

115TH CONGRESS
1ST SESSION

H. R. 566

To require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2017

Mr. ROSKAM (for himself, Mr. SHERMAN, and Mr. ZELDIN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other 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.**

4 This Act may be cited as the “Terror-Free Skies
5 Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Iran is designated as the world's foremost
2 state sponsor of terrorism and a direct threat to the
3 national security of the United States and United
4 States allies.

5 (2) Iran, through its Islamic Revolutionary
6 Guard Corps (IRGC), provides material and finan-
7 cial support to Foreign Terrorist Organizations
8 (FTO), including Hamas, Hezbollah, and Kata'ib
9 Hezbollah, as well as to the Bashar al-Assad regime
10 in Syria which is responsible for over 400,000 civil-
11 ian deaths.

12 (3) Iran has systematically employed its na-
13 tional air carrier, Iran Air, as well as numerous pri-
14 vate and publically owned Iranian and Syrian air-
15 liners, including Mahan Air, to ferry weapons,
16 troops, and military equipment on behalf of the
17 IRGC and Iran's Ministry of Defense and Armed
18 Forces Logistics (MODAFL) to FTOs and rogue re-
19 gimes around the world.

20 (4) On June 23, 2011, the U.S. Department of
21 the Treasury designated Iran Air pursuant to Exec-
22 utive Order 13882 for providing material support
23 and services to the IRGC, including shipping mili-
24 tary-related equipment on behalf of the IRGC since
25 2006 and transporting rockets or missiles to Syria.

1 (5) On January 16, 2016, Iran Air was delisted
2 as a Specially Designated National (SDN) by the
3 U.S. Department of the Treasury even though Iran
4 Air had not ceased its illicit and sanctionable activ-
5 ity.

6 (6) Iran Air remains owned and operated by
7 the Iranian government and has, since January 16,
8 2016, flown numerous unscheduled flights on well-
9 known weapons supply routes between Iran and
10 Syria.

11 (7) In correspondence with U.S. Members of
12 Congress, the U.S. Department of the Treasury has
13 refused to confirm that Iran Air has ceased its illicit
14 activity. In a November 23, 2016, letter to Rep.
15 Peter Roskam, Thomas Patrick Maloney, Senior Ad-
16 visor in the Office of Legislative Affairs of the U.S.
17 Department of the Treasury wrote: “The United
18 States retains the ability to designate any individual
19 or entity that engages in sanctionable activities
20 under our authorities targeting conduct outside the
21 scope of the JCPOA, including Iran’s support for
22 terrorism, human rights abuses, ballistic missile pro-
23 gram, and other destabilizing activities in the re-
24 gion.”.

1 (8) Evidence supports that despite being re-
2 moved from the Specially Designated National
3 (SDN) on January 16, 2016, Iran Air has since con-
4 tinued its illicit and sanctionable activity in support
5 of the IRGC, MODAFL, Hezbollah, and the Bashar
6 al-Assad regime since January 16, 2016.

7 **SEC. 3. REPORT ON USE BY THE GOVERNMENT OF IRAN OF**
8 **COMMERCIAL AIRCRAFT AND RELATED**
9 **SERVICES FOR ILLICIT MILITARY OR OTHER**
10 **ACTIVITIES.**

11 (a) REPORT.—Not later than 180 days after the date
12 of the enactment of this Act, and every 180 days there-
13 after, the President, in consultation with the Secretary of
14 Defense, the Secretary of State, and the Director of Na-
15 tional Intelligence, shall submit to the Committee on
16 Armed Services, Committee on Foreign Affairs, and the
17 Permanent Select Committee on Intelligence of the House
18 of Representatives and the Committee on Armed Services,
19 Committee on Foreign Relations, and the Select Com-
20 mittee on Intelligence of the Senate a report on use by
21 the Government of Iran of commercial aircraft and related
22 services for illicit military or other activities on or after
23 the date that is the beginning of the 5-year period ending
24 on the date of the enactment of this Act.

1 (b) ELEMENTS OF REPORT.—The report required
2 under subsection (a) shall include a description of the ex-
3 tent to which—

4 (1) the Government of Iran has used commer-
5 cial aircraft, including aircraft of Iran Air, or re-
6 lated services to transport illicit cargo to or from
7 Iran, including military goods, weapons, military
8 personnel, military-related electronic parts and me-
9 chanical equipment, or rocket or missile components;

10 (2) the commercial aviation sector of Iran, in-
11 cluding Iran Air, has provided financial, material, or
12 technological support to the IRGC, MODAFL, the
13 Bashar al Assad Regime, Hezbollah, Hamas, Kata'ib
14 Hezbollah, or any other FTOs or entities designated
15 on the SDN list; and

16 (3) foreign governments and persons have fa-
17 cilitated the activities described in paragraph (1), in-
18 cluding allowing the use of airports, services, or
19 other resources.

20 (c) EFFECT OF DETERMINATION.—If, in a report
21 submitted under this section, the President determines
22 that Iran Air or any other Iranian commercial airliner has
23 used or has been using commercial aircraft for illicit mili-
24 tary purposes on or after January 16, 2016, the President
25 shall, within 90 days of making such determination, des-

1 designate such airline as a specially designated national and
2 blocked person on the list maintained by the Office of For-
3 eign Assets Control of the Department of the Treasury.

4 **SEC. 4. SUNSET.**

5 This Act shall cease to be effective on the date that
6 is 30 days after the date on which the President certifies
7 to Congress that the Government of Iran has ceased pro-
8 viding support for acts of international terrorism.

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