

115TH CONGRESS
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H. R. 4591

To impose sanctions with respect to Iranian persons that threaten the peace or stability of Iraq or the Government of Iraq.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2017

Mr. KINZINGER (for himself, Mr. SUOZZI, Mrs. WAGNER, Mr. DIAZ-BALART, Mr. NUNES, Mr. WEBER of Texas, Mr. ZELDIN, Mr. OLSON, Mr. HUNTER, Mr. KING of New York, Mr. GALLAGHER, Mr. RUSSELL, Mr. THOMPSON of Pennsylvania, Ms. STEFANIK, and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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 impose sanctions with respect to Iranian persons that threaten the peace or stability of Iraq or the Government of Iraq.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Iranian De-
5 stabilization of Iraq Act of 2017”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It shall be the policy of the United States to impose
3 sanctions with respect to terrorist organizations and for-
4 eign countries, including the Government of Iran, that
5 threaten the peace or stability and impede the democratic
6 processes of Iraq or the Government of Iraq.

7 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO IRA-**
8 **NIAN PERSONS THREATENING PEACE OR**
9 **STABILITY IN IRAQ.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Secretary of the Treasury and the Secretary
12 of State should continue to implement Executive Order
13 13438 (50 U.S.C. 1701 note; relating to blocking property
14 of certain persons who threaten stabilization efforts in
15 Iraq).

16 (b) IMPOSITION OF SANCTIONS.—The President shall
17 impose the sanctions described in subsection (c)(1)(A) and
18 the Secretary of State or the Secretary of Homeland Secu-
19 rity (or a designee of one of such Secretaries) shall impose
20 the sanctions described in subsection (c)(1)(B) with re-
21 spect to any Iranian person that the President, acting
22 through the Secretary of State or the Secretary of Home-
23 land Security (or a designee of one of such Secretaries),
24 as the case may be, determines—

1 (1) to have knowingly committed, or to pose a
2 significant risk of committing, an act or acts of vio-
3 lence that have the purpose or effect of—

4 (A) threatening the peace or stability of
5 Iraq or the Government of Iraq;

6 (B) undermining or attempting to under-
7 mine, co-opt, or confound the democratic proc-
8 ess in Iraq; or

9 (C) undermining efforts to promote eco-
10 nomic reconstruction and political reform in
11 Iraq or to provide humanitarian assistance to
12 the Iraqi people;

13 (2) has knowingly materially assisted, spon-
14 sored, or provided financial, material, or techno-
15 logical support for, or goods or services to or in sup-
16 port of, any activity described in subparagraph (A),
17 (B), or (C) of paragraph (1); or

18 (3) is owned or controlled by, or has acted or
19 purported to act for or on behalf of, directly or indi-
20 rectly, a foreign person that has carried out any ac-
21 tivity described in subparagraph (A), (B), or (C) of
22 paragraph (1) or paragraph (2).

23 (c) SANCTIONS DESCRIBED.—

24 (1) IN GENERAL.—The sanctions described in
25 this subsection are the following:

1 (A) ASSET BLOCKING.—The exercise of all
2 powers granted to the President by the Inter-
3 national Emergency Economic Powers Act (50
4 U.S.C. 1701 et seq.) to the extent necessary to
5 block and prohibit all transactions in all prop-
6 erty and interests in property of an entity de-
7 termined by the President to be subject to sub-
8 section (b) if such property and interests in
9 property are in the United States, come within
10 the United States, or are or come within the
11 possession or control of a United States person.

12 (B) ALIENS INELIGIBLE FOR VISAS, AD-
13 MISSION, OR PAROLE.—

14 (i) VISAS, ADMISSION, OR PAROLE.—

15 An alien who the Secretary of State or the
16 Secretary of Homeland Security (or a des-
17 ignee of one of such Secretaries) knows or
18 has reasonable grounds to believe meets
19 any of the criteria described in subsection
20 (b) is—

21 (I) inadmissible to the United

22 States;

23 (II) ineligible to receive a visa or

24 other documentation to enter the

25 United States; and

1 (III) otherwise ineligible to be
2 admitted or paroled into the United
3 States or to receive any other benefit
4 under the Immigration and Nation-
5 ality Act (8 U.S.C. 1101 et seq.).

6 (ii) CURRENT VISAS REVOKED.—

7 (I) IN GENERAL.—Any visa or
8 other documentation issued to an
9 alien who is an Iranian person on the
10 list required under subsection (b), re-
11 gardless of when such visa or other
12 documentation was issued, shall be re-
13 voked and such alien shall be denied
14 admission to the United States.

15 (II) EFFECT OF REVOCATION.—
16 A revocation under subclause (I) shall
17 take effect immediately and shall
18 automatically cancel any other valid
19 visa or entry documentation that is in
20 the alien's possession.

21 (2) INAPPLICABILITY OF NATIONAL EMER-
22 GENCY REQUIREMENT.—The requirements of section
23 202 of the International Emergency Economic Pow-
24 ers Act (50 U.S.C. 1701) shall not apply for pur-

1 poses of the imposition of sanctions under this sec-
2 tion.

3 (3) PENALTIES.—A person that is subject to
4 sanctions described in paragraph (1)(A) shall be
5 subject to the penalties set forth in subsections (b)
6 and (c) of section 206 of the International Emer-
7 gency Economic Powers Act (50 U.S.C. 1705) to the
8 same extent as a person that commits an unlawful
9 act described in subsection (a) of that section.

10 (4) EXCEPTION TO COMPLY WITH UNITED NA-
11 TIONS HEADQUARTERS AGREEMENT.—Sanctions
12 under paragraph (1)(B) shall not apply to an alien
13 if admitting the alien into the United States is nec-
14 essary to permit the United States to comply with
15 the Agreement regarding the Headquarters of the
16 United Nations, signed at Lake Success June 26,
17 1947, and entered into force November 21, 1947,
18 between the United Nations and the United States,
19 or other applicable international obligations.

20 (d) WAIVER.—The President may, on a case-by-case
21 basis and for periods not to exceed 90 days, waive the
22 application of sanctions in this section with respect to an
23 Iranian person if the President certifies to the appropriate
24 congressional committees at least 15 days before such

1 waiver is to take effect that such waiver is vital to the
2 national security interests of the United States.

3 (e) IMPLEMENTATION AUTHORITY.—The President
4 may exercise all authorities provided to the President
5 under sections 203 and 205 of the International Emer-
6 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
7 for purposes of carrying out this section.

8 (f) REGULATORY AUTHORITY.—

9 (1) IN GENERAL.—The President shall, not
10 later than 90 days after the date of the enactment
11 of this Act, promulgate regulations as necessary for
12 the implementation of this section.

13 (2) NOTIFICATION TO CONGRESS.—Not less
14 than 10 days before the promulgation of regulations
15 under paragraph (1), the President shall notify and
16 provide to the appropriate congressional committees
17 the proposed regulations and the provisions of this
18 section that the regulations are implementing.

19 (g) DEFINITIONS.—In this section—

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Foreign Affairs, the
24 Committee on the Judiciary, the Committee on
25 Ways and Means, and the Committee on Finan-

1 cial Services of the House of Representatives;
2 and

3 (B) the Committee on Foreign Relations
4 and the Committee on Banking, Housing, and
5 Urban Affairs of the Senate.

6 (2) IRANIAN PERSON.—The term “Iranian per-
7 son” means—

8 (A) an individual who is a citizen or na-
9 tional of Iran; and

10 (B) an entity organized under the laws of
11 Iran or otherwise subject to the jurisdiction of
12 the Government of Iran.

13 (3) UNITED STATES PERSON.—The term
14 “United States person” has the meaning given that
15 term in section 576.317 of title 31, Code of Federal
16 Regulations, as in effect on June 22, 2016.

17 (4) ADMITTED; ALIEN.—The terms “admitted”
18 and “alien” have the meanings given those terms in
19 section 101(3) of the Immigration and Nationality
20 Act (8 U.S.C. 1101(3)).

21 (5) KNOWINGLY.—The term “knowingly”, with
22 respect to conduct, a circumstance, or a result,
23 means that a person has actual knowledge, or should
24 have known, of the conduct, the circumstance, or the
25 result.

1 (6) GOVERNMENT OF IRAQ.—The term “Gov-
2 ernment of Iraq” has the meaning given that term
3 in section 576.310 of title 31, Code of Federal Reg-
4 ulations, as in effect on June 22, 2016.

5 (7) PERSON.—The term “person” has the
6 meaning given that term in section 576.311 of title
7 31, Code of Federal Regulations, as in effect on
8 June 22, 2016.

9 (8) PROPERTY; PROPERTY INTEREST.—The
10 terms “property” and “property interest” have the
11 meanings given those terms in section 576.312 of
12 title 31, Code of Federal Regulations, as in effect on
13 June 22, 2016.

14 (h) SUNSET.—This section shall cease to be effective
15 beginning on January 1, 2022.

16 **SEC. 4. REPORT ON ACTIVITIES OF THE GOVERNMENT OF**
17 **IRAN IN IRAQ.**

18 (a) REPORT.—Not later than 90 days after the date
19 of the enactment of this Act, and every 180 days there-
20 after for a period not to exceed 5 years, the President shall
21 submit to the appropriate congressional committees a re-
22 port on activities of the Government of Iran in Iraq.

23 (b) MATTERS TO BE INCLUDED.—The report re-
24 quired by subsection (a) shall include a description of the
25 following:

1 (1) The Government of Iran’s support for Iraqi
2 militias or political parties, including weapons, fi-
3 nancing, and other forms of material support.

4 (2) A list of referrals to the relevant United
5 Nations Security Council sanctions committees by
6 the United States Permanent Representative to the
7 United Nations.

8 (3) Iranian persons that are in Iraq despite the
9 asset freeze and visa ban sanctions imposed against
10 such entities pursuant to United Nations Security
11 Council Resolution 2231.

12 (4) Iraqi persons that have aided, abetted, or
13 facilitated the Government of Iran’s transport of
14 personnel, money, and munitions into Syria to aid
15 the regime of Bashar al-Assad.

16 (5) Iraqi financial institutions that are pro-
17 viding credit, loans, or other assistance to Govern-
18 ment of Iran-backed irregular or militia forces re-
19 sponsible for engaging in activities described in sec-
20 tion 3(b).

21 (6) Actions taken by the Government of Iran to
22 influence Shia institutions in Najaf, Iraq.

23 (c) FORM.—The report required by subsection (a)
24 shall be submitted in classified form if it is determined

1 that it is necessary for the national security interests of
2 the United States to do so.

3 (d) DEFINITION.—In this section, the term “appro-
4 priate congressional committees” means—

5 (1) the Committee on Foreign Affairs, the
6 Committee on Armed Services, the Committee on
7 Ways and Means, and the Committee on Financial
8 Services of the House of Representatives; and

9 (2) the Committee on Foreign Relations, the
10 Committee on Armed Services, the Committee on Fi-
11 nance, and the Committee on Banking, Housing,
12 and Urban Affairs of the Senate.

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