
3 liferation to or from Iran, North Korea, and Syria
4 of weapons of mass destruction and missile systems
5 capable of delivering such weapons;

6 (2) the Government of the Russian Federation
7 (including the law enforcement, export promotion,
8 export control, and intelligence agencies of such Gov-
9 ernment) has demonstrated and continues to dem-
10 onstrate a sustained commitment to seek out and
11 prevent the transfer to or from Iran, North Korea,
12 and Syria of goods, services, and technology that
13 could make a contribute to the nuclear, biological, or
14 chemical weapons, or of ballistic or cruise missile
15 systems development programs of Iran; and

16 (3) neither the Russian Aviation and Space
17 Agency, nor any organization or entity under the ju-
18 risdiction or control of the Russian Aviation and
19 Space Agency, has, during the one-year period end-
20 ing on the date of the determination under this sub-
21 section made transfers to or from Iran, North
22 Korea, or Syria subject to sanctions under section
23 3(a) (other than transfers with respect to which a
24 determination pursuant to section 5 has been or will
25 be made).

1 (c) PRIOR NOTIFICATION.—Not less than five days
2 before making a determination under this section, the
3 President shall notify the Committee on Foreign Affairs
4 and the Committee on Science, Space, and Technology of
5 the House of Representatives and the Committee on For-
6 eign Relations and the Committee on Commerce, Science,
7 and Transportation of the Senate of the President’s inten-
8 tion to make such a determination.

9 (d) WRITTEN JUSTIFICATION.—A determination of
10 the President under this section shall include a written
11 justification describing in detail the facts and cir-
12 cumstances supporting the President’s conclusion.

13 (e) TRANSMISSION IN CLASSIFIED FORM.—If the
14 President considers it appropriate, a determination of the
15 President under this section, a prior notification under
16 subsection (c), and a written justification under subsection
17 (d), or appropriate parts thereof, may be transmitted in
18 classified form.

19 (f) EXCEPTION FOR CREW SAFETY.—

20 (1) EXCEPTION.—The National Aeronautics
21 and Space Administration may make extraordinary
22 payments in connection with the International Space
23 Station to the Russian Aviation and Space Agency
24 or any organization or entity under the jurisdiction
25 or control of the Russian Aviation and Space Agen-

1 cy, or any subcontractor thereof, that would other-
2 wise be prohibited under this section if the President
3 notifies Congress in writing that such payments are
4 necessary to prevent the imminent loss of life of or
5 grievous injury to individuals aboard the Inter-
6 national Space Station.

7 (2) REPORT.—Not later than 30 days after no-
8 tifying Congress that the National Aeronautics and
9 Space Administration will make extraordinary pay-
10 ments under paragraph (1), the President shall
11 transmit to Congress a report describing—

12 (A) the extent to which the provisions of
13 subsection (b) had been met as of the date of
14 notification; and

15 (B) the measures that the National Aero-
16 nautics and Space Administration is taking to
17 ensure that—

18 (i) the conditions posing a threat of
19 imminent loss of life of or grievous injury
20 to individuals aboard the International
21 Space Station necessitating the extraor-
22 dinary payments are not repeated; and

23 (ii) it is no longer necessary to make
24 extraordinary payments in order to prevent
25 imminent loss of life of or grievous injury

1 to individuals aboard the International
2 Space Station.

3 (g) SERVICE MODULE EXCEPTION.—

4 (1) IN GENERAL.—The National Aeronautics
5 and Space Administration may make extraordinary
6 payments in connection with the International Space
7 Station to the Russian Aviation and Space Agency,
8 any organization or entity under the jurisdiction or
9 control of the Russian Aviation and Space Agency,
10 or any subcontractor thereof, that would otherwise
11 be prohibited under this section for the construction,
12 testing, preparation, delivery, launch, or maintenance
13 of the Service Module, and for the purchase
14 (at a total cost not to exceed \$14,000,000) of the
15 pressure dome for the Interim Control Module and
16 the Androgynous Peripheral Docking Adapter and
17 related hardware for the United States propulsion
18 module, if—

19 (A) the President has notified Congress at
20 least five days before making such payments;

21 (B) the entity is not subject to sanctions
22 under section 3(a) with respect to an activity of
23 the entity to receive such payment, and the
24 President has no credible information of any activity
25 that would require such a report; and

1 (C) the United States will receive goods or
2 services of value to the United States commensurate with the value of the extraordinary payments made.

5 (2) DEFINITION.—For purposes of this subsection, the term “maintenance” means activities that cannot be performed by the National Aeronautics and Space Administration and which must be performed in order for the Service Module to provide environmental control, life support, and orbital maintenance functions which cannot be performed by an alternative means at the time of payment.

13 (3) TERMINATION.—This subsection shall cease to be effective on the date that is 60 days after the date on which a United States propulsion module is in place at the International Space Station.

17 (h) EXCEPTION.—No agency of the United States Government may make extraordinary payments in connection with the International Space Station, or any other payments in connection with the International Space Station, to any foreign person subject to measures applied pursuant to section 4 of Executive Order 12938 (November 14, 1994), as amended by Executive Order 13094 (July 28, 1998).

1 (i) REPORT ON CERTAIN PAYMENTS RELATED TO
2 INTERNATIONAL SPACE STATION.—

3 (1) IN GENERAL.—The President shall transmit
4 to the Committee on Foreign Relations of the Sen-
5 ate and the Committee on Foreign Affairs of the
6 House of Representatives a report that identifies
7 each Russian entity or person to whom the United
8 States Government has, since November 22, 2005,
9 made a payment in cash or in kind for work to be
10 performed or services to be rendered under the
11 Agreement Concerning Cooperation on the Civil
12 International Space Station, with annex, signed at
13 Washington January 29, 1998, and entered into
14 force March 27, 2001, or any protocol, agreement,
15 memorandum of understanding, or contract related
16 thereto.

17 (2) CONTENT.—Each report transmitted under
18 paragraph (1) shall include—

19 (A) the specific purpose of each payment
20 made to each entity or person identified in such
21 report; and

22 (B) with respect to each such payment, the
23 assessment of the President that the payment
24 was not prejudicial to the achievement of the
25 objectives of the United States Government to

1 prevent the proliferation of ballistic or cruise
 2 missile systems in Iran and other countries that
 3 have repeatedly provided support for acts of
 4 international terrorism, as determined by the
 5 Secretary of State under section 620A(a) of the
 6 Foreign Assistance Act of 1961 (22 U.S.C.
 7 2371(a)), section 6(j) of the Export Adminis-
 8 tration Act of 1979 (50 U.S.C. App. 2405(j)),
 9 or section 40(d) of the Arms Export Control
 10 Act (22 U.S.C. 2780(d)).

11 **SEC. 9. EXCLUSION FROM THE UNITED STATES OF SENIOR**
 12 **OFFICIALS OF FOREIGN PERSONS WHO HAVE**
 13 **AIDED PROLIFERATION RELATING TO IRAN,**
 14 **NORTH KOREA, AND SYRIA.**

15 Except as provided in subsection (b), the Secretary
 16 of State shall deny a visa to, and the Secretary of Home-
 17 land Security shall exclude from the United States, any
 18 alien whom the Secretary of State determines is an alien
 19 who, on or after the date of the enactment of this Act,
 20 is a—

21 (1) corporate officer, principal, or shareholder
 22 with a controlling interest of a foreign person sub-
 23 ject to sanctions under section 3(a);

24 (2) corporate officer, principal, or shareholder
 25 with a controlling interest of a successor entity to,

1 or a parent or subsidiary of, a foreign person identi-
 2 fied in such a report;

3 (3) corporate officer, principal, or shareholder
 4 with a controlling interest of an affiliate of a foreign
 5 person identified in such a report, if such affiliate
 6 engaged in the activities referred to in such report,
 7 and if such affiliate is controlled in fact by the for-
 8 eign person identified in such report; or

9 (4) spouse, minor child, or agent of a person
 10 excludable under paragraph (1), (2), or (3).

11 **SEC. 10. PROHIBITION ON CERTAIN VESSELS LANDING IN**
 12 **THE UNITED STATES; ENHANCED INSPEC-**
 13 **TIONS.**

14 The Ports and Waterways Safety Act (33 U.S.C.
 15 1221 et seq.) is amended by adding at the end the fol-
 16 lowing:

17 **“SEC. 16. PROHIBITION ON CERTAIN VESSELS LANDING IN**
 18 **THE UNITED STATES; ENHANCED INSPEC-**
 19 **TIONS.**

20 “(a) CERTIFICATION REQUIREMENT.—

21 “(1) IN GENERAL.—Beginning on the date of
 22 enactment of the Iran, North Korea, and Syria Non-
 23 proliferation Accountability Act of 2013, before a
 24 vessel arrives at a port in the United States, the
 25 owner, charterer, operator, or master of the vessel

1 shall certify that the vessel did not enter a port in
2 Iran, North Korea, or Syria during the 180-day pe-
3 riod ending on the date of arrival of the vessel at the
4 port in the United States.

5 “(2) FALSE CERTIFICATIONS.—The Secretary
6 shall prohibit from landing at a port in the United
7 States for a period of at least 2 years—

8 “(A) any vessel for which a false certifi-
9 cation was made under section (a); and

10 “(B) any other vessel owned or operated
11 by a parent corporation, partnership, associa-
12 tion, or individual proprietorship of the vessel
13 for which the false certification was made.

14 “(b) ENHANCED INSPECTIONS.—The Secretary
15 shall—

16 “(1) identify foreign ports at which vessels have
17 landed during the preceding 12-month period that
18 have also landed at ports in Iran, North Korea, or
19 Syria during that period; and

20 “(2) inspect vessels arriving in the United
21 States from foreign ports identified under paragraph
22 (1) to establish whether the vessel was involved, dur-
23 ing the 12-month period ending on the date of ar-
24 rival of the vessel at the port in the United States,
25 in any activity that would be subject to sanctions

1 under the Iran, North Korea, and Syria Non-
2 proliferation Accountability Act of 2013.”.

3 **SEC. 11. SANCTIONS WITH RESPECT TO CRITICAL DEFENSE**
4 **RESOURCES PROVIDED TO OR ACQUIRED**
5 **FROM IRAN, NORTH KOREA, OR SYRIA.**

6 (a) IN GENERAL.—The President shall impose the
7 sanctions described in subsection (b) to any person the
8 President determines is, on or after the date of the enact-
9 ment of this Act, providing to, or acquiring from, Iran,
10 North Korea, or Syria any goods, services, or technology
11 the person knows, or should know, is used, or is likely
12 to be used, for military application.

13 (b) SANCTIONS DESCRIBED.—The sanctions de-
14 scribed in this subsection are, with respect to a person
15 described in subsection (a), the following:

16 (1) FOREIGN EXCHANGE.—Prohibiting any
17 transactions in foreign exchange that are subject to
18 the jurisdiction of the United States and in which
19 that person has any interest.

20 (2) BANKING TRANSACTIONS.—Prohibiting any
21 transfers of credit or payments between financial in-
22 stitutions or by, through, or to any financial institu-
23 tion, to the extent that such transfers or payments
24 are subject to the jurisdiction of the United States
25 and involve any interest of that person.

1 (3) PROPERTY TRANSACTIONS.—Prohibiting
2 any person from—

3 (A) acquiring, holding, withholding, using,
4 transferring, withdrawing, transporting, or ex-
5 porting any property that is subject to the ju-
6 risdiction of the United States and with respect
7 to which the person described in subsection (a)
8 has any 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 (4) LOAN GUARANTEES.—Prohibiting the head
15 of any Federal agency from providing a loan guar-
16 antee to that person.

17 (5) ADDITIONAL SANCTIONS.—Additional sanc-
18 tions, as appropriate, in accordance with the Inter-
19 national Emergency Economic Powers Act (50
20 U.S.C. 1701 et seq.).

21 (c) RESTRICTIONS ON EXPORT LICENSES FOR NU-
22 CLEAR COOPERATION AND CERTAIN LOAN GUARAN-
23 TEES.—Before issuing a license for the exportation of any
24 article pursuant to an agreement for cooperation under
25 section 123 of the Atomic Energy Act of 1954 (42 U.S.C.

1 2153) or approving a loan guarantee or any other assist-
 2 ance provided by the United States Government with re-
 3 spect to a nuclear energy project, the Secretary of Energy,
 4 the Secretary of Commerce, and the Nuclear Regulatory
 5 Commission shall certify to Congress that issuing the li-
 6 cense or approving the loan guarantee or other assistance
 7 (as the case may be) will not permit the transfer of any
 8 good or technology described in subsection (a) to Iran,
 9 North Korea, or Syria.

10 (d) EXCEPTION.—The sanctions described in sub-
 11 section (b) shall not apply to the repayment or other satis-
 12 faction of a loan or other obligation incurred under a pro-
 13 gram of the Export-Import Bank of the United States,
 14 as in effect as of the date of the enactment of this Act.

15 **SEC. 12. MULTILATERAL ACTIONS AGAINST IRAN, NORTH**
 16 **KOREA, OR SYRIA.**

17 (a) PROHIBITION ON UNITED STATES ASSISTANCE
 18 TO THE INTERNATIONAL ATOMIC ENERGY AGENCY.—

19 (1) PROHIBITION.—No funds from any United
 20 States assessed or voluntary contribution to the
 21 International Atomic Energy Agency (IAEA) may be
 22 used to support any assistance provided by the
 23 IAEA through its Technical Cooperation Program to
 24 Iran, North Korea, or Syria.

1 (2) WAIVER.—The provisions of paragraph (1)
2 may be waived if—

3 (A) the IAEA has suspended all assistance
4 provided through its Technical Cooperation
5 Program to Iran, North Korea, and Syria; and

6 (B) the President certifies that Iran,
7 North Korea, and Syria—

8 (i) no longer pose a threat to the na-
9 tional security, interests, and allies of the
10 United States; and

11 (ii) are no longer in violation of their
12 international nonproliferation obligations
13 and United Nations Security Council reso-
14 lutions.

15 (3) UNITED STATES ACTIONS AT IAEA.—The
16 President shall direct the United States Permanent
17 Representative to the IAEA to use the voice, vote,
18 and influence of the United States at the IAEA to
19 block the allocation of funds for any assistance pro-
20 vided by the IAEA through its Technical Coopera-
21 tion Program to Iran, North Korea, or Syria.

22 (b) DECLARATION OF POLICY RELATING TO NU-
23 CLEAR NONPROLIFERATION TREATY.—

24 (1) FINDINGS.—Congress finds the following:

1 (A) The Governments of Iran, North
2 Korea, and Syria are in clear violation of inter-
3 national nonproliferation agreements and
4 United Nations Security Council resolutions.

5 (B) The pursuit by the Governments of
6 Iran, North Korea, and Syria of covert nuclear
7 activities and their refusal to cooperate with the
8 International Atomic Energy Agency in its past
9 and current investigations into their nuclear
10 programs are further evidence of their dis-
11 regard for their nonproliferation obligations.

12 (C) The Governments of Iran, North
13 Korea, and Syria are not in good standing with
14 respect to their nonproliferation obligations.

15 (D) The actions of the Governments of
16 Iran, North Korea, and Syria have dem-
17 onstrated their respective nuclear programs are
18 not for peaceful use.

19 (2) DECLARATION OF POLICY.—Congress de-
20 clares that the Governments of Iran, North Korea,
21 and Syria have forfeited all privileges under the
22 Treaty on the Nonproliferation of Nuclear Weapons,
23 including access to nuclear equipment, materials,
24 and information.

1 (3) DENIAL OF NPT PRIVILEGES TO IRAN,
2 NORTH KOREA, AND SYRIA.—The United States Per-
3 manent Representative to the United Nations and
4 the United States Permanent Representative to the
5 International Atomic Energy Agency shall use the
6 voice, vote, and influence of the United States to se-
7 cure adoption of a resolution at the United Nations
8 Security Council and at the IAEA declaring that
9 Iran, North Korea, and Syria have forfeited all privi-
10 leges under the Treaty on the Nonproliferation of
11 Nuclear Weapons.

12 (c) REPORT.—Not later than 90 days after the date
13 of the enactment of this Act, the President shall transmit
14 to the appropriate congressional committees a report on
15 the implementation of this section.

16 **SEC. 13. REPEAL OF WAIVER OF SANCTIONS RELATING TO**
17 **DEVELOPMENT OF WEAPONS OF MASS DE-**
18 **STRUCTION OR OTHER MILITARY CAPABILI-**
19 **TIES.**

20 Section 9(c)(1) of the Iran Sanctions Act of 1996
21 (Public Law 104–172; 50 U.S.C. 1701 note) is amend-
22 ed—

23 (1) by striking subparagraph (B);

24 (2) by redesignating subparagraph (C) as sub-
25 paragraph (B); and

1 (3) in subparagraph (B) (as redesignated by
2 paragraph (2) of this section)—

3 (A) by striking “or (B)” each place it ap-
4 pears; and

5 (B) by striking “, as applicable”.

6 **SEC. 14. DEFINITIONS.**

7 In this Act:

8 (1) ADHERENT TO RELEVANT NONPROLIFERA-
9 TION REGIME.—A government is an “adherent” to a
10 “relevant nonproliferation regime” if such govern-
11 ment—

12 (A) is a member of the Nuclear Suppliers
13 Group with respect to a transfer of goods, serv-
14 ices, or technology described in section
15 3(a)(1)(A)(i);

16 (B) is a member of the Missile Technology
17 Control Regime with respect to a transfer of
18 goods, services, or technology described in sec-
19 tion 3(a)(1)(A)(ii), or is a party to a binding
20 international agreement with the United States
21 that was in effect on January 1, 1999, to con-
22 trol the transfer of such goods, services, or
23 technology in accordance with the criteria and
24 standards set forth in the Missile Technology
25 Control Regime;

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

4 (D) is a party to the Convention on the
5 Prohibition of the Development, Production,
6 Stockpiling and Use of Chemical Weapons and
7 on Their Destruction with respect to a transfer
8 of goods, services, or technology described in
9 section 3(a)(1)(A)(iv); or

10 (E) is a member of the Wassenaar Ar-
11 rangement with respect to a transfer of goods,
12 services, or technology described in section
13 3(a)(1)(A)(v).

14 (2) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means the Committee on Foreign Affairs of
17 the House of Representatives and the Committee on
18 Foreign Relations and the Committee on Banking,
19 Housing, and Urban Affairs of the Senate.

20 (3) EXTRAORDINARY PAYMENTS IN CONNEC-
21 TION WITH THE INTERNATIONAL SPACE STATION.—
22 The term “extraordinary payments in connection
23 with the International Space Station” means pay-
24 ments in cash or in kind made or to be made by the
25 United States Government—

1 (A) for work on the International Space
2 Station which the Government of the Russian
3 Federation pledged at any time to provide at its
4 expense, or

5 (B) for work on the International Space
6 Station not required to be made under the
7 terms of a contract or other agreement that
8 was in effect on January 1, 1999, as such
9 terms were in effect on such date,
10 except that such term does not mean payments in
11 cash or in kind made or to be made by the United
12 States Government before December 31, 2020, for
13 work to be performed or services to be rendered be-
14 fore such date necessary to meet United States obli-
15 gations under the Agreement Concerning Coopera-
16 tion on the Civil International Space Station, with
17 annex, signed at Washington January 29, 1998, and
18 entered into force March 27, 2001, or any protocol,
19 agreement, memorandum of understanding, or con-
20 tract related thereto.

21 (4) FOREIGN PERSON.—The term “foreign per-
22 son” means—

23 (A) a natural person who is an alien;

24 (B) a corporation, business association,
25 partnership, society, trust, or any other non-

1 governmental entity, organization, or group,
2 successor, subunit, or subsidiary organized
3 under the laws of a foreign country or that has
4 its principal place of business in a foreign coun-
5 try; and

6 (C)(i) any foreign government; or

7 (ii) any foreign government agency or enti-
8 ty.

9 (5) KNOWINGLY.—The term “knowingly”, with
10 respect to conduct, a circumstance, or a result,
11 means that a person knew, or should have known,
12 of the conduct, the circumstance, or the result of
13 such conduct, circumstance, or result.

14 (6) ORGANIZATION OR ENTITY UNDER THE JU-
15 RISDICTION OR CONTROL OF THE RUSSIAN AVIATION
16 AND SPACE AGENCY.—

17 (A) DEFINITION.—The term “organization
18 or entity under the jurisdiction or control of the
19 Russian Aviation and Space Agency” means an
20 organization or entity that—

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

24 (ii) was transferred to the Russian
25 Space Agency by decree of the Government

1 of the Russian Federation on July 25,
2 1994, or May 12, 1998;

3 (iii) was or is transferred to the Rus-
4 sian Aviation and Space Agency or Rus-
5 sian Space Agency by decree of the Gov-
6 ernment of the Russian Federation at any
7 other time before, on, or after March 14,
8 2000; or

9 (iv) is a joint stock company in which
10 the Russian Aviation and Space Agency or
11 Russian Space Agency has at any time
12 held controlling interest.

13 (B) EXTENSION.—Any organization or en-
14 tity described in subparagraph (A) shall be
15 deemed to be under the jurisdiction or control
16 of the Russian Aviation and Space Agency re-
17 gardless of whether—

18 (i) such organization or entity, after
19 being part of or transferred to the Russian
20 Aviation and Space Agency or Russian
21 Space Agency, is removed from or trans-
22 ferred out of the Russian Aviation and
23 Space Agency or Russian Space Agency; or

24 (ii) the Russian Aviation and Space
25 Agency or Russian Space Agency, after

1 holding a controlling interest in such orga-
2 nization or entity, divests its controlling in-
3 terest.

4 (7) SUBSIDIARY.—The term “subsidiary”
5 means an entity (including a partnership, associa-
6 tion, trust, joint venture, corporation, or other orga-
7 nization) of a parent company that controls, directly
8 or indirectly, the other entity.

9 (8) TRANSFER OR TRANSFERRED.—The term
10 “transfer” or “transferred”, with respect to a good,
11 service, or technology, includes—

12 (A) the conveyance of technological or in-
13 tellectual property; and

14 (B) the conversion of technological or intel-
15 lectual advances into marketable goods, serv-
16 ices, or technology of value that is developed
17 and generated in one location and transferred
18 to another location through illegal or illicit
19 means.

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

22 (A) a natural person who is a citizen or
23 resident of the United States; or

1 (B) an entity that is organized under the
2 laws of the United States or any State or terri-
3 tory thereof.

4 (10) VESSEL.—The term “vessel” has the
5 meaning given such term in section 1081 of title 18,
6 United States Code. Such term also includes air-
7 craft, regardless of whether or not the type of air-
8 craft at issue is described in such section.

9 (11) TECHNICAL ASSISTANCE.—The term
10 “technical assistance” means providing of advice, as-
11 sistance, and training pertaining to the installation,
12 operation, and maintenance of equipment for desta-
13 bilizing types and forms of conventional weapons.

14 **SEC. 15. REPEAL OF IRAN, NORTH KOREA, AND SYRIA NON-**
15 **PROLIFERATION ACT.**

16 (a) REPEAL.—The Iran, North Korea, and Syria
17 Nonproliferation Act (50 U.S.C. 1701 note) is repealed.

18 (b) REFERENCES.—Any reference in a law, regula-
19 tion, document, or other record of the United States to
20 the Iran, North Korea, and Syria Nonproliferation Act
21 shall be deemed to be a reference to this Act.

22 **SEC. 16. RULE OF CONSTRUCTION.**

23 Nothing in this Act or the amendments made by this
24 Act—

1 (1) shall be construed to limit the authority of
2 the President to impose additional sanctions pursu-
3 ant to the International Emergency Economic Pow-
4 ers Act (50 U.S.C. 1701 et seq.), relevant Executive
5 orders, and other provisions of law; or

6 (2) shall apply to the authorized intelligence ac-
7 tivities of the United States.

○