

strive to make sure that our constituents have access to the ballot box and are able to have their voices heard. This is of course just one reform we must make to ensure that our citizens' voting rights are protected. In the coming weeks, I intend to reintroduce legislation to restore the full protections of the Voting Rights Act. It has now been almost 4 years since the Supreme Court's devastating decision in *Shelby County v. Holder*, and we have seen the effect of that disastrous ruling as States have attempted to enact discriminatory voter ID laws and other measures intended to prevent minority voters from going to the polls. That is disgraceful, and we must do better. Congress must act to ensure that millions of Americans are not disenfranchised.

The right to vote should not be a partisan issue. It is a right that forms the basis of our democracy, and it is incumbent on all Americans, Democratic and Republican, to ensure that no American's right to vote is infringed. Modernizing our voter registration system is one significant step forward.

By Mr. DAINES (for himself, Mr. GRAHAM, Mr. CORNYN, Mr. HELLER, Mr. HATCH, Mr. CRAPO, Mr. GRASSLEY, Mr. ISAKSON, and Mr. RUBIO):

S.J. Res. 46. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

Mr. DAINES. Mr. President, today, June 14, 2017 marks the 240th observance of "Flag Day," a day which commemorates the adoption of the flag of the United States by a resolution of the Second Continental Congress in 1777. Deeply symbolic, our flag honors the sovereignty of each of our Nation's 50 States and the great sacrifices many Americans have made to uphold its bedrock principles of freedom and liberty. The Department of Veterans Affairs estimates that over one million military service members have given their lives in the line of duty under our flag. Title 4 of United States Code, "The Flag Code" sets specific requirements for the handling and display of the flag, as a sign of respect to the symbol of our Nation.

In 1989, with a disappointing 5-4 vote, the U.S. Supreme Court held in *Texas v. Johnson* that the desecration of the United States flag was a form of free speech under the First Amendment to the Constitution. Here, Chief Justice Rehnquist rightly observed in his dissent that "the flag is not simply another 'idea' or 'point of view' competing for recognition in the market-

place of ideas." Justice Kennedy, in his majority concurrence, recognized that many would be dismayed by the court's decision, and himself called the result distasteful. Yet, he explained that the court was bound to its decision according to the provisions of the Constitution. The Supreme Court reaffirmed this decision in *United States v. Eichman* in 1990. It ruled, again by 5-4 vote, that as Constitutional free speech, desecration of the flag cannot be prohibited by Federal or State statute. At the time of the Supreme Court's ruling, 48 of the 50 States had enacted statutes prohibiting desecration of the United States Flag.

My resolution proposes an amendment to the Constitution, establishing Congressional authority to prohibit the desecration of the flag of the United States. This resolution initiates the process to amend the Constitution, which must be agreed to by two-thirds of both houses of Congress, and ratified by three-fourths of the States. A high bar to meet, similar legislation passed the House of Representatives in 2006, and fell short of passage in the Senate by only one vote.

My resolution provides Congress with the authority that the Supreme Court decided it lacked in *Texas v. Johnson* and *United States v. Eichman*. This should remove any doubt in the mind of the Supreme Court on the Constitutionality of acts of flag desecration. A matter which has been long settled in the Court of public opinion.

S.J. RES. 46

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission by the Congress:*

"ARTICLE—

"The Congress shall have power to prohibit the physical desecration of the flag of the United States."

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 235. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table.

SA 236. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 237. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 238. Mr. RUBIO (for himself, Mr. PORTMAN, Mrs. FISCHER, Mr. MARKEY, Mr. GRAHAM, Mr. NELSON, Mr. YOUNG, Mr. WICKER, Mr. COONS, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. MORAN, and Mr. HELLER) submitted an amendment intended to be pro-

posed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 239. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 240. Mr. GRAHAM (for himself, Mr. BROWN, Mr. MCCAIN, Mr. BLUMENTHAL, Mr. RUBIO, Mr. REED, Mr. TILLIS, Ms. BALDWIN, Mr. CASEY, Mr. INHOFE, Mr. COONS, Mr. PORTMAN, Mr. CORKER, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. BENNET, Mr. YOUNG, Mr. FRANKEN, Mr. WICKER, Mrs. SHAHEEN, Mr. BARRASSO, Ms. KLOBUCHAR, Mr. WARNER, Mrs. GILLIBRAND, Mr. KAINE, Mr. MURPHY, Mr. MARKEY, Ms. WARREN, Mr. CARPER, Mr. BLUNT, Mr. SULLIVAN, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 722, supra.

SA 241. Mr. CARDIN (for himself, Mr. PORTMAN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 242. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 722, supra; which was ordered to lie on the table.

SA 243. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 244. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 245. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 246. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 247. Mr. GARDNER (for himself, Mr. COONS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 248. Mr. PERDUE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 249. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 232 proposed by Mr. MCCONNELL (for Mr. CRAPO (for himself, Mr. BROWN, Mr. CORKER, and Mr. CARDIN)) to the bill S. 722, supra; which was ordered to lie on the table.

SA 250. Mr. GARDNER (for himself, Mr. SHELBY, Mr. STRANGE, Mr. NELSON, Mr. WARNER, Mr. BENNET, and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 722, supra.

SA 251. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 252. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 232 proposed by Mr. MCCONNELL (for Mr. CRAPO (for himself, Mr. BROWN, Mr. CORKER, and Mr. CARDIN)) to the bill S. 722, supra; which was ordered to lie on the table.

SA 253. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

SA 254. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 722, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 235. Mr. COTTON submitted an amendment intended to be proposed by

him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 13. IMPOSITION OF SANCTIONS WITH RESPECT TO VIOLATIONS OF THE INF TREATY BY THE RUSSIAN FEDERATION.**

(a) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (b) with respect to any Russian person that the President determines, on or after the date of the enactment of this Act—

(1) knowingly directs, implements, provides support for, or otherwise participates in actions or projects of the Government of the Russian Federation that constitute a material breach of the INF Treaty;

(2) is a successor entity to a person referred to in paragraph (1);

(3) owns or controls or is owned or controlled by a person referred to in paragraph (1);

(4) forms an entity with the purpose of evading sanctions that would otherwise be imposed pursuant to paragraph (3);

(5) is acting for or on behalf of a person referred to in paragraph (1), (2), (3), or (4); or

(6) knowingly provides or attempts to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in paragraph (1), (2), (3), (4) or (5).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) DEFINITIONS.—In this section:

(1) INF TREATY.—The term "INF Treaty" means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(2) RUSSIAN PERSON.—The term "Russian person" means—

(A) an individual who is a citizen or national of the Russian Federation; or

(B) an entity organized under the laws of the Russian Federation or otherwise subject to the jurisdiction of the Government of the Russian Federation.

**SEC. 14. IMPOSITION OF SANCTIONS WITH RESPECT TO EMPLOYEES AND AGENTS OF KASPERSKY LAB.**

(a) IMPOSITION OF SANCTIONS.—

(1) FOUNDERS, DIRECTORS, AND SENIOR CORPORATE LEADERSHIP.—The President shall

impose the sanctions described in subsection (b) with respect to any citizen or national of the Russian Federation that the President determines, on or after the date of the enactment of this Act, is a founder, director, or member of the senior corporate leadership of Kaspersky Lab.

(2) EMPLOYEES AND AGENTS.—The President shall impose the sanctions described in subsection (b)(2) with respect to any citizen or national of the Russian Federation that the President determines, on or after the date of the enactment of this Act, is an employee or agent of Kaspersky Lab.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any individual subject to subsection (a) if such property and interests in property are in the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any individual subject to subsection (a).

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

**SA 236.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 6 and 7, insert the following:

**SEC. 11. REPORT ON IRANIAN ACTIVITIES IN IRAQ AND SYRIA.**

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed 5 years, the President shall submit to the appropriate congressional committees a report on Iranian activities in Iraq and Syria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) a description of Iran's support for—

(A) Iraqi militias or political parties, including weapons, financing, and other forms of material support; and

(B) the regime of Bashar al-Assad in Syria; and

(2) a list of referrals to the relevant United Nations Security Council sanctions committees by the United States Permanent Representative to the United Nations.

(c) FORM.—The President may submit the report required by subsection (a) in classified form if the President determines that it is necessary for the national security interests of the United States to do so.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Affairs, the Permanent Select Committee on Intel-

ligence, the Committee on Armed Services, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

**SA 237.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 19 and 20, insert the following:

**SEC. 9. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN FOREIGN PERSONS THREATENING PEACE OR STABILITY IN IRAQ AND SYRIA.**

(a) SANCTIONS REQUIRED.—The President shall impose the sanctions described in subsection (b)(1) with respect to any foreign person that—

(1) is responsible for or complicit in, or to have engaged in, directly or indirectly—

(A) actions that threaten the peace, security, or stability of Iraq or Syria;

(B) actions or policies that undermine efforts to promote economic reconstruction and political reform in Iraq; or

(C) the obstruction of the delivery or distribution of, or access to, humanitarian assistance to the people of Iraq or Syria;

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in subparagraph (A), (B), or (C) of paragraph (1); or

(3) is owned or controlled by, or has acted or purported to act for or on behalf of, directly or indirectly, a foreign person that has carried out any activity described in subparagraph (A), (B), or (C) of paragraph (1) or paragraph (2).

(b) SANCTIONS DESCRIBED.—

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

(A) ASSET BLOCKING.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of a person subject to subsection (a) if such property and interests in property are in the United States, or are or come within the possession or control of a United States person.

(B) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(i) EXCLUSION FROM THE UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to an alien subject to subsection (a), regardless of when issued.

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

(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of

section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of the imposition of sanctions under this section.

(3) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(4) **EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.**—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) **WAIVER.**—

(1) **IN GENERAL.**—The President may, on a case-by-case basis and for periods not to exceed 180 days, waive the application of sanctions under this section with respect to a foreign person, and may renew the waiver for additional periods of not more than 180 days, if the President determines and reports to the appropriate congressional committees at least 15 days before the waiver or renewal of the waiver is to take effect that the waiver is vital to the national security interests of the United States.

(2) **FORM OF REPORT.**—A report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(3) **SUNSET.**—The provisions of this subsection and any waivers issued pursuant to this subsection shall terminate on the date that is 3 years after the date of the enactment of this Act.

(d) **IMPLEMENTATION AUTHORITY.**—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(e) **REGULATORY AUTHORITY.**—

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

(2) **NOTIFICATION TO CONGRESS.**—Not less than 10 days before the promulgation of regulations under paragraph (1), the President shall notify and provide to the appropriate congressional committees the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(f) **DEFINITIONS.**—In this section:

(1) **ADMITTED; ALIEN.**—The terms “admitted” and “alien” have the meanings given those terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) **FOREIGN PERSON.**—The term “foreign person” means—

(A) an individual who is not a United States person;

(B) a corporation, partnership, or other nongovernmental entity that is not a United States person; or

(C) any representative, agent or instrumentality of, or an individual working on behalf of a foreign government.

(4) **GOVERNMENT OF IRAQ.**—The term “Government of Iraq” has the meaning given that term in section 542.305 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(5) **GOVERNMENT OF SYRIA.**—The term “Government of Syria” has the meaning given that term in section 542.305 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) **KNOWINGLY.**—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) **PERSON.**—The term “person” means an individual or entity.

(8) **PROPERTY; PROPERTY INTEREST.**—The terms “property” and “property interest” have the meanings given those terms in section 576.312 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(9) **UNITED STATES PERSON.**—The term “United States person” has the meaning given that term in section 576.319 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(g) **SUNSET.**—This section shall cease to be effective beginning on January 1, 2022.

**SA 238.** Mr. RUBIO (for himself, Mr. PORTMAN, Mrs. FISCHER, Mr. MARKEY, Mr. GRAHAM, Mr. NELSON, Mr. YOUNG, Mr. WICKER, Mr. COONS, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. MORAN, and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE II—TREATMENT OF BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Combating BDS Act of 2017”.

**SEC. 202. NONPREEMPTION OF MEASURES BY STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.**

(a) **STATE AND LOCAL MEASURES.**—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (b) to divest the assets of the State or local government from, prohibit investment of the assets of the State or local government in, or restrict contracting by the State or local government for goods and services with—

(1) an entity that the State or local government determines, using credible information available to the public, knowingly engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) **REQUIREMENTS.**—A State or local government that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) **NOTICE.**—The State or local government shall provide written notice to each entity to which a measure under subsection (a) is to be applied.

(2) **TIMING.**—The measure shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) **OPPORTUNITY FOR COMMENT.**—The State or local government shall provide an opportunity to comment in writing to each entity to which a measure is to be applied. If the entity demonstrates to the State or local government that the entity has not engaged in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel, the measure shall not apply to the entity.

(4) **SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.**—It is the sense of Congress that a State or local government should not adopt a measure under subsection (a) with respect to an entity unless the State or local government has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel.

(c) **NOTICE TO DEPARTMENT OF JUSTICE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 30 days after adopting a measure described in subsection (a), the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure.

(2) **EXISTING MEASURES.**—With respect to measures described in subsection (a) adopted before the date of the enactment of this Act, the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure not later than 30 days after the date of the enactment of this Act.

(d) **NONPREEMPTION.**—A measure of a State or local government that is consistent with subsection (a) is not preempted by any Federal law.

(e) **EFFECTIVE DATE.**—This section applies to any measure adopted by a State or local government before, on, or after the date of the enactment of this Act.

(f) **PRIOR ENACTED MEASURES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section or any other provision of law, and except as provided in paragraph (2), a State or local government may enforce a measure described in subsection (a) adopted by the State or local government before the date of the enactment of this Act without regard to the requirements of subsection (b).

(2) **APPLICATION OF NOTICE AND OPPORTUNITY FOR COMMENT.**—A measure described in paragraph (1) shall be subject to the requirements of subsection (b) on and after the date that is 2 years after the date of the enactment of this Act.

(g) **RULES OF CONSTRUCTION.**—

(1) **AUTHORITY OF STATES.**—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the “McCarran-Ferguson Act”).

(2) **POLICY OF THE UNITED STATES.**—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

(3) **SCOPE OF NONPREEMPTION.**—Nothing in this section shall be construed as establishing a basis for preempting or implying preemption of State measures relating to boycott, divestment, or sanctions activity targeting Israel that are outside the scope of subsection (a).

(h) **DEFINITIONS.**—In this section:

(1) **ASSETS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “assets” means any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) **EXCEPTION.**—The term “assets” does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) **BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.**—The term “boycott, divestment, or sanctions activity targeting Israel” means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or in Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(3) **ENTITY.**—The term “entity” includes—

(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(4) **INVESTMENT.**—The term “investment” includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(5) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) **STATE OR LOCAL GOVERNMENT.**—The term “State or local government” includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

**SEC. 203. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.**

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(1)) is amended—

(1) in subparagraph (A), by striking “; or” and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) engage in any boycott, divestment, or sanctions activity targeting Israel described in section 202 of the Combating BDS Act of 2017.”.

**SA 239.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanc-

tions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 19 and 20, insert the following:

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

(a) **FINDINGS.**—Congress finds the following:

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

(2) Iran, through its Islamic Revolutionary Guard Corps (in this section referred to as the “IRGC”), provides material and financial support to foreign terrorist organizations, including Hamas, Hezbollah, and Kata’ib Hezbollah, as well as to the regime of Bashar al-Assad in Syria, which is responsible for more than 400,000 civilian deaths.

(3) Iran has systematically employed its national air carrier, Iran Air, as well as numerous private and publicly owned Iranian and Syrian air carriers, including Mahan Air, to ferry weapons, troops, and military equipment on behalf of the IRGC and Iran’s Ministry of Defense and Armed Forces Logistics (in this section referred to as “MODAFL”) to foreign terrorist organizations and rogue regimes around the world.

(4) On June 23, 2011, the United States Department of the Treasury designated Iran Air for the imposition of sanctions pursuant to Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters) for providing material support and services to the IRGC, including shipping military-related equipment on behalf of the IRGC since 2006 and transporting rockets or missiles to Syria.

(5) On January 16, 2016, Iran Air was removed from the list of specially designated nationals and blocked persons by the Department of the Treasury even though Iran Air had not ceased its illicit and sanctionable activity.

(6) Iran Air remains owned and operated by the Government of Iran and has, since January 16, 2016, flown numerous unscheduled flights on well-known weapons supply routes between Iran and Syria.

(7) In correspondence with Members of Congress, the Secretary of the Treasury has refused to confirm that Iran Air has ceased its illicit activity. In a November 23, 2016, letter to Representative Peter Roskam, Thomas Patrick Maloney, Senior Advisor in the Office of Legislative Affairs of the Department of the Treasury wrote: “The United States retains the ability to designate any individual or entity that engages in sanctionable activities under our authorities targeting conduct outside the scope of the JCPOA, including Iran’s support for terrorism, human rights abuses, ballistic missile program, and other destabilizing activities in the region.”.

(8) Evidence supports that, despite being removed from the list of specially designated nationals and blocked persons on January 16, 2016, Iran Air has continued its illicit and sanctionable activity in support of the IRGC, MODAFL, Hezbollah, and the Bashar al-Assad regime since January 16, 2016.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense,

the Secretary of State, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on use by the Government of Iran of commercial aircraft and related services for illicit military or other activities during—

(1) in the case of the first report, the 5-year period preceding submission of the report; and

(2) in the case of any subsequent report, the 180-day period preceding submission of the report.

(c) **ELEMENTS OF REPORT.**—The report required under subsection (b) shall include a description of the extent to which—

(1) the Government of Iran has used commercial aircraft, including aircraft of Iran Air, or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, or rocket or missile components;

(2) the commercial aviation sector of Iran, including Iran Air, has provided financial, material, or technological support to the Islamic Revolutionary Guard Corps, Iran’s Ministry of Defense and Armed Forces Logistics, the regime of Bashar al-Assad in Syria, Hezbollah, Hamas, Kata’ib Hezbollah, any other organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), or any person on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; and

(3) foreign governments and persons have facilitated the activities described in paragraph (1), including allowing the use of airports, services, or other resources.

(d) **EFFECT OF DETERMINATION.**—If, in a report submitted under this section, the President determines that Iran Air or any other Iranian commercial air carrier has used commercial aircraft for illicit military purposes on or after January 16, 2016, the President shall, not later than 90 days after making that determination, include the air carrier on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) **SUNSET.**—This section shall cease to be effective on the date that is 30 days after the date on which the President certifies to Congress that the Government of Iran has ceased providing support for acts of international terrorism.

**SA 240.** Mr. GRAHAM (for himself, Mr. BROWN, Mr. MCCAIN, Mr. BLUMENTHAL, Mr. RUBIO, Mr. REED, Mr. TILLIS, Ms. BALDWIN, Mr. CASEY, Mr. INHOFE, Mr. COONS, Mr. PORTMAN, Mr. CORKER, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. BENNET, Mr. YOUNG, Mr. FRANKEN, Mr. WICKER, Mrs. SHAHEEN, Mr. BARRASSO, Ms. KLOBUCHAR, Mr. WARNER, Mrs. GILLIBRAND, Mr. KAINE, Mr. MURPHY, Mr. MARKEY, Ms. WARREN, Mr. CARPER, Mr. BLUNT, Mr. SULLIVAN, and Mr. ALEXANDER) submitted an amendment intended to be proposed

by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; as follows:

At the end, add the following:

**SEC. 13. SENSE OF SENATE ON THE STRATEGIC IMPORTANCE OF ARTICLE 5 OF THE NORTH ATLANTIC TREATY.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The principle of collective defense of the North Atlantic Treaty Organization (NATO) is immortalized in Article 5 of the North Atlantic Treaty in which members pledge that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all”.

(2) For almost 7 decades, the principle of collective defense has effectively served as a strategic deterrent for the member nations of the North Atlantic Treaty Organization and provided stability throughout the world, strengthening the security of the United States and all 28 other member nations.

(3) Following the September 11, 2001, terrorist attacks in New York, Washington, and Pennsylvania, the Alliance agreed to invoke Article 5 for the first time, affirming its commitment to collective defense.

(4) Countries that are members of the North Atlantic Treaty Organization have made historic contributions and sacrifices while combating terrorism in Afghanistan through the International Security Assistance Force and the Resolute Support Mission.

(5) The recent attacks in the United Kingdom underscore the importance of an international alliance to combat hostile nation states and terrorist groups.

(6) At the 2014 NATO summit in Wales, the member countries of the North Atlantic Treaty Organization decided that all countries that are members of NATO would spend an amount equal to 2 percent of their gross domestic product on defense by 2024.

(7) Collective defense unites the 29 members of the North Atlantic Treaty Organization, each committing to protecting and supporting one another from external adversaries, which bolsters the North Atlantic Alliance.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) to express the vital importance of Article 5 of the North Atlantic Treaty, the charter of the North Atlantic Treaty Organization, as it continues to serve as a critical deterrent to potential hostile nations and terrorist organizations;

(2) to remember the first and only invocation of Article 5 by the North Atlantic Treaty Organization in support of the United States after the terrorist attacks of September 11, 2001;

(3) to affirm that the United States remains fully committed to the North Atlantic Treaty Organization and will honor its obligations enshrined in Article 5; and

(4) to condemn any threat to the sovereignty, territorial integrity, freedom, or democracy of any country that is a member of the North Atlantic Treaty Organization.

**SA 241.** Mr. CARDIN (for himself, Mr. PORTMAN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights,

and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE II—ISRAEL ANTI-BOYCOTT ACT**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Israel Anti-Boycott Act”.

**SEC. 202. FINDINGS.**

Congress finds the following:

(1) The United Nations Human Rights Council (in this section referred to as the “UNHRC”) has long targeted Israel with systematic, politically motivated, assaults on its legitimacy designed to stigmatize and isolate Israel internationally.

(2) The UNHRC maintains a permanent agenda item known as “Item 7” to ensure that Israel will be criticized at every gathering of the UNHRC.

(3) At its 31st session on March 24, 2016, the UNHRC targeted Israel with a commercial boycott, calling for the establishment of a database, such as a “blacklist”, of companies that operate, or have business relations with entities that operate, beyond Israel's 1949 Armistice lines, including East Jerusalem.

(4) At its 32nd session in March 2017, the UNHRC is considering a resolution pursuant to agenda item 7 to withhold assistance from and prevent trade with “territories occupied since 1967”, including East Jerusalem, the West Bank, and the Golan Heights, stating that businesses that engage in economic activity in those areas could face civil or criminal legal action.

(5) For a half century, Congress has combated anti-Israel boycotts and other discriminatory activity under the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), under part VI of title X of the Tax Reform Act of 1976 (Public Law 94-455; 90 Stat. 1649) (commonly referred to as the “Ribicoff Amendment”), in free trade agreements with Bahrain and Oman, and in Saudi Arabia's accession negotiations to the World Trade Organization.

(6) The recent action of the UNHRC is reminiscent of the Arab League Boycott, which also called for the establishment of a “blacklist” and promoted a primary, as well as a secondary and tertiary, boycott against Israel, targeting United States and other companies that trade or invest with or in Israel, designed to harm Israel, any business operating in, or doing business with, Israel, or companies that do business with companies operating in Israel.

(7) Congress recently passed anti-boycott, divestment, and sanctions measures in the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4201 et seq.) and section 909 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4452), which establish, among other things—

(A) the opposition of the United States to actions to boycott, divest from, or sanction Israel;

(B) requirements that the United States utilize trade negotiations to combat state-led or international governmental organization-led actions to boycott, divest from, or sanction Israel; and

(C) reporting requirements regarding the actions of foreign countries or international organizations that establish barriers to trade or investment for United States companies in or with Israel.

**SEC. 203. STATEMENT OF POLICY.**

Congress—

(1) opposes the United Nations Human Rights Council resolution of March 24, 2016, which urges countries to pressure their own companies to divest from, or break contracts

with, Israel, and calls for the creation of a “blacklist” of companies that either operate, or have business relations with entities that operate, beyond Israel's 1949 Armistice lines, including East Jerusalem;

(2) views such policies as actions to boycott, divest from, or sanction Israel; and

(3) in order to counter the effects of actions to boycott, divest from, or sanction Israel, encourages full implementation of the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296; 128 Stat. 4075) through enhanced, governmentwide, coordinated United States-Israel scientific and technological cooperation in civilian areas such as with respect to energy, water, agriculture, alternative fuel technology, civilian space technology, and security.

**SEC. 204. ADDITIONAL PROHIBITIONS RELATING TO FOREIGN BOYCOTTS UNDER EXPORT ADMINISTRATION ACT OF 1979.**

(a) DECLARATION OF POLICY.—Section 3(5) of the Export Administration Act of 1979 (50 U.S.C. 4602(5)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) to oppose—

“(i) restrictive trade practices or boycotts fostered or imposed by foreign countries, or requests to impose restrictive trade practices or boycotts by foreign countries, against other countries friendly to the United States or against any United States person; and

“(ii) restrictive trade practices or boycotts fostered or imposed by any international governmental organization against Israel or requests to impose restrictive trade practices or boycotts by any international governmental organization against Israel;”;

(2) in subparagraph (B), by striking “which have the effect” and all the follows and inserting the following: “which have the effect of furthering or supporting—

“(i) restrictive trade practices or boycotts fostered or imposed by any foreign country, or requests to impose restrictive trade practices or boycotts by any foreign country, against a country friendly to the United States or against any United States person; and

“(ii) restrictive trade practices or boycotts fostered or imposed by any international governmental organization against Israel or requests to impose restrictive trade practices or boycotts by any international governmental organization against Israel; and”.

(b) FOREIGN BOYCOTTS.—Section 8 of the Export Administration Act of 1979 (50 U.S.C. 4607) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting “, or request to impose any boycott by a foreign country,” after “a foreign country”;

(ii) by inserting “, or support any boycott fostered or imposed by any international governmental organization against Israel or request to impose any boycott by any international governmental organization against Israel” after “pursuant to United States law or regulation”;

(B) in subparagraph (A), by inserting “or international governmental organization (as the case may be)” after “of the boycotting country”; and

(C) in subparagraph (D)—

(i) by inserting “, or requesting the furnishing of information,” after “Furnishing information”; and

(ii) by inserting “or with the international governmental organization (as the case may be)” after “in the boycotting country”; and

(2) in subsection (c)—

(A) by inserting “, or requests to impose restrictive trade practices or boycotts by foreign countries,” after “foreign countries”; and

(B) by inserting “or restrictive trade practices or boycotts fostered or imposed by any international governmental organization against Israel or requests to impose restrictive trade practices or boycotts by any international governmental organization against Israel” before the period at the end.

(c) VIOLATIONS OF SECTION 8(a).—Section 11 of the Export Administration Act of 1979 (50 U.S.C. 4610) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) is amended—

(1) in subsection (a), by inserting “or (j)” after “subsection (b)”; and

(2) by adding at the end the following:

“(j) VIOLATIONS OF SECTION 8(a).—Whoever knowingly violates or conspires to or attempts to violate any provision of section 8(a) or any regulation, order, or license issued thereunder shall be fined in accordance with section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).”

(d) DEFINITION OF INTERNATIONAL GOVERNMENTAL ORGANIZATION.—Section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following:

“(7) the term ‘international governmental organization’ includes the United Nations and the European Union;”

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to actions described in section 8(a) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) taken or knowingly agreed to be taken on or after such date of enactment.

(f) IMPLEMENTATION.—The President shall implement the amendments made by this section by exercising the authorities of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

#### SEC. 205. POLICY OF THE UNITED STATES RELATING TO BOYCOTT OF ISRAEL UNDER EXPORT-IMPORT BANK ACT OF 1945.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)) is amended in the sixth sentence by inserting after “child labor,” the following: “or opposing policies and actions that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with citizens or residents of Israel, entities organized under the laws of Israel, or the Government of Israel.”

#### SEC. 206. DEFINITIONS.

(a) IN GENERAL.—In this title:

(1) ACTIONS TO BOYCOTT, DIVEST FROM, OR SANCTION ISRAEL.—The term “actions to boycott, divest from, or sanction Israel” has the meaning given that term in section 102(b)(20)(B) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4201(b)(20)(B)).

(2) INTERNATIONAL GOVERNMENTAL ORGANIZATION.—The term “international governmental organization” includes the United Nations and the European Union.

(3) POLITICALLY MOTIVATED.—The term “politically motivated” means actions to impede or constrain commerce with Israel that are intended to coerce political action from or impose policy positions on Israel.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the established policy of the United States or to establish new United States policy concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

**SA 242.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### SEC. 13. FOREIGN AGENTS REGISTRATION MODERNIZATION AND ENFORCEMENT.

(a) SHORT TITLE.—This section may be cited as the “Foreign Agents Registration Modernization and Enforcement Act”.

(b) CIVIL INVESTIGATIVE DEMAND AUTHORITY.—The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) by redesignating sections 8, 9, 10, 11, 12, 13, and 14 as sections 9, 10, 11, 12, 13, 14, and 15, respectively; and

(2) by inserting after section 7 (22 U.S.C. 617) the following:

##### “CIVIL INVESTIGATIVE DEMAND AUTHORITY

“SEC. 8. (a) Whenever the Attorney General has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General, before initiating a civil or criminal proceeding with respect to the production of such material, may serve a written demand upon such person to produce such material for examination.

“(b) Each such demand under this section shall—

“(1) state the nature of the conduct constituting the alleged violation which is under investigation and the provision of law applicable to such violation;

“(2) describe the class or classes of documentary material required to be produced under such demand with such definiteness and certainty as to permit such material to be fairly identified;

“(3) state that the demand is immediately returnable or prescribe a return date which will provide a reasonable period within which the material may be assembled and made available for inspection and copying or reproduction; and

“(4) identify the custodian to whom such material shall be made available.

“(c) A demand under this section may not—

“(1) contain any requirement that would be considered unreasonable if contained in a subpoena duces tecum issued by a court of the United States in aid of grand jury investigation of such alleged violation; or

“(2) require the production of any documentary evidence that would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged violation.”

(c) INFORMATIONAL MATERIALS.—

(1) DEFINITIONS.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended—

(A) in subsection (1), by striking “Expect” and inserting “Except”; and

(B) by inserting after subsection (i) the following:

“(j) The term ‘informational materials’ means any oral, visual, graphic, written, or pictorial information or matter of any kind, including matter published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise.”

(2) INFORMATIONAL MATERIALS.—Section 4 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 614) is amended—

(A) in section (a)—

(i) by inserting “, including electronic mail and social media,” after “United States mails”; and

(ii) by striking “, not later than forty-eight hours after the beginning of the transmittal thereof, file with the Attorney General two copies thereof” and inserting “file such materials with the Attorney General in conjunction with, and at the same intervals as, disclosures required under section 2(b).”; and

(B) in subsection (b)—

(i) by striking “It shall” and inserting “(1) Except as provided in paragraph (2), it shall”; and

(ii) by inserting at the end the following:

“(2) Foreign agents described in paragraph (1) may omit disclosure required under that paragraph in individual messages, posts, or transmissions on social media on behalf of a foreign principal if the social media account or profile from which the information is sent includes a conspicuous statement that—

“(A) the account is operated by, and distributes information on behalf of, the foreign agent; and

“(B) additional information about the account is on file with the Department of Justice in Washington, District of Columbia.

“(3) Informational materials disseminated by an agent of a foreign principal as part of an activity that is exempt from registration, or an activity which by itself would not require registration, need not be filed under this subsection.”

(d) FEES.—

(1) REPEAL.—The Department of Justice and Related Agencies Appropriations Act, 1993 (title I of Public Law 102-395) is amended, under the heading “SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES”, by striking “In addition, notwithstanding 31 U.S.C. 3302, for fiscal year 1993 and thereafter, the Attorney General shall establish and collect fees to recover necessary expenses of the Registration Unit (to include salaries, supplies, equipment and training) pursuant to the Foreign Agents Registration Act, and shall credit such fees to this appropriation, to remain available until expended.”

(2) REGISTRATION FEE.—The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), as amended by this Act, is further amended by adding at the end the following:

##### “FEES

“SEC. 16. The Attorney General shall establish and collect a registration fee, as part of the initial filing requirement and at no other time, to help defray the expenses of the Registration Unit, and shall credit such fees to this appropriation, to remain available until expended.”

(e) REPORTS TO CONGRESS.—Section 12 of the Foreign Agents Registration Act of 1938, as amended, as redesignated by subsection (b), is amended to read as follows:

##### “REPORTS TO CONGRESS

“SEC. 12. The Assistant Attorney General for National Security, through the FARA Registration Unit of the Counterintelligence and Export Control Section, shall submit a



semiannual report to Congress regarding the administration of this Act, including, for the reporting period, the identification of—

“(1) registrations filed pursuant to this Act;

“(2) the nature, sources, and content of political propaganda disseminated and distributed by agents of foreign principal;

“(3) the number of investigations initiated based upon a perceived violation of section 7; and

“(4) the number of such investigations that were referred to the Attorney General for prosecution.”.

**SA 243.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **PROHIBITION ON CERTAIN TRANSACTIONS WITH IRAN AND BLOCKING OF PROPERTY WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE CERTAIN TRANSACTIONS WITH IRAN.**

(a) **PROHIBITION OF CERTAIN TRANSACTIONS.**—

(1) **ISSUANCE OF LICENSES TO CONDUCT OFFSHORE DOLLAR CLEARING.**—The President may not issue any license under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to an offshore dollar clearing entity to conduct a transaction with an Iranian financial institution in United States dollars.

(2) **U-TURN TRANSACTIONS.**—Notwithstanding section 560.516 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), a United States person may not process any transfer of funds to or from Iran, or for the direct or indirect benefit of persons in Iran or the Government of Iran, even if the transfer arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction.

(b) **BLOCKING OF PROPERTY OF FOREIGN FINANCIAL INSTITUTIONS.**—The President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any foreign financial institution that serves as an offshore dollar clearing entity to conduct a transaction with an Iranian financial institution in United States dollars if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) **REPORT BEFORE PROVIDING IRAN ACCESS TO THE UNITED STATES DOLLAR.**—Not later than 30 days before the President implements any measure that would provide access to the United States dollar to the Government of Iran or an Iranian person, the President shall submit to Congress a report that describes the measure.

(d) **TERMINATION.**—This section shall terminate only on the date on which the termination criteria in the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.) has been met and the Secretary of State certifies to Congress that Iran is no longer a state sponsor of terrorism (as defined in section 301 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541)).

(e) **DEFINITIONS.**—In this section:

(1) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(2) **IRANIAN FINANCIAL INSTITUTION.**—The term “Iranian financial institution” has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

**SEC. \_\_\_\_.** **CONSOLIDATION OF REPORTS.**

Notwithstanding any other provision of this Act or section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e), each report required by this Act or such section 135 to be submitted to a committee or member of Congress on an on-going basis shall be combined in one report that is submitted to each such committee or member once every 180 days.

**SA 244.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **PROHIBITION ON CERTAIN TRANSACTIONS WITH IRAN AND BLOCKING OF PROPERTY WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE CERTAIN TRANSACTIONS WITH IRAN.**

(a) **PROHIBITION OF CERTAIN TRANSACTIONS.**—

(1) **ISSUANCE OF LICENSES TO CONDUCT OFFSHORE DOLLAR CLEARING.**—The President may not issue any license under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to an offshore dollar clearing entity to conduct a transaction with an Iranian financial institution in United States dollars.

(2) **U-TURN TRANSACTIONS.**—Notwithstanding section 560.516 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), a United States person may not process any transfer of funds to or from Iran, or for the direct or indirect benefit of persons in Iran or the Government of Iran, even if the transfer arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction.

(b) **BLOCKING OF PROPERTY OF FOREIGN FINANCIAL INSTITUTIONS.**—The President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any foreign financial institution that serves as an offshore dollar clearing entity to conduct a transaction with an Iranian financial institution in United States dollars if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) **REPORT BEFORE PROVIDING IRAN ACCESS TO THE UNITED STATES DOLLAR.**—Not later than 30 days before the President implements any measure that would provide access to the United States dollar to the Government of Iran or an Iranian person, the President shall submit to Congress a report that describes the measure.

(d) **TERMINATION.**—This section shall terminate only on the date on which the termination criteria in the Comprehensive Iran Sanctions, Accountability, and Divestment

Act of 2010 (22 U.S.C. 8501 et seq.) has been met and the Secretary of State certifies to Congress that Iran is no longer a state sponsor of terrorism (as defined in section 301 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541)).

(e) **DEFINITIONS.**—In this section:

(1) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(2) **IRANIAN FINANCIAL INSTITUTION.**—The term “Iranian financial institution” has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

**SEC. \_\_\_\_.** **CONSOLIDATION OF REPORTS.**

Notwithstanding any other provision of this Act or section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e), each report required by this Act or such section 135 to be submitted to a committee or member of Congress on an on-going basis shall be combined in one report that is submitted to each such committee or member once every 180 days.

**SA 245.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, strike lines 10 through 20, and insert the following:

(4) The IRGC meets the criteria for designation as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(b) **IN GENERAL.**—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (c) with respect to the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC.

(c) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are sanctions applicable with respect to—

(1) a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(2) an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

**SA 246.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 19 and 20, insert the following:

**SEC. 9.** **REPORT ON BOOK ENTRY TRANSFERS CONDUCTED BY FINANCIAL INSTITUTIONS IN CONNECTION WITH ASSETS OF THE GOVERNMENT OF IRAN.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that includes the following:

(1) An analysis of the legality of overseas book entry transfers conducted by financial institutions present in the United States in connection with assets in which the Government of Iran, or an agency or instrumentality of the Government of Iran, holds a beneficial ownership interest, under—

(A) Executive Order 13599 (77 Fed. Reg. 6659; relating to Blocking property of the Government of Iran and Iranian financial institutions);

(B) part 560 of title 31, Code of Federal Regulations (commonly known as the “Iranian Transactions and Sanctions Regulations”); or

(C) any other relevant statutes, executive orders, regulations, or judicial orders.

(2) Recommendations, if any, on how to maintain the integrity of United States sanctions and other financial regulations in light of transfers described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) The term “financial institution” means any entity engaged in the business of dealing with monetary transactions, including banks, trust companies, insurance companies, brokerage firms, investment dealers, securities intermediaries, central securities depositories, and post trade services providers.

(2) The term “overseas book entry transfers” means a transaction in which cash is not moved from an account in the United States to an account overseas by wire or other analogous method, but instead is made accessible to an overseas client of a financial institution carrying out the transaction by entry of debits and credits in books or ledgers internal to that financial institution.

(3) The term “present in the United States”, with respect to a financial institution, means that the financial institution has sufficient nexus with the United States so as to be subject to the regulatory authority of the Department of the Treasury.

**SA 247.** Mr. GARDNER (for himself, Mr. COONS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 19 and 20, insert the following:

**SEC. 9. MANDATORY SANCTIONS WITH RESPECT TO IRAN RELATING TO SIGNIFICANT ACTIVITIES UNDERMINING UNITED STATES CYBERSECURITY.**

(a) INVESTIGATION.—The President shall initiate an investigation into the possible designation of an Iranian person under subsection (b) upon receipt by the President of credible information indicating that the person has engaged in conduct described in subsection (b).

(b) DESIGNATION.—The President shall designate under this subsection any Iranian person that the President determines has knowingly—

(1) engaged in significant activities undermining United States cybersecurity conducted by the Government of Iran; or

(2) acted for or on behalf of the Government of Iran in connection with such activities.

(c) SANCTIONS.—The President shall block and prohibit all transactions in all property and interests in property of any Iranian person designated under subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) SUSPENSION OF SANCTIONS.—

(1) IN GENERAL.—The President may suspend the application of sanctions under subsection (c) with respect to an Iranian person only if the President submits to the appropriate congressional committees in writing a certification described in paragraph (2) and a detailed justification for the certification.

(2) CERTIFICATION DESCRIBED.—

(A) IN GENERAL.—A certification described in this paragraph with respect to an Iranian person is a certification by the President that—

(i) the person has not, during the 12-month period immediately preceding the date of the certification, knowingly engaged in activities that would qualify the person for designation under subsection (b); and

(ii) the person is not expected to resume any such activities.

(B) FORM OF CERTIFICATION.—The certification described in subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(e) REIMPOSITION OF SANCTIONS.—If sanctions are suspended with respect to an Iranian person under subsection (d), such sanctions shall be reinstated if the President determines that the person has resumed the activity that resulted in the initial imposition of sanctions or has engaged in any other activity subject to sanctions relating to the involvement of the person in significant activities undermining United States cybersecurity on behalf of the Government of Iran.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), or any other provision of law.

(g) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that describes significant activities undermining United States cybersecurity conducted by the Government of Iran, a person owned or controlled, directly or indirectly, by that Government, or any person acting for or on behalf of that Government.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) An assessment of the extent to which a foreign government has provided material support to the Government of Iran, to any person owned or controlled, directly or indirectly, by that Government, or to any person acting for or on behalf of that Government, in connection with the conduct of significant activities undermining United States cybersecurity.

(B) A strategy to counter efforts by Iran to conduct significant activities undermining United States cybersecurity that includes a description of efforts to engage foreign governments in preventing the Government of Iran, persons owned or controlled, directly or indirectly, by that Government, and persons acting for or on behalf of that Government from conducting significant activities undermining United States cybersecurity.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in an unclassified form but may include a classified annex.

(h) CYBERSECURITY DEFINED.—In this section, the term “cybersecurity” means the activity or process, ability or capability, or state whereby information and communications systems and the information contained therein are protected from or defended against damage, unauthorized use or modification, or exploitation.

**SA 248.** Mr. PERDUE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SEMIANNUAL REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.**

(a) FINDINGS.—Congress makes the following findings:

(1) Iran developed a close working relationship with North Korea on many ballistic missile programs, dating back to an acquisition of Scud missiles from North Korea in the mid-1980s.

(2) By the mid-1980s North Korea reverse-engineered Scud B missiles originally received from Egypt, and developed the 500-kilometer range Scud C missile in 1991, and sold both the Scud B and Scud C, as well as missile production technology, to Iran.

(3) In 1992, then-Director of the Central Intelligence Robert Gates, in testimony to Congress, identified Iran as a recipient of North Korean Scud missiles.

(4) In 1993, then-Director of Central Intelligence James Woolsey provided more detail, stating that North Korea had sold Iran extended range Scud C missiles and agreed to sell other forms of missile technology.

(5) Annual threat assessments from the intelligence community during the 1990s showed that North Korea’s ongoing export of ballistic missiles provided a qualitative increase in capabilities to countries such as Iran.

(6) The same threat assessments noted that Iran was using North Korean ballistic missile goods and services to achieve its goal of self-sufficiency in the production of medium-range ballistic missiles.

(7) The intelligence community assessed in the 1990s that Iran’s acquisition of missile systems or key missile-related components could improve Iran’s ability to produce an intercontinental ballistic missile (ICBM).

(8) Throughout the 2000s, the intelligence community continued to assess that North Korean cooperation with Iran’s ballistic missile program was ongoing and significant.

(10) North Korea built the nuclear reactor in Syria that was bombed in 2007. Syria failed to report the construction of the reactor to the International Atomic Energy Agency (IAEA), which was Syria’s obligation under its safeguards agreement with the agency.

(11) Official sources confirm that Iran and North Korea have engaged in various forms of clandestine nuclear cooperation.

(12) North Korea and Iran obtained designs and materials related to uranium enrichment from a clandestine procurement network run by Abdul Qadeer Khan.

(13) In the early 2000s, North Korea exported, with the assistance of Abdul Qadeer Khan, uranium hexafluoride (UF<sub>6</sub>) gas to Libya, which was intended to be used in Libya’s clandestine nuclear weapons program.

(14) On January 6, 2016, North Korea conducted its fourth nuclear weapons test.

(15) On September 9, 2016, North Korea conducted its fifth nuclear weapons test.

(16) Iranian officials reportedly traveled to North Korea to witness its three previous nuclear tests in 2006, 2009, and 2013.

(17) Before North Korea’s 2013 test, a senior American official was quoted as saying “it’s



very possible that North Koreans are testing for two countries”.

(18) In September 2012, Iran and North Korea signed an agreement for technological and scientific cooperation.

(19) In an April 2015 interview with CNN, then-Secretary of Defense Ashton Carter said that North Korea and Iran “could be” cooperating to develop a nuclear weapon.

(20) On March 11, 2017, Director of National Intelligence Dan Coats provided written testimony to Congress that stated that Pyongyang’s “export of ballistic missiles and associated materials to several countries, including Iran and Syria, and its assistance to Syria’s construction of a nuclear reactor . . . illustrate its willingness to proliferate dangerous technologies”.

(21) A 2016 Congressional Research Service report confirmed that “ballistic missile technology cooperation between the two [Iran and North Korea] is significant and meaningful”.

(22) Admiral Bill Gortney, Commander of United States Northern Command, testified to Congress on April 14, 2016, that “Iran’s continuing pursuit of long-range missile capabilities and ballistic missile and space launch programs, in defiance of United Nations Security Council resolutions, remains a serious concern”.

(23) There is substantial evidence that Iran and North Korea are working together on nuclear weapons development.

(24) Since the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112-277) repealed requirements for the intelligence community to provide unclassified annual report to Congress on the “Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions”, the number of unclassified reports to Congress on nuclear-weapons issues decreased considerably.

(25) Absent these reports, the President has not been required to detail to Congress the assessment of cooperation between North Korea and Iran on nuclear weapon or ballistic missile development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States;

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies;

(3) United Nations Security Council Resolution 2231 (2015), which was unanimously adopted by the United Nations Security Council and supported by the international community, called upon Iran not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches of such missiles, for an eight year period beginning in 2015; and

(4) the Director of National Intelligence has assessed that Iran would use ballistic missiles as its “preferred method of delivering nuclear weapons” which could eventually threaten the United States.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report that includes an assessment of the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, or conven-

tional weapons programs between the Government of Iran and the Government of the Democratic People’s Republic of North Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information (including through the transfer of goods, services, technology, or intellectual property) between the Government of Iran and the Government of the Democratic People’s Republic of North Korea;

(2) And a determination whether any of the activities described in paragraph (1) violate United Nations Security Council Resolutions 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2231 (2015), 2270 (2016) and 2321 (2016).

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 249.** Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 232 proposed by Mr. MCCONNELL (for Mr. CRAPO (for himself, Mr. BROWN, Mr. CORKER, and Mr. CARDIN)) to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 62 of the amendment, between lines 18 and 19, insert the following:

(3) Activities of the National Aeronautics and Space Administration.

At the end of the amendment, add the following:

**SEC. 292. RULE OF CONSTRUCTION ON PROCUREMENT OF PRODUCTS OR SERVICES RELATING TO SPACE LAUNCHES.**

Nothing in this title or the amendments made by this title shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

- (1) the National Aeronautics and Space Administration;
- (2) the Department of Defense; or
- (3) any other person.

**SA 250.** Mr. GARDNER (for himself, Mr. SHELBY, Mr. STRANGE, Mr. NELSON, Mr. WARNER, Mr. BENNET, and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . EXCEPTION RELATING TO ACTIVITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**

(a) IN GENERAL.—This Act and the amendments made by this Act shall not apply with respect to activities of the National Aeronautics and Space Administration.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

- (1) the National Aeronautics and Space Administration;
- (2) the Department of Defense; or
- (3) any other person.

**SA 251.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SECTION 2. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed to authorize the imposition of any sanction or any other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any Russian Federation entity of any product or service, or the procurement of such product or service, by any United States contractor or subcontractor or any other entity, related to or in connection with any space launch conducted for the Federal Government or under a federal contract

**SA 252.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 232 proposed by Mr. MCCONNELL (for Mr. CRAPO (for himself, Mr. BROWN, Mr. CORKER, and Mr. CARDIN)) to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran’s ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

On page 62 of the amendment, between lines 18 and 19, insert the following:

(3) Activities of the National Aeronautics and Space Administration.

At the end of the amendment, add the following:

**SEC. 292. RULE OF CONSTRUCTION ON PROCUREMENT OF PRODUCTS OR SERVICES RELATING TO SPACE LAUNCHES.**

Nothing in this title or the amendments made by this title shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

- (1) the National Aeronautics and Space Administration;
- (2) the Department of Defense; or

(3) any non-United States Government person.

**SA 253.** Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Countering Iran's Destabilizing Activities Act of 2017”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.
- Sec. 4. Imposition of additional sanctions in response to Iran's ballistic missile program.
- Sec. 5. Imposition of terrorism-related sanctions with respect to the IRGC.
- Sec. 6. Imposition of additional sanctions with respect to persons responsible for human rights abuses.
- Sec. 7. Enforcement of arms embargos.
- Sec. 8. Continuation in effect of sanctions for Iranian support relating to terrorism and Iran's ballistic missile program.
- Sec. 9. Review of applicability of sanctions relating to Iran's support for terrorism and its ballistic missile program.
- Sec. 10. Report on coordination of sanctions between the United States and the European Union.
- Sec. 11. Report on United States citizens detained by Iran.
- Sec. 12. Exceptions for national security and humanitarian assistance; rule of construction.
- Sec. 13. Waiver authority; termination of sanctions.

#### **SEC. 2. DEFINITIONS.**

In this Act:

(1) **ACT OF INTERNATIONAL TERRORISM.**—The term “act of international terrorism” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(3) **FOREIGN PERSON.**—The term “foreign person” means a person that is not a United States person.

(4) **IRANIAN PERSON.**—The term “Iranian person” means—

(A) an individual who is a citizen or national of Iran; or

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

(5) **IRGC.**—The term “IRGC” means Iran's Islamic Revolutionary Guard Corps.

(6) **KNOWINGLY.**—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

#### **SEC. 3. REGIONAL STRATEGY FOR COUNTERING CONVENTIONAL AND ASYMMETRIC IRANIAN THREATS IN THE MIDDLE EAST AND NORTH AFRICA.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and the Director of National Intelligence shall jointly develop and submit to the appropriate congressional committees a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall include at a minimum the following:

(1) A summary of the near- and long-term United States objectives, plans, and means for countering Iran's destabilizing activities, including identification of countries that share the objective of countering Iran's destabilizing activities.

(2) A summary of the capabilities and contributions of individual countries to shared efforts to counter Iran's destabilizing activities, and a summary of additional actions or contributions that each country could take to further contribute.

(3) An assessment of Iran's conventional force capabilities and an assessment of Iran's plans to upgrade its conventional force capabilities, including its acquisition, development, and deployment of ballistic and cruise missile capabilities, unmanned aerial vehicles, and maritime offensive and anti-access or area denial capabilities.

(4) An assessment of Iran's chemical and biological weapons capabilities and an assessment of Iranian plans to upgrade its chemical or biological weapons capabilities.

(5) An assessment of Iran's asymmetric activities in the region, including—

(A) the size, capabilities, and activities of the IRGC, including the Quds Force;

(B) the size, capabilities, and activities of Iran's cyber operations;

(C) the types and amount of support, including funding, lethal and nonlethal contributions, and training, provided to Hezbollah, Hamas, special groups in Iraq, the regime of Bashar al-Assad in Syria, Houthi fighters in Yemen, and other violent groups across the Middle East; and

(D) the scope and objectives of Iran's information operations and use of propaganda.

(6) A summary of United States actions, unilaterally and in cooperation with foreign governments, to counter destabilizing Iranian activities, including—

(A) interdiction of Iranian lethal arms bound for groups designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) Iran's interference in international commercial shipping lanes;

(C) attempts by Iran to undermine or subvert internationally recognized governments in the Middle East region; and

(D) Iran's support for the regime of Bashar al-Assad in Syria, including—

(i) financial assistance, military equipment and personnel, and other support provided to that regime; and

(ii) support and direction to other armed actors that are not Syrian or Iranian and are acting on behalf of that regime.

(c) **FORM OF STRATEGY.**—The strategy required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

#### **SEC. 4. IMPOSITION OF ADDITIONAL SANCTIONS IN RESPONSE TO IRAN'S BALLISTIC MISSILE PROGRAM.**

(a) **IMPOSITION OF SANCTIONS.**—The President shall impose the sanctions described in subsection (b) with respect to any person that the President determines, on or after the date of the enactment of this Act—

(1) knowingly engages in any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(2) is a successor entity to a person referred to in paragraph (1);

(3) owns or controls or is owned or controlled by a person referred to in paragraph (1);

(4) forms an entity with the purpose of evading sanctions that would otherwise be imposed pursuant to paragraph (3);

(5) is acting for or on behalf of a person referred to in paragraph (1), (2), (3), or (4); or

(6) knowingly provides or attempts to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in paragraph (1), (2), (3), (4) or (5).

(b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:

(1) **BLOCKING OF PROPERTY.**—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **EXCLUSION FROM UNITED STATES.**—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(c) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **REPORT ON CONTRIBUTIONS TO IRAN'S BALLISTIC MISSILE PROGRAM.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report describing each person that—

(A) has, during the period specified in paragraph (2), conducted any activity that has materially contributed to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(B) is a successor entity to a person referred to in subparagraph (A);

(C) owns or controls or is owned or controlled by a person referred to in subparagraph (A);

(D) forms an entity with the purpose of evading sanctions that could be imposed as a

result of a relationship described in subparagraph (C);

(E) is acting for or on behalf of a person referred to in subparagraph (A), (B), (C), or (D); or

(F) is known or believed to have provided, or attempted to provide, during the period specified in paragraph (2), financial, material, technological, or other support for, or goods or services in support of, any material contribution to a program described in subparagraph (A) carried out by a person described in subparagraph (A), (B), (C), (D), or (E).

(2) **PERIOD SPECIFIED.**—The period specified in this paragraph is—

(A) in the case of the first report submitted under paragraph (1), the period beginning January 1, 2016, and ending on the date the report is submitted; and

(B) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(3) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

#### **SEC. 5. IMPOSITION OF TERRORISM-RELATED SANCTIONS WITH RESPECT TO THE IRGC.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The IRGC is subject to sanctions pursuant to Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran), and Executive Order 13606 (50 U.S.C. 1701 note; relating to blocking the property and suspending entry into the United States of certain persons with respect to grave human rights abuses by the Governments of Iran and Syria via information technology).

(2) The Iranian Revolutionary Guard Corps—Quds Force (in this section referred to as the “IRGC-QF”) is the primary arm of the Government of Iran for executing its policy of supporting terrorist and insurgent groups. The IRGC-QF provides material, logistical assistance, training, and financial support to militants and terrorist operatives throughout the Middle East and South Asia and was designated for the imposition of sanctions by the Secretary of Treasury pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) in October 2007 for its support of terrorism.

(3) The IRGC, not just the IRGC-QF, is responsible for implementing Iran’s international program of destabilizing activities, support for acts of international terrorism, and ballistic missile program.

(b) **IN GENERAL.**—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (c) with respect to the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC.

(c) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

#### **SEC. 6. IMPOSITION OF ADDITIONAL SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR HUMAN RIGHTS ABUSES.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a list of each person the Secretary determines, based on credible evidence, on or after the date of the enactment of this Act—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in Iran who seek—

(A) to expose illegal activity carried out by officials of the Government of Iran; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections; or

(2) acts as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1).

(b) **SANCTIONS DESCRIBED.**—

(1) **IN GENERAL.**—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block all transactions in all property and interests in property of a person on the list required by subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) or any regulation, license, or order issued to carry out paragraph (1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

#### **SEC. 7. ENFORCEMENT OF ARMS EMBARGOS.**

(a) **IN GENERAL.**—Except as provided in subsection (d), the President shall impose the sanctions described in subsection (b) with respect to any person that the President determines—

(1) knowingly engages in any activity that materially contributes to the supply, sale, or transfer directly or indirectly to or from Iran, or for the use in or benefit of Iran, of any battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems, as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts; or

(2) knowingly provides to Iran any technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, manufacture, maintenance, or use of arms and related materiel described in paragraph (1).

(b) **SANCTIONS DESCRIBED.**—

(1) **BLOCKING OF PROPERTY.**—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **EXCLUSION FROM UNITED STATES.**—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(c) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **EXCEPTION.**—The President is not required to impose sanctions under subsection (a) with respect to a person for engaging in an activity described in that subsection if the President certifies to the appropriate congressional committees that—

(1) permitting the activity is in the national security interest of the United States;

(2) Iran no longer presents a significant threat to the national security of the United States and to the allies of the United States; and

(3) the Government of Iran has ceased providing operational or financial support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism.

(e) **STATE SPONSOR OF TERRORISM DEFINED.**—In this section, the term “state sponsor of terrorism” means a country the government of which the Secretary of State has determined to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(2) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(3) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(4) any other provision of law.

#### **SEC. 8. CONTINUATION IN EFFECT OF SANCTIONS FOR IRANIAN SUPPORT RELATING TO TERRORISM AND IRAN’S BALLISTIC MISSILE PROGRAM.**

(a) **IN GENERAL.**—United States sanctions imposed with respect to a person under Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters) or Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism), and imposed as a result of activities described in subsection (b), that are in effect on the day before the date of the enactment of this Act, shall remain in effect until the date that is 90 days after the date on which the President submits to the appropriate congressional committees the certification described in subsection (c) with respect to the person.

(b) **ACTIVITIES DESCRIBED.**—An activity described in this subsection is—

(1) any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program; or

(2) support by the Government of Iran for acts of international terrorism.

(c) **CERTIFICATION.**—

(1) **IN GENERAL.**—A certification described in this subsection is a certification that the person with respect to which sanctions were imposed under Executive Order 13382 or Executive Order 13224 has not, during the 3-month period immediately preceding the date of the certification, provided support for or otherwise facilitated or engaged in any activity described in subsection (b).

(2) **SUBMISSION TO CONGRESS.**—

(A) **IN GENERAL.**—The President shall submit the certification described in paragraph

(1) to the appropriate congressional committees in writing and shall include a detailed justification for the certification.

(B) FORM OF CERTIFICATION.—The certification described in paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(d) REIMPOSITION.—If sanctions are suspended with respect to a person under this section, such sanctions shall be reinstated if the President determines that the person has resumed any activity described in subsection (b).

#### SEC. 9. REVIEW OF APPLICABILITY OF SANCTIONS RELATING TO IRAN'S SUPPORT FOR TERRORISM AND ITS BALLISTIC MISSILE PROGRAM.

(a) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the President shall conduct a review of all persons on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for activities relating to Iran—

(1) to assess the conduct of such persons as that conduct relates to—

(A) any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program; or

(B) support by the Government of Iran for acts of international terrorism; and

(2) to determine the applicability of sanctions with respect to such persons under—

(A) Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters); or

(B) Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(b) IMPLEMENTATION OF SANCTIONS.—If the President determines under subsection (a) that sanctions under an Executive Order specified in paragraph (2) of that subsection are applicable with respect to a person, the President shall—

(1) impose sanctions with respect to that person pursuant to that Executive Order; or

(2) exercise the waiver authority provided under section 13.

#### SEC. 10. REPORT ON COORDINATION OF SANCTIONS BETWEEN THE UNITED STATES AND THE EUROPEAN UNION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of each instance, during the period specified in subsection (b)—

(A) in which the United States has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the European Union has not imposed corresponding sanctions; and

(B) in which the European Union has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the United States has not imposed corresponding sanctions.

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraphs (A) and (B) of paragraph (1).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the period beginning on the date of the enactment of this Act and ending on the date the report is submitted; and

(2) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

#### SEC. 11. REPORT ON UNITED STATES CITIZENS DETAINED BY IRAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on United States citizens, including United States citizens who are also citizens of other countries, detained by Iran or groups supported by Iran that includes—

(1) information regarding any officials of the Government of Iran involved in any way in the detentions; and

(2) a summary of efforts the United States Government has taken to secure the swift release of those United States citizens.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

#### SEC. 12. EXCEPTIONS FOR NATIONAL SECURITY AND HUMANITARIAN ASSISTANCE; RULE OF CONSTRUCTION.

(a) IN GENERAL.—The following activities shall be exempt from sanctions under sections 4, 5, 6, and 7:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) The conduct or facilitation of a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran, including engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes or transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

(b) EXCEPTION RELATING TO IMPORTATION OF GOODS.—A requirement or the authority to block and prohibit all transactions in all property and interests in property under this Act shall not include the authority to impose sanctions with respect to the importation of goods.

(c) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(e) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term “agricultural commodity” has the meaning

given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) GOOD.—The term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(3) MEDICAL DEVICE.—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) MEDICINE.—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

#### SEC. 13. WAIVER AUTHORITY; TERMINATION OF SANCTIONS.

(a) TEMPORARY WAIVER AUTHORITY.—Except as provided in subsection (b), the President may waive a requirement under this Act to impose or maintain sanctions with respect to a person for one period of not more than 120 days.

(b) TERMINATION OF SANCTIONS.—Sanctions waived under subsection (a) shall terminate if—

(1) not later than 30 days before the waiver under subsection (a) with respect to the sanctions expires, the President submits to Congress a request to terminate the sanctions; and

(2) during the 30-day period beginning on the date on which the President submits the request to Congress, a joint resolution of approval is enacted into law under subsection (c).

(c) JOINT RESOLUTION OF APPROVAL.—

(1) JOINT RESOLUTION OF APPROVAL DEFINED.—In this subsection, the term “joint resolution of approval” means a joint resolution the sole matter after the resolving clause of which is as follows: “That Congress approves the request of the President under section 12 of the Countering Iran’s Destabilizing Activities Act of 2017 submitted on \_\_\_\_\_ to terminate the application of sanctions with respect to \_\_\_\_\_”, with the first blank space being filled with the date and the second blank space being filled with the name of the person to which the request applies.

(2) INTRODUCTION.—On or after the day on which the President submits to Congress a request under subsection (b)(2), a joint resolution of approval with respect to the request may be introduced—

(A) in the House, by the majority leader of the House, for the majority leader and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and

(B) in the Senate, by the majority leader of the Senate, for the majority leader and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate.

(3) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred by the presiding officers of the respective Houses to the appropriate committee.

(4) AMENDMENTS PROHIBITED.—No amendment to a joint resolution of approval shall be in order in either the House of Representatives or the Senate. It shall not be in order to suspend the application of this paragraph in either House or for the Presiding Officer to entertain a request to suspend the application of this paragraph by unanimous consent.

(5) PERIOD FOR COMMITTEE CONSIDERATION.—If the committee of either House to which a joint resolution of approval has been referred has not reported the resolution at the close of the 15th day after the introduction of the resolution, the committee shall be automatically discharged from further consideration

of the resolution and the resolution shall be placed on the appropriate calendar.

(6) FLOOR CONSIDERATION.—

(A) IN GENERAL.—A vote on final passage of a joint resolution of approval shall be taken in each House on or before the close of the 15th day after the resolution is reported by the committee of that House to which the resolution was referred, or after that committee has been discharged from further consideration of the resolution under paragraph (5).

(B) RESOLUTION PASSED BY OTHER HOUSE.—If, prior to the passage by one House of a joint resolution of approval of that House, that House receives the same resolution from the other House, then—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(7) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) MOTIONS TO PROCEED.—A motion in the House of Representatives to proceed to the consideration of a joint resolution of approval shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) TIME FOR DEBATE.—Debate in the House of Representatives on a joint resolution of approval shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a joint resolution of approval or to move to reconsider the vote by which a joint resolution of approval is agreed to or disagreed to.

(C) MOTIONS TO POSTPONE.—Motions to postpone, made in the House of Representatives with respect to the consideration of a joint resolution of approval, and motions to proceed to the consideration of other business, shall be decided without debate.

(D) APPEALS.—All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a joint resolution of approval shall be decided without debate.

(E) APPLICABILITY OF RULES.—Except to the extent specifically provided in the preceding provisions of this paragraph, consideration of a joint resolution of approval shall be governed by the Rules of the House of Representatives applicable to other resolutions in similar circumstances.

(8) FLOOR CONSIDERATION IN THE SENATE.—

(A) MOTIONS TO PROCEED.—A motion in the Senate to proceed to the consideration of a joint resolution of approval shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) TIME FOR DEBATE.—Debate in the Senate on a joint resolution of approval, and all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) MOTIONS AND APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a joint resolution of approval shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition

thereto shall be controlled by the minority leader or the minority leader's designee. Such leaders, or either of them, may, from time under their control on the passage of a joint resolution of approval, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) MOTIONS TO FURTHER LIMIT DEBATE.—A motion in the Senate to further limit debate on a joint resolution of approval is not debatable.

(E) MOTIONS TO RECOMMIT.—A motion to recommit a joint resolution of approval is not in order.

(9) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution of approval, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the President to impose sanctions under this Act with respect to a person with respect to which sanctions were terminated under this section.

**SA 254.** Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 722, to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 13. RESTRICTIONS ON CERTAIN PAYMENTS RELATING TO CLAIMS BROUGHT BEFORE THE IRAN-UNITED STATES CLAIMS TRIBUNAL.**

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for any fiscal year may be obligated or expended for a payment described in subsection (b) until the President certifies to Congress that the Government of Iran has paid all compensatory damages awarded to a United States person in a final judgment—

(1) issued by a district court of the United States under Federal or State law against the Government of Iran; and

(2) arising from an act of international terrorism, for which the Government of Iran was determined not to be immune from the jurisdiction of the courts of the United States or of the States under section 1605A of title 28, United States Code, or section 1605(a)(7) of such title (as in effect on January 27, 2008).

(b) PAYMENTS DESCRIBED.—A payment described in this subsection is a payment by the United States to the Government of Iran or a national of Iran relating to the settlement of a claim before the Iran-United States Claims Tribunal.

(c) ACT OF INTERNATIONAL TERRORISM DEFINED.—In this section, the term "act of international terrorism" includes—

(1) an act of torture, extrajudicial killing, aircraft sabotage, or hostage taking, as those terms are defined in section 1605A(h) of title 28, United States Code; and

(2) providing material support or resources, as defined in section 2339A of title 18, United

States Code, for an act described in subparagraph (A).

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. MCCONNELL. Mr. President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, June 14, 2017 at 2:15 p.m. to conduct an executive session to vote on the following nominations: Mr. Kevin Allen Hassett, to be Chairman of the Council of Economic Advisers; and the Honorable Pamela Hughes Patenaude, to be Deputy Secretary of Housing and Urban Development.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, June 14, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a Hearing on "Paving the Way for Self-Driving Vehicles."

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, June 14, 2017, at 10 a.m. in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, "Legislative Hearing on S. 517, the Consumer and Fuel Retailer Choice Act."

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, June 14, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider favorably reporting pending nominations.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, June 14, 2017, at 10 a.m. in order to conduct a hearing titled "Ideology and Terror: Understanding the Tools, Tactics, and Techniques of Violent Extremism."

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on June 14, 2017, at 9:45 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

The Committee on Small Business and Entrepreneurship is authorized to