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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. ROYCE, Mr. SHERMAN, Mr. BURTON of Indiana, Mr. DEUTCH, Mr. CHABOT, and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on _____

A BILL

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

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

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

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

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

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

TITLE I—IRAN ENERGY SANCTIONS

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

TITLE II—IRAN FREEDOM SUPPORT

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

TITLE III—IRAN REGIME AND IRAN REVOLUTIONARY GUARD
CORPS ACCOUNTABILITY

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

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

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

TITLE V—SECURITIES AND EXCHANGE COMMISSION

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

TITLE VI—GENERAL PROVISIONS

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

Sec. 602. Sunset.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

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

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

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

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

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

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

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

23 (A) likely lead to the proliferation of such
24 weapons throughout the region, where several
25 states have already indicated interest in nuclear

1 programs, and would dramatically undercut 60
2 years of US efforts to stop the spread of nu-
3 clear weapons;

4 (B) greatly increase the threat of nuclear
5 terrorism;

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

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

12 (E) embolden all Iranian-supported ter-
13 rorist groups, including Hamas and Hezbollah;
14 and

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

21 (8) Successive Congresses have clearly recog-
22 nized the threat that the Iranian regime and its poli-
23 cies present s to the United States, to our friends
24 and allies, and to global security, and responded
25 with successive bipartisan legislative initiatives.

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

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

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

22 (12) In the Joint Explanatory Statement of the
23 Committee of Conference to the Comprehensive Iran
24 Sanctions, Accountability, and Divestment Act of
25 2010 (CISADA) (Public Law 111-195; 50 U.S.C.

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

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

20 (14) The Comprehensive Iran Sanctions, Ac-
21 countability, and Divestment Act of 2010 mandates
22 (among other provisions) that the President initiate
23 investigations of potentially-sanctionable activity
24 under the Iran Sanctions Act (Public Law 104–172;
25 50 U.S.C. 1701 note). Although more than 6

1 months have passed since enactment of this legisla-
2 tion, Congress has not received notice of the imposi-
3 tion of sanctions on any entities that do significant
4 business in the U.S., despite multiple reports of po-
5 tentially-sanctionable activity by such entities. Al-
6 though, in accordance with CISADA, some poten-
7 tially sanctionable entities have been persuaded to
8 wind down and end their involvement in Iran, others
9 have not. In fact, since CISADA became law, only
10 two entities have been sanctioned, neither of which
11 does business in the U.S. and both of which are
12 therefore largely untouched by the sanctions.

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

16 **SEC. 3. STATEMENT OF POLICY.**

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

18 (1) prevent Iran from—

19 (A) acquiring or developing nuclear weap-
20 ons and associated delivery capabilities;

21 (B) developing its unconventional weapons
22 and ballistic missile capabilities; and

23 (C) continuing its support for Foreign Ter-
24 rorist Organizations and other activities aimed

1 at undermining and destabilizing its neighbors
2 and other nations; and

3 (2) fully implement all multilateral and bilateral
4 sanctions against Iran in order to compel the Gov-
5 ernment of Iran to—

6 (A) abandon and verifiably dismantle its
7 nuclear capabilities;

8 (B) abandon and verifiably dismantle its
9 ballistic missile and unconventional weapons
10 programs; and

11 (C) cease all support for Foreign Terrorist
12 Organizations and other activities aimed at un-
13 dermining and destabilizing its neighbors and
14 other nations.

15 **TITLE I—IRAN ENERGY** 16 **SANCTIONS**

17 **SEC. 101. FINDINGS.**

18 Congress makes the following findings:

19 (1) The efforts of the Government of Iran to
20 achieve nuclear- weapons capability and to acquire
21 other unconventional weapons and the means to de-
22 liver them, both through ballistic-missile and asym-
23 metric means, and its support for foreign terrorist
24 organizations and other extremists endanger the na-
25 tional security and foreign policy interests of the

1 United States and those countries with which the
2 United States shares common strategic and foreign
3 policy objectives.

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

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

18 **SEC. 102. SENSE OF CONGRESS.**

19 It is the sense of Congress that the goal of compelling
20 Iran to abandon its pursuit of nuclear weapons and other
21 threatening activities can be achieved most effectively
22 through full implementation of all sanctions enacted into
23 law, including those sanctions set out in this title.

1 **SEC. 103. DECLARATION OF POLICY.**

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

11 **SEC. 104. MULTILATERAL REGIME.**

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

19 (1) qualitatively expanding the United Nations
20 Security Council sanctions regime against Iran;

21 (2) qualitatively expanding the range of sanc-
22 tions by the European Union, South Korea, Japan,
23 Australia, and other key United States allies;

24 (3) further efforts to limit Iran's development
25 of petroleum resources and import of refined petro-
26 leum; and

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

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

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

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

19 (c) INTERIM REPORT ON MULTILATERAL SANC-
20 TIONS; MONITORING.—Not later than 90 days after the
21 date of the enactment of this Act, the President shall sub-
22 mit to the appropriate congressional committees a report
23 on—

24 (1) the countries that have established legisla-
25 tive or administrative standards providing for the

1 imposition of trade sanctions on persons or their af-
2 filiates that conduct business or have investments in
3 Iran;

4 (2) the extent and duration of each instance of
5 the application of such sanctions; and

6 (3) the disposition of any decision with respect
7 to such sanctions by the World Trade Organization
8 or its predecessor organization.

9 (d) INVESTIGATIONS.—

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

16 (2) DETERMINATION AND NOTIFICATION.—Not
17 later than 180 days after the date on which an in-
18 vestigation is initiated under paragraph (1), the
19 President shall (unless paragraph (6) applies) deter-
20 mine, pursuant to section 105, if a person has en-
21 gaged in an activity described in such section and
22 shall notify the appropriate congressional committees
23 of the basis for any such determination.

24 (3) BRIEFING.—

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

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

12 (4) SUBMISSION OF INFORMATION.—

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

20 (B) FORM.—The information required
21 under subparagraph (A) shall be provided in
22 unclassified form, but may contain a classified
23 annex.

24 (5) TERMINATION.—Subject to paragraph (6),
25 the President may, on a case-by-case basis, termi-

1 nate an investigation of a person initiated under this
2 subsection.

3 (6) SPECIAL RULE.—

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

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

16 (ii) the President has received reliable
17 assurances that the person will not know-
18 ingly engage in an activity described in
19 section 105(a) in the future.

20 (B) APPLICATION OF SANCTIONS.—The
21 President shall apply the sanctions described in
22 section 106(a) in accordance with section
23 105(a) to a person described in subparagraph
24 (A) of this paragraph if the person fails to
25 verifiably divest all holdings and terminate the

1 activity described in subparagraph (A) of this
2 paragraph within one year from the date of cer-
3 tification.

4 **SEC. 105. IMPOSITION OF SANCTIONS.**

5 (a) SANCTIONS WITH RESPECT TO THE DEVELOP-
6 MENT OF PETROLEUM RESOURCES OF IRAN, PRODUC-
7 TION OF REFINED PETROLEUM PRODUCTS IN IRAN, AND
8 EXPORTATION OF REFINED PETROLEUM PRODUCTS TO
9 IRAN.—

10 (1) DEVELOPMENT OF PETROLEUM RESOURCES
11 OF IRAN.—

12 (A) IN GENERAL.—Except as provided in
13 subsection (f), the President shall impose a ma-
14 jority of the sanctions described in section
15 106(a) with respect to a person if the President
16 determines that the person knowingly, on or
17 after the date of the enactment of this Act—

18 (i) makes an investment described in
19 subparagraph (B) of \$20,000,000 or more;
20 or

21 (ii) makes a combination of invest-
22 ments described in subparagraph (B) in a
23 12-month period if each such investment is
24 of at least \$5,000,000 and such invest-

1 ments equal or exceed \$20,000,000 in the
2 aggregate.

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

8 (2) PRODUCTION OF REFINED PETROLEUM
9 PRODUCTS.—

10 (A) IN GENERAL.—Except as provided in
11 subsection (f), the President shall impose a ma-
12 jority of the sanctions described in section
13 106(a) with respect to a person if the President
14 determines that the person knowingly, on or
15 after the date of the enactment this Act, sells,
16 leases, or provides to Iran goods, services, tech-
17 nology, information, or support described in
18 subparagraph (B)—

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

21 (ii) that, during a 12-month period,
22 have an aggregate fair market value of
23 \$5,000,000 or more.

24 (B) GOODS, SERVICES, TECHNOLOGY, IN-
25 FORMATION, OR SUPPORT DESCRIBED.—Goods,

1 services, technology, information, or support de-
2 scribed in this subparagraph are goods, serv-
3 ices, technology, information, or support that
4 could directly and significantly facilitate the
5 maintenance or expansion of Iran's domestic
6 production of refined petroleum products, in-
7 cluding any direct and significant assistance
8 with respect to the construction, modernization,
9 or repair of petroleum refineries or associated
10 infrastructure, including construction of port
11 facilities, railways, and roads, the primary use
12 of which is to support the delivery of refined pe-
13 troleum products.

14 (3) EXPORTATION OF REFINED PETROLEUM
15 PRODUCTS TO IRAN.—

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

22 (i) sells or provides to Iran refined pe-
23 troleum products—

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

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

4 (ii) sells, leases, or provides to Iran
5 goods, services, technology, information, or
6 support described in subparagraph (B)—

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

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

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

20 (i) except as provided in subparagraph
21 (C), underwriting or entering into a con-
22 tract to provide insurance or reinsurance
23 for the sale, lease, or provision of such
24 goods, services, service contracts, tech-
25 nology, information, or support;

1 (ii) financing or brokering such sale,
2 lease, or provision;

3 (iii) purchasing, subscribing to, or fa-
4 cilitating the issuance of Iranian sovereign
5 debt; or

6 (iv) providing ships or shipping serv-
7 ices.

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

22 (b) MANDATORY SANCTIONS WITH RESPECT TO DE-
23 VELOPMENT OF WEAPONS OF MASS DESTRUCTION OR
24 OTHER MILITARY CAPABILITIES.—

1 (1) IN GENERAL.—The President shall impose
2 a majority of the sanctions described in section
3 106(a) if the President determines that a person, on
4 or after the date of the enactment of this Act, has
5 knowingly exported, transferred, permitted, hosted,
6 or otherwise facilitated transshipment that may have
7 enabled a person to export, transfer, or transship to
8 Iran or otherwise provided to Iran any goods, serv-
9 ices, technology, or other items that would con-
10 tribute materially to the ability of Iran to—

11 (A) acquire or develop chemical, biological,
12 or nuclear weapons or related technologies; or

13 (B) acquire or develop destabilizing num-
14 bers and types of advanced conventional weap-
15 ons.

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

18 (A) IN GENERAL.—Except as provided in
19 subparagraphs (B) and (C), in any case in
20 which a person is subject to sanctions under
21 paragraph (1) because of an activity described
22 in that paragraph that relates to the acquisition
23 or development of nuclear weapons or related
24 technology or of missiles or advanced conven-
25 tional weapons that are designed or modified to

1 deliver a nuclear weapon, no license may be
2 issued for the export, and no approval may be
3 given for the transfer or retransfer, directly or
4 indirectly, to the country the government of
5 which has primary jurisdiction over the person,
6 of any nuclear material, facilities, components,
7 or other goods, services, or technology that are
8 or would be subject to an agreement for co-
9 operation between the United States and that
10 government.

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

19 (i) does not know or have reason to
20 know about the activity; or

21 (ii) has taken, or is taking, all reason-
22 able steps necessary to prevent a recur-
23 rence of the activity and to penalize the
24 person for the activity.

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

12 (i) determines that such approval is
13 vital to the national security interests of
14 the United States; and

15 (ii) not later than 15 days before
16 issuing such license or approving such
17 transfer or retransfer, submits to the Com-
18 mittee on Foreign Affairs of the House of
19 Representatives and the Committee on
20 Foreign Relations of the Senate the jus-
21 tification for approving such license, trans-
22 fer, or retransfer.

23 (D) CONSTRUCTION.—The restrictions in
24 subparagraph (A) shall apply in addition to all
25 other applicable procedures, requirements, and

1 restrictions contained in the Atomic Energy Act
2 of 1954 and other related laws.

3 (E) DEFINITION.—In this paragraph, the
4 term “agreement for cooperation” has the
5 meaning given that term in section 11 b. of the
6 Atomic Energy Act of 1954 (42 U.S.C.
7 2014(b)).

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

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

18 (1) any person the President determines has
19 carried out the activities described in subsection (a)
20 or (b), respectively; and

21 (2) any person that—

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

24 (B) owns or controls the person referred to
25 in paragraph (1), if the person that owns or

1 controls the person referred to in paragraph (1)
2 had actual knowledge or should have known
3 that the person referred to in paragraph (1) en-
4 gaged in the activities referred to in that para-
5 graph; or

6 (C) is owned or controlled by, or under
7 common ownership or control with, the person
8 referred to in paragraph (1), if the person
9 owned or controlled by, or under common own-
10 ership or control with (as the case may be), the
11 person referred to in paragraph (1) knowingly
12 engaged in the activities referred to in that
13 paragraph.

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

17 (d) PUBLICATION IN FEDERAL REGISTER.—The
18 President shall cause to be published in the Federal Reg-
19 ister a current list of persons and entities on whom sanc-
20 tions have been imposed under this title. The removal of
21 persons or entities from, and the addition of persons and
22 entities to, the list, shall also be so published.

23 (e) PUBLICATION OF PROJECTS.—The President
24 shall cause to be published in the Federal Register a list

1 of all significant projects that have been publicly tendered
2 in the oil and gas sector in Iran.

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

6 (1) in the case of procurement of defense arti-
7 cles or defense services—

8 (A) under existing contracts or sub-
9 contracts, including the exercise of options for
10 production quantities to satisfy requirements
11 essential to the national security of the United
12 States;

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

20 (C) if the President determines in writing
21 that such articles or services are essential to the
22 national security under defense coproduction
23 agreements;

24 (2) in the case of procurement, to eligible prod-
25 ucts, as defined in section 308(4) of the Trade

1 Agreements Act of 1979 (19 U.S.C. 2518(4)), of
2 any foreign country or instrumentality designated
3 under section 301(b) of that Act (19 U.S.C.
4 2511(b));

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

10 (4) to—

11 (A) spare parts which are essential to
12 United States products or production;

13 (B) component parts, but not finished
14 products, essential to United States products or
15 production; or

16 (C) routine servicing and maintenance of
17 products, to the extent that alternative sources
18 are not readily or reasonably available;

19 (6) to information and technology essential to
20 United States products or production; or

21 (7) to medicines, medical supplies, or other hu-
22 manitarian items.

23 **SEC. 106. DESCRIPTION OF SANCTIONS.**

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

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

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

15 (A) the Export Administration Act of 1979
16 (as continued in effect pursuant to the Inter-
17 national Emergency Economic Powers Act);

18 (B) the Arms Export Control Act;

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

20 (D) any other law that requires the prior
21 review and approval of the United States Gov-
22 ernment as a condition for the export or re-ex-
23 port of goods or services.

24 (3) LOANS FROM UNITED STATES FINANCIAL
25 INSTITUTIONS.—The United States Government

1 may prohibit any United States financial institution
2 from making loans or providing credits to any sanc-
3 tioned person totaling more than \$10,000,000 in
4 any 12-month period unless such person is engaged
5 in activities to relieve human suffering and the loans
6 or credits are provided for such activities.

7 (4) PROHIBITIONS ON FINANCIAL INSTITU-
8 TIONS.—The following prohibitions may be imposed
9 against a sanctioned person that is a financial insti-
10 tution:

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

19 (B) PROHIBITION ON SERVICE AS A RE-
20 POSITORY OF GOVERNMENT FUNDS.—Such fi-
21 nancial institution may not serve as agent of
22 the United States Government or serve as re-
23 pository for United States Government funds.

24 The imposition of either sanction under subpara-
25 graph (A) or (B) shall be treated as one sanction for

1 purposes of section 105, and the imposition of both
2 such sanctions shall be treated as two sanctions for
3 purposes of section 105.

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

8 (6) FOREIGN EXCHANGE.—The President may
9 prohibit any transactions in foreign exchange that
10 are subject to the jurisdiction of the United States
11 and in which the sanctioned person has any interest.

12 (7) BANKING TRANSACTIONS.—The President
13 may prohibit any transfers of credit or payments be-
14 tween financial institutions or by, through, or to any
15 financial institution, to the extent that such trans-
16 fers or payments are subject to the jurisdiction of
17 the United States and involve any interest of the
18 sanctioned person.

19 (8) PROPERTY TRANSACTIONS.—The President
20 may prohibit any person from—

21 (A) acquiring, holding, withholding, using,
22 transferring, withdrawing, transporting, import-
23 ing, or exporting any property that is subject to
24 the jurisdiction of the United States and with

1 respect to which a sanctioned person has any
2 interest;

3 (B) dealing in or exercising any right,
4 power, or privilege with respect to such prop-
5 erty; or

6 (C) conducting any transaction involving
7 such property.

8 (9) GROUNDS FOR EXCLUSION.—The Secretary
9 of State may deny a visa to, and the Secretary of
10 Homeland Security may exclude from the United
11 States, any alien whom the Secretary of State deter-
12 mines is an alien who, on or after the date of the
13 enactment of this Act, is a—

14 (A) corporate officer, principal, or share-
15 holder with a controlling interest of a person
16 against whom sanctions have been imposed
17 under subsection (a) or (b);

18 (B) corporate officer, principal, or share-
19 holder with a controlling interest of a successor
20 entity to or a parent or subsidiary of such a
21 sanctioned person;

22 (C) corporate officer, principal, or share-
23 holder with a controlling interest of an affiliate
24 of such a sanctioned person, if such affiliate en-
25 gaged in a sanctionable activity described in

1 subsection (a) or (b) and if such affiliate is con-
2 trolled in fact by such sanctioned person; or

3 (D) spouse, minor child, or agent of a per-
4 son excludable under subparagraph (A), (B), or
5 (C).

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

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

20 (b) ADDITIONAL MEASURE RELATING TO GOVERN-
21 MENT CONTRACTS.—

22 (1) MODIFICATION OF FEDERAL ACQUISITION
23 REGULATION.—The Federal Acquisition Regulation
24 issued pursuant to section 25 of the Office of Fed-
25 eral Procurement Policy Act (41 U.S.C. 421) shall

1 require a certification from each person that is a
2 prospective contractor that such person does not en-
3 gage in any activity for which sanctions may be im-
4 posed under section 105.

5 (2) REMEDIES.—

6 (A) IN GENERAL.—If the head of an execu-
7 tive agency determines that a person has sub-
8 mitted a false certification under paragraph (1)
9 after the date on which the Federal Acquisition
10 Regulation is revised to implement the require-
11 ments of this subsection, the head of that execu-
12 tive agency shall terminate a contract with
13 such person or debar or suspend such person
14 from eligibility for Federal contracts for a pe-
15 riod of not more than three years. Any such de-
16 barment or suspension shall be subject to the
17 procedures that apply to debarment and sus-
18 pension under the Federal Acquisition Regula-
19 tion under subpart 9.4 of part 9 of title 48,
20 Code of Federal Regulations.

21 (B) INCLUSION ON LIST OF PARTIES EX-
22 CLUDED FROM FEDERAL PROCUREMENT AND
23 NONPROCUREMENT PROGRAMS.—The Adminis-
24 trator of General Services shall include on the
25 List of Parties Excluded from Federal Procure-

1 ment and Nonprocurement Programs main-
2 tained by the Administrator under part 9 of the
3 Federal Acquisition Regulation issued pursuant
4 to section 25 of the Office of Federal Procure-
5 ment Policy Act (41 U.S.C. 421) each person
6 that is debarred, suspended, or proposed for de-
7 barment or suspension by the head of an execu-
8 tive agency on the basis of a determination of
9 a false certification under subparagraph (A).

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

18 (4) RULE OF CONSTRUCTION.—This subsection
19 shall not be construed to limit the use of other rem-
20 edies available to the head of an executive agency or
21 any other official of the Federal Government on the
22 basis of a determination of a false certification
23 under paragraph (1).

24 (5) WAIVER.—The President may, on a case-
25 by-case basis, waive the requirement that a person

1 make a certification under paragraph (1) if the
2 President determines and certifies in writing to the
3 appropriate congressional committees that it is in
4 the national interest of the United States to do so.

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

9 (7) APPLICABILITY.—The revisions to the Fed-
10 eral Acquisition Regulation required under para-
11 graph (1) shall apply with respect to contracts for
12 which solicitations are issued on or after the date
13 that is 90 days after the date of the enactment of
14 this Act.

15 **SEC. 107. ADVISORY OPINIONS.**

16 The Secretary of State may, upon the request of any
17 person, issue an advisory opinion to such person as to
18 whether a proposed activity by such person would subject
19 such person to sanctions under this title Any person who
20 relies in good faith on such an advisory opinion which
21 states that such proposed activity would not subject such
22 person to such sanctions, and any such person who there-
23 after engages in such activity, shall not be made subject
24 to such sanctions on account of such activity.

1 **SEC. 108. TERMINATION OF SANCTIONS.**

2 (a) CERTIFICATION.—The requirement under section
3 105 to impose sanctions shall no longer have force or ef-
4 fect with respect to Iran if the President determines and
5 certifies to the appropriate congressional committees that
6 Iran—

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

9 (A) a nuclear explosive device or related
10 materials and technology;

11 (B) chemical and biological weapons; and

12 (C) ballistic missiles and ballistic missile
13 launch technology;

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

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

18 (b) NOTIFICATION.—The President shall notify the
19 appropriate congressional committees not later than 15
20 days before making the certification described in sub-
21 section (a).

22 **SEC. 109. DURATION OF SANCTIONS.**

23 (a) DELAY OF SANCTIONS.—

24 (1) CONSULTATIONS.—If the President makes a
25 determination described in section 105 with respect
26 to a foreign person, Congress urges the President to

1 initiate consultations immediately with the govern-
2 ment with primary jurisdiction over such foreign
3 person with respect to the imposition of sanctions
4 under such section.

5 (2) ACTIONS BY GOVERNMENT OF JURISDIC-
6 TION.—In order to pursue consultations under para-
7 graph (1) with the government concerned, the Presi-
8 dent may delay for up to 90 days the imposition of
9 sanctions under section 105. Following such con-
10 sultations, the President shall immediately impose
11 on the foreign person referred to in paragraph (1)
12 such sanctions unless the President determines and
13 certifies to Congress that the government has taken
14 specific and effective actions, including, as appro-
15 priate, the imposition of appropriate penalties to ter-
16 minate the involvement of the foreign person in the
17 activities that resulted in the determination by the
18 President under section 105 concerning such foreign
19 person and the foreign person is no longer engaged
20 in such activities.

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

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

1 (2) until such time as the President determines
2 and certifies to Congress that the person whose ac-
3 tivities were the basis for imposing such sanction is
4 no longer engaging in such activities and that the
5 President has received reliable assurances that such
6 person will not knowingly engage in such activities
7 in the future, except that such sanction shall remain
8 in effect for a period of at least one year.

9 (c) WAIVER.—

10 (1) AUTHORIZATION.—

11 (A) IN GENERAL.—The President may
12 waive the requirements in section 105(a) or
13 105(b)(2) to impose a sanction or sanctions,
14 and may waive, on a case-by-case basis, the
15 continued imposition of a sanction or sanctions
16 under subsection (b) of this section, if the
17 President determines and so reports to the ap-
18 propriate congressional committees 15 days
19 prior to the exercise of waiver authority that
20 failure to exercise such waiver authority would
21 pose an unusual and extraordinary threat to the
22 vital national security interests of the United
23 States.

24 (B) CONTENTS OF REPORT.—Any report
25 under subparagraph (A) shall provide a specific

1 and detailed rationale for a determination made
2 pursuant to such paragraph, including—

3 (i) a description of the conduct that
4 resulted in the determination under section
5 105(a);

6 (ii) in the case of a foreign person, an
7 explanation of the efforts to secure the co-
8 operation of the government with primary
9 jurisdiction over such person to terminate
10 or, as appropriate, penalize the activities
11 that resulted in the determination under
12 section 105(a);

13 (iii) an estimate of the significance of
14 the conduct of the person concerned in
15 contributing to the ability of Iran to de-
16 velop petroleum resources, produce refined
17 petroleum products, or import refined pe-
18 troleum products; and

19 (iv) a statement as to the response of
20 the United States in the event that the
21 person concerned engages in other activi-
22 ties that would be subject to a sanction or
23 sanctions under section 105(a).

1 (2) WAIVER WITH RESPECT TO PERSONS IN
2 COUNTRIES THAT COOPERATE IN MULTILATERAL
3 EFFORTS WITH RESPECT TO IRAN.—

4 (A) IN GENERAL.—The President may, on
5 a case by case basis, waive for a period of not
6 more than 12 months the application of section
7 105(a) with respect to a person if the Presi-
8 dent, at least 30 days before the waiver is to
9 take effect—

10 (i) certifies to the appropriate con-
11 gressional committees that—

12 (I) the government with primary
13 jurisdiction over the person is closely
14 cooperating with the United States in
15 multilateral efforts to prevent Iran
16 from—

17 (aa) acquiring or developing
18 chemical, biological, or nuclear
19 weapons or related technologies;
20 or

21 (bb) acquiring or developing
22 destabilizing numbers and types
23 of advanced conventional weap-
24 ons; and

1 (II) such a waiver is vital to the
2 national security interests of the
3 United States; and

4 (ii) submits to the appropriate con-
5 gressional committees a report identi-
6 fying—

7 (I) the person with respect to
8 which the President waives the appli-
9 cation of sanctions; and

10 (II) the actions taken by the gov-
11 ernment described in clause (i)(I) to
12 cooperate in multilateral efforts de-
13 scribed in that clause.

14 (B) SUBSEQUENT RENEWAL OF WAIVER.—
15 At the conclusion of the period of a waiver
16 under subparagraph (A), the President may
17 renew the waiver—

18 (i) if the President determines, in ac-
19 cordance with subparagraph (A) that the
20 waiver is appropriate; and

21 (ii) for subsequent periods of not
22 more than 12 months each.

23 **SEC. 110. REPORTS REQUIRED.**

24 (a) REPORT ON CERTAIN INTERNATIONAL INITIA-
25 TIVES.—Not later than 180 days after the date of the en-

1 actment of this Act and every 180 days thereafter, the
2 President shall transmit to the appropriate congressional
3 committees a report describing—

4 (1) the efforts of the President to mount a mul-
5 tilateral campaign to persuade all countries to pres-
6 sure Iran to cease its nuclear, chemical, biological,
7 and missile weapons programs and its support of
8 acts of international terrorism;

9 (2) the efforts of the President to persuade
10 other governments to ask Iran to reduce in the
11 countries of such governments the presence of Ira-
12 nian diplomats and representatives of other govern-
13 ment and military or quasi-governmental institutions
14 of Iran, and to withdraw any such diplomats or rep-
15 resentatives who participated in the takeover of the
16 United States Embassy in Tehran, Iran, on Novem-
17 ber 4, 1979, or the subsequent holding of United
18 States hostages for 444 days;

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

23 (4) Iran's use of Iranian diplomats and rep-
24 resentatives of other government and military or
25 quasi-governmental institutions of Iran to promote

1 acts of international terrorism or to develop or sus-
2 tain Iran's nuclear, chemical, biological, or missile
3 weapons programs.

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

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

11 (A) been effective in achieving the policy
12 objective described in section 103 and any other
13 foreign policy or national security objectives of
14 the United States with respect to Iran; and

15 (B) affected humanitarian interests in
16 Iran, the country in which a sanctioned person
17 is located, or in other countries; and

18 (2) the impact of actions relating to trade taken
19 pursuant to this title on other national security, eco-
20 nomic, and foreign policy interests of the United
21 States, including relations with countries friendly to
22 the United States, and on the United States econ-
23 omy.

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

4 (c) OTHER REPORTS.—The President shall ensure
5 the continued transmittal to Congress of reports describ-
6 ing—

7 (1) the nuclear and other military capabilities
8 of Iran, as required under section 601(a) of the Nu-
9 clear Non-Proliferation Act of 1978 and section
10 1607 of the National Defense Authorization Act for
11 Fiscal Year 1993; and

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

15 (d) REPORTS ON GLOBAL TRADE RELATING TO
16 IRAN.—Not later than 180 days after the date of the en-
17 actment of the this Act and annually thereafter, the Presi-
18 dent shall transmit to the appropriate congressional com-
19 mittees a report, with respect to the most recent 12-month
20 period for which data are available, on the dollar value
21 amount of trade, including in the energy sector, between
22 Iran and each country maintaining membership in the
23 Group of 20 Finance Ministers and Central Bank Gov-
24 ernors.

1 **SEC. 111. DETERMINATIONS NOT REVIEWABLE.**

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

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

5 Nothing in this title shall apply to any activities sub-
6 ject to the reporting requirements of title V of the Na-
7 tional Security Act of 1947.

8 **SEC. 113. DEFINITIONS.**

9 In this title:

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

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

17 (A) the Committee on Finance, the Com-
18 mittee on Banking, Housing, and Urban Af-
19 fairs, and the Committee on Foreign Relations
20 of the Senate; and

21 (B) the Committee on Ways and Means,
22 the Committee on Banking and Financial Serv-
23 ices, the Committee on Financial Services, and
24 the Committee on Foreign Affairs of the House
25 of Representatives.

1 (3) COMPONENT PART.—The term “component
2 part” has the meaning given such term in section
3 11A(e)(1) of the Export Administration Act of 1979
4 (50 U.S.C. App. 2410a(e)(1)).

5 (4) CREDIBLE INFORMATION.—The term “cred-
6 ible information” means, with respect to a person,
7 such person’s public announcement of an investment
8 described in section 105, Iranian governmental an-
9 nouncements of such an investment, reports to
10 stockholders, annual reports, industry reports, Gov-
11 ernment Accountability Office products, and trade
12 publications.

13 (5) DEVELOP AND DEVELOPMENT.—The terms
14 “develop” and “development” mean the exploration
15 for, or the extraction, refining, or transportation by
16 pipeline of, petroleum resources.

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

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

24 (B) a credit union;

1 (C) a securities firm, including a broker or
2 dealer;

3 (D) an insurance company, including an
4 agency or underwriter; and

5 (E) any other company that provides fi-
6 nancial services including joint ventures with
7 Iranian entities both inside and outside of Iran
8 and partnerships or investments with Iranian
9 government-controlled entities or affiliated enti-
10 ties.

11 (7) FINISHED PRODUCT.—The term “finished
12 product” has the meaning given such term in section
13 11A(e)(2) of the Export Administration Act of 1979
14 (50 U.S.C. App. 2410a(e)(2)).

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

17 (A) an individual who is not a United
18 States person or an alien lawfully admitted for
19 permanent residence into the United States; or

20 (B) a corporation, partnership, joint ven-
21 ture, cooperative venture, or other nongovern-
22 mental entity which is not a United States per-
23 son.

24 (9) FOREIGN TERRORIST ORGANIZATION.—The
25 term “foreign terrorist organization” means an or-

1 organization designated by the Secretary of State as a
2 foreign terrorist organization in accordance with sec-
3 tion 219(a) of the Immigration and Nationality Act
4 (8 U.S.C. 1189(a)).

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

9 (11) INVESTMENT.—The term “investment”
10 means any of the following activities if any of such
11 activities is undertaken pursuant to an agreement,
12 or pursuant to the exercise of rights under such an
13 agreement, that is entered into with the Government
14 of Iran or a nongovernmental entity in Iran, on or
15 after the date of the enactment of this Act:

16 (A) The entry into a contract that includes
17 responsibility for the development of petroleum
18 resources located in Iran, or the entry into a
19 contract providing for the general supervision
20 and guarantee of another person’s performance
21 of such a contract.

22 (B) The purchase of a share of ownership,
23 including an equity interest, in the development
24 described in subparagraph (A).

1 (C) The entry into a contract providing for
2 the participation in royalties, earnings, or prof-
3 its in the development described in subpara-
4 graph (A), without regard to the form of such
5 participation.

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

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

10 (13) IRANIAN DIPLOMATS AND REPRESENTA-
11 TIVES OF OTHER GOVERNMENT AND MILITARY OR
12 QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.—
13 The term “Iranian diplomats and representatives of
14 other government and military or quasi-govern-
15 mental institutions of Iran” includes employees, rep-
16 resentatives, or affiliates of Iran’s—

17 (A) Foreign Ministry;

18 (B) Ministry of Intelligence and Security;

19 (C) Revolutionary Guard Corps and affili-
20 ated entities;

21 (D) Crusade for Reconstruction;

22 (E) Qods (Jerusalem) Forces;

23 (F) Interior Ministry;

24 (G) Foundation for the Oppressed and
25 Disabled;

- 1 (H) Prophet’s Foundation;
2 (I) June 5th Foundation;
3 (J) Martyr’s Foundation;
4 (K) Islamic Propagation Organization; and
5 (L) Ministry of Islamic Guidance.

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

11 (15) NUCLEAR EXPLOSIVE DEVICE.—The term
12 “nuclear explosive device” means any device, wheth-
13 er assembled or disassembled, that is designed to
14 produce an instantaneous release of an amount of
15 nuclear energy from special nuclear material (as de-
16 fined in section 11 aa. of the Atomic Energy Act of
17 1954 (42 U.S.C. 2014 aa.)) that is greater than the
18 amount of energy that would be released from the
19 detonation of one pound of trinitrotoluene (TNT).

20 (16) PERSON.—

21 (A) IN GENERAL.—The term “person”
22 means—

- 23 (i) a natural person;
24 (ii) a corporation, business associa-
25 tion, partnership, society, trust, financial

1 institution, insurer, underwriter, guar-
2 antor, or any other business organization,
3 any other nongovernmental entity, organi-
4 zation, or group, and any governmental en-
5 tity operating as a business enterprise; and

6 (iii) any successor to any entity de-
7 scribed in clause (ii).

8 (B) EXCLUSION.—The term “person” does
9 not include a government or governmental enti-
10 ty that is not operating as a business enter-
11 prise.

12 (17) PETROLEUM RESOURCES.—The term “pe-
13 troleum resources” includes petroleum and natural
14 gas resources, refined petroleum products, oil or liq-
15 uefied natural gas, oil or liquefied natural gas tank-
16 ers, and products used to construct or maintain
17 pipelines used to transport oil or liquefied natural
18 gas.

19 (18) REFINED PETROLEUM PRODUCTS.—The
20 term “refined petroleum products” means diesel,
21 gasoline, jet fuel (including naphtha-type and ker-
22 osene-type jet fuel), and aviation gasoline.

23 (19) UNITED STATES OR STATE.—The terms
24 “United States” and “State” mean the several
25 States, the District of Columbia, the Commonwealth

1 of Puerto Rico, the Commonwealth of the Northern
2 Mariana Islands, American Samoa, Guam, the
3 United States Virgin Islands, and any other terri-
4 tory or possession of the United States.

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

7 (A) a natural person who is a citizen of the
8 United States or who owes permanent alle-
9 giance to the United States; and

10 (B) a corporation or other legal entity that
11 is organized under the laws of the United
12 States or any State if a natural person de-
13 scribed in subparagraph (A) owns, directly or
14 indirectly, more than 50 percent of the out-
15 standing capital stock or other beneficial inter-
16 est in such corporation or legal entity.

17 **SEC. 114. EFFECTIVE DATE.**

18 This title shall take effect on the date of the enact-
19 ment of this Act and shall apply with respect to an invest-
20 ment or activity described in subsection (a) or (b) of sec-
21 tion 105 that is commenced on or after such date of enact-
22 ment.

23 **SEC. 115. REPEAL.**

24 (a) IN GENERAL.—The Iran Sanctions Act of 1996
25 (50 U.S.C. 1701 note) is repealed.

1 (b) FEDERAL ACQUISITION REGULATION.—Not-
2 withstanding the repeal made by subsection (a), the modi-
3 fication to the Federal Acquisition Regulation made pur-
4 suant to section 6(b)(1) of the Iran Sanctions Act of 1996
5 shall continue in effect until the modification to such Reg-
6 ulation that is made pursuant to section 106(b)(1) of this
7 Act takes effect.

8 **TITLE II—IRAN FREEDOM**
9 **SUPPORT**

10 **SEC. 201. CODIFICATION OF SANCTIONS.**

11 United States sanctions with respect to Iran imposed
12 pursuant to sections 1 and 3 of Executive Order 12957,
13 sections 1(e), (1)(g), and (3) of Executive Order 12959,
14 sections 2, 3, and 5 of Executive Order 13059 (relating
15 to exports and certain other transactions with Iran), and
16 sections 1, 5, 6, 7, and 8 of Executive Order 13553, as
17 in effect on January 1, 2011, shall remain in effect until
18 the President certifies to the appropriate congressional
19 committees, at least 90 days before the removal of such
20 sanctions, that the Government of Iran has verifiably dis-
21 mantled its nuclear weapons program, its biological and
22 chemical weapons programs, its ballistic missile develop-
23 ment programs, and ceased its support for international
24 terrorism.

1 **SEC. 202. DECLARATION OF CONGRESS REGARDING**
2 **UNITED STATES POLICY TOWARD IRAN.**

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

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

8 (a) STATEMENT OF POLICY.—The President is au-
9 thorized to provide financial and political assistance (in-
10 cluding the award of grants) to foreign and domestic indi-
11 viduals, organizations, and entities that support democ-
12 racy and the promotion of democracy in Iran. Such assist-
13 ance may include the award of grants to eligible inde-
14 pendent pro-democracy broadcasting organizations and
15 new media that broadcast into Iran.

16 (b) ELIGIBILITY FOR ASSISTANCE.—Financial and
17 political assistance authorized under this section shall be
18 provided only to an individual, organization, or entity
19 that—

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

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

4 (3) is dedicated to democratic values and sup-
5 ports the adoption of a democratic form of govern-
6 ment in Iran;

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

9 (5) works to establish equality of opportunity
10 for all people; and

11 (6) supports freedom of the press, freedom of
12 speech, freedom of association, and freedom of reli-
13 gion.

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

16 (1) funds available to the Middle East Partner-
17 ship Initiative (MEPI), the Broader Middle East
18 and North Africa Initiative, the Human Rights and
19 Democracy Fund, and the Near East Regional De-
20 mocracy Fund; and

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

23 (d) NOTIFICATION.—Not later than 15 days before
24 each obligation of assistance under this section, and in ac-
25 cordance with the procedures under section 634A of the

1 Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), the
2 President shall notify the Committee on Foreign Affairs
3 and the Committee on Appropriations of the House of
4 Representatives and the Committee on Foreign Relations
5 and the Committee on Appropriations of the Senate of
6 such obligation of assistance. Such notification shall in-
7 clude, as practicable, a description of the types of pro-
8 grams supported by such assistance and an identification
9 of the recipients of such assistance.

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

12 (1) contacts should be expanded with opposition
13 groups in Iran that meet the criteria for eligibility
14 for assistance under subsection (b);

15 (2) support for those individuals seeking democ-
16 racy in Iran should be expressed by United States
17 representatives and officials in all appropriate inter-
18 national fora; and

19 (3) officials and representatives of the United
20 States should—

21 (A) strongly and unequivocally support in-
22 digenous efforts in Iran calling for free, trans-
23 parent, and democratic elections; and

24 (B) draw international attention to viola-
25 tions by the Government of Iran of human

1 rights, freedom of religion, freedom of assem-
2 bly, and freedom of the press.

3 **SEC. 204. IMPOSITION OF SANCTIONS ON CERTAIN PER-**
4 **SONS WHO ARE RESPONSIBLE FOR OR**
5 **COMPLICIT IN HUMAN RIGHTS ABUSES COM-**
6 **MITTED AGAINST CITIZENS OF IRAN OR**
7 **THEIR FAMILY MEMBERS AFTER THE JUNE**
8 **12, 2009, ELECTIONS IN IRAN.**

9 (a) LIST OF PERSONS WHO ARE RESPONSIBLE FOR
10 OR COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES;
11 SANCTIONS ON SUCH PERSONS.—

12 (1) IN GENERAL.—Not later than 90 days after
13 the date of the enactment of this Act, the President
14 shall transmit to the appropriate congressional com-
15 mittees a list of all persons who are officials of the
16 Government of Iran, including the Supreme Leader,
17 the President, Members of the Cabinet, Members of
18 the Assembly of Experts, Members of the Ministry
19 of Intelligence Services, or any Member of the Ira-
20 nian Revolutionary Guard Corps with the rank of
21 brigadier general and above, including members of
22 paramilitary organizations such as Ansar-e-
23 Hezbollah and Basij-e Mostaz'afin.

24 (2) CERTIFICATION.—The President shall im-
25 pose on the persons specified in the list under para-

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

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

15 (A) not later than every 60 days beginning
16 after the date of the initial transmittal under
17 such paragraph; and

18 (B) as new information becomes available.

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

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

23 (B) PUBLIC AVAILABILITY.—The unclassi-
24 fied portion of the list required under para-
25 graph (1) shall be made available to the public

1 and posted on the Web sites of the Department
2 of the Treasury and the Department of State.

3 (5) CONSIDERATION OF DATA FROM OTHER
4 COUNTRIES AND NONGOVERNMENTAL ORGANIZA-
5 TIONS.—In preparing the list required under para-
6 graph (1), the President shall consider credible data
7 already obtained by other countries and nongovern-
8 mental organizations, including organizations in
9 Iran, that monitor the human rights abuses of the
10 Government of Iran.

11 (b) SANCTIONS DESCRIBED.—The sanctions de-
12 scribed in this subsection are ineligibility for a visa to
13 enter the United States and sanctions pursuant to the
14 International Emergency Economic Powers Act (50
15 U.S.C. 1701 et seq.), including blocking of property and
16 restrictions or prohibitions on financial transactions and
17 the exportation and importation of property, subject to
18 such regulations as the President may prescribe, including
19 regulatory exceptions to permit the United States to com-
20 ply with the Agreement between the United Nations and
21 the United States of America regarding the Headquarters
22 of the United Nations, signed June 26, 1947, and entered
23 into force November 21, 1947, and other applicable inter-
24 national obligations.

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

5 (1) unconditionally released all political pris-
6 oners, including the citizens of Iran detained in the
7 aftermath of the June 12, 2009, presidential election
8 in Iran;

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

12 (3) conducted a transparent investigation into
13 the killings, arrests, and abuse of peaceful political
14 activists that occurred in the aftermath of the June
15 12, 2009, presidential election in Iran and pros-
16 ecuted the individuals responsible for such killings,
17 arrests, and abuse; and

18 (4) has—

19 (A) established an independent judiciary;
20 and

21 (B) is respecting the human rights and
22 basic freedoms recognized in the Universal Dec-
23 laration of Human Rights.

1 **SEC. 205. COMPREHENSIVE STRATEGY TO PROMOTE**
2 **INTERNET FREEDOM AND ACCESS TO INFOR-**
3 **MATION IN IRAN.**

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

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

14 (2) support the development of counter-censor-
15 ship technologies that enable the citizens of Iran to
16 undertake Internet activities without interference
17 from the Government of Iran;

18 (3) increase the capabilities and availability of
19 secure mobile communications among human rights
20 and democracy activists in Iran;

21 (4) provide resources for digital safety training
22 for media, unions, and academic and civil society or-
23 ganizations in Iran;

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

1 (6) increase emergency resources for the most
2 vulnerable human rights advocates seeking to orga-
3 nize, share information, and support human rights
4 in Iran;

5 (7) expand surrogate radio, television, live
6 stream, and social network communications inside
7 Iran;

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

11 (9) defeat all attempts by the Government of
12 Iran to jam or otherwise deny international satellite
13 broadcasting signals; and

14 (10) expand worldwide United States embassy
15 and consulate programming for and outreach to Ira-
16 nian dissident communities.

17 (b) FORM.—The comprehensive strategies required
18 under subsection (a) shall be in unclassified form and may
19 include a classified annex.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 or

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

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

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

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

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

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

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

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

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

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

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

11 (b) ANNUAL REPORT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **SEC. 304. DEFINITIONS.**

14 In this title:

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

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

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

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

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

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

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

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

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

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

1 the Iranian Revolutionary Guard Corps Quds
2 Force.

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

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

8 (B) includes—

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

11 (ii) paramilitary organizations;

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

14 (iv) any organization that—

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

19 (II) receives assistance from
20 Iran; and

21 (III) is assessed—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “(4) PUBLIC DISCLOSURE OF INFORMATION.—

7 The Commission shall promptly—

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

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

15 “(i) the President;

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

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

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

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

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

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

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

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

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

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

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

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

16 **SEC. 602. SUNSET.**

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

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

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

25 (B) chemical and biological weapons; and

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

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

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

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