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To impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2017

Mr. CORKER (for himself, Mr. MENENDEZ, Mr. RUBIO, Mr. CARDIN, Mr. COTTON, Mr. CASEY, Mr. CRUZ, Mr. BENNET, Mr. RISCH, Mr. COONS, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. YOUNG, Mr. DONNELLY, Mr. NELSON, Mr. WYDEN, Mr. INHOFE, Ms. COLLINS, Mr. MORAN, Mr. WICKER, Mr. ALEXANDER, Mr. BOOZMAN, Mr. BOOKER, Mr. TOOMEY, Mrs. CAPITO, Mr. PETERS, Ms. KLOBUCHAR, Ms. STABENOW, Mr. ROBERTS, Mrs. FISCHER, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. BLUNT, Mr. CRAPO, Mr. GRASSLEY, Mr. MANCHIN, Ms. MURKOWSKI, Mr. MCCAIN, Mr. PORTMAN, Mr. KENNEDY, Mr. FLAKE, Mr. CASSIDY, Mrs. ERNST, Mr. CORNYN, Mr. PERDUE, Mr. ROUNDS, Mr. DAINES, Mr. GARDNER, Mr. STRANGE, and Mr. SCOTT) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

MAY 25, 2017

Reported by Mr. CORKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

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 “Countering Iran’s Destabilizing Activities Act of 2017”.

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

8 **SEC. 2. DEFINITIONS.**

9 In this Act:

10 (1) **ACT OF INTERNATIONAL TERRORISM.**—The
 11 term “act of international terrorism” has the mean-
 12 ing given that term in section 14 of the Iran Sane-
 13 tions Act of 1996 (Public Law 104–172; 50 U.S.C.
 14 1701 note).

15 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
 16 **TEES.**—The term “appropriate congressional com-
 17 mittees” has the meaning given that term in section

1 14 of the Iran Sanctions Act of 1996 (Public Law
2 104–172; 50 U.S.C. 1701 note).

3 (3) FOREIGN PERSON.—The term “foreign per-
4 son” means a person that is not a United States
5 person.

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

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

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

13 (5) IRGC.—The term “IRGC” means Iran’s Is-
14 lamie Revolutionary Guard Corps.

15 (6) KNOWINGLY.—The term “knowingly” has
16 the meaning given that term in section 14 of the
17 Iran Sanctions Act of 1996 (Public Law 104–172;
18 50 U.S.C. 1701 note).

19 (7) PERSON.—The term “person” means an in-
20 dividual or entity.

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

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

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

5 **SEC. 3. REGIONAL STRATEGY FOR COUNTERING CONVEN-**
 6 **TIONAL AND ASYMMETRIC IRANIAN THREATS**
 7 **IN THE MIDDLE EAST AND NORTH AFRICA.**

8 ~~(a)~~ IN GENERAL.—Not later than 180 days after the
 9 date of the enactment of this Act, and every 2 years there-
 10 after, the Secretary of State, the Secretary of Defense,
 11 the Secretary of the Treasury, and the Director of Na-
 12 tional Intelligence shall jointly develop and submit to the
 13 appropriate congressional committees a strategy for deter-
 14 ring conventional and asymmetric Iranian activities and
 15 threats that directly threaten the United States and key
 16 allies in the Middle East, North Africa, and beyond.

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

19 ~~(1)~~ A summary of the near- and long-term
 20 United States objectives, plans, and means for coun-
 21 tering Iran's destabilizing activities, including identi-
 22 fication of countries that share the objective of coun-
 23 tering Iran's destabilizing activities.

24 ~~(2)~~ A summary of the capabilities and contribu-
 25 tions of individual countries to shared efforts to

1 counter Iran's destabilizing activities, and a sum-
2 mary of additional actions or contributions that each
3 country could take to further contribute.

4 (3) An assessment of Iran's conventional force
5 capabilities and an assessment of Iran's plans to up-
6 grade its conventional force capabilities, including its
7 acquisition, development, and deployment of ballistic
8 and cruise missile capabilities, unmanned aerial vehi-
9 cles, and maritime offensive and anti-access or area
10 denial capabilities.

11 (4) An assessment of Iran's chemical and bio-
12 logical weapons capabilities and an assessment of
13 Iranian plans to upgrade its chemical or biological
14 weapons capabilities.

15 (5) An assessment of Iran's asymmetric activi-
16 ties in the region, including—

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

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

21 (C) the types and amount of support, in-
22 cluding funding, lethal and nonlethal contribu-
23 tions, and training, provided to Hezbollah,
24 Hamas, special groups in Iraq, the regime of
25 Bashar al-Assad in Syria, Houthi fighters in

1 Yemen, and other violent groups across the
2 Middle East; and

3 (D) the scope and objectives of Iran's in-
4 formation operations and use of propaganda.

5 (6) A summary of United States actions, unilat-
6 erally and in cooperation with foreign governments,
7 to counter destabilizing Iranian activities, includ-
8 ing—

9 (A) interdiction of Iranian lethal arms
10 bound for groups designated as foreign terrorist
11 organizations under section 219 of the Immi-
12 gration and Nationality Act (8 U.S.C. 1189);

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

15 (C) attempts by Iran to undermine or sub-
16 vert internationally recognized governments in
17 the Middle East region; and

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

20 (i) financial assistance, military equip-
21 ment and personnel, and other support
22 provided to that regime; and

23 (ii) support and direction to other
24 armed actors that are not Syrian or Ira-

1 nian and are acting on behalf of that re-
2 gime.

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

6 **SEC. 4. IMPOSITION OF ADDITIONAL SANCTIONS IN RE-**
7 **SPONSE TO IRAN'S BALLISTIC MISSILE PRO-**
8 **GRAM.**

9 (a) **IN GENERAL.**—The President shall impose the
10 sanctions described in subsection (b) with respect to any
11 person that the President determines, on or after the date
12 of the enactment of this Act—

13 (1) has engaged in any activity that has materi-
14 ally contributed, or poses a risk of materially con-
15 tributing, to the activities of the Government of Iran
16 with respect to its ballistic missile program, or any
17 other program in Iran for developing, deploying, or
18 maintaining systems capable of delivering weapons
19 of mass destruction, including any efforts to manu-
20 facture, acquire, possess, develop, transport, trans-
21 fer, or use such capabilities;

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

1 ~~(3)~~ owns or controls, is owned or controlled by,
 2 or is under common ownership or control with, a
 3 person referred to in paragraph ~~(1)~~;

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

6 ~~(5)~~ has knowingly provided, or attempted to
 7 provide, financial, material, technological, or other
 8 support for, or goods or services in support of, a
 9 person referred to in paragraph ~~(1)~~, ~~(2)~~, ~~(3)~~, or ~~(4)~~.

10 ~~(b) SANCTIONS DESCRIBED.—~~The sanctions de-
 11 scribed in this subsection are the following:

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

21 ~~(2) EXCLUSION FROM UNITED STATES.—~~The
 22 Secretary of State shall deny a visa to, and the Sec-
 23 retary of Homeland Security shall exclude from the
 24 United States, any person subject to subsection ~~(a)~~
 25 that is an alien.

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

9 (d) REPORT ON CONTRIBUTIONS TO IRAN'S BAL-
10 LISTIC MISSILE PROGRAM.—

11 (1) IN GENERAL.—Not later than 90 days after
12 the date of the enactment of this Act, and every 180
13 days thereafter, the President shall submit to the
14 appropriate congressional committees a report de-
15 scribing each person that—

16 (A) has, during the period specified in
17 paragraph (2), conducted any activity that has
18 materially contributed, or poses a risk of mate-
19 rially contributing, to the activities of the Gov-
20 ernment of Iran with respect to its ballistic mis-
21 sile program, or any other program in Iran for
22 developing, deploying, or maintaining systems
23 capable of delivering weapons of mass destruc-
24 tion, including any efforts to manufacture, ac-

1 quire, possess, develop, transport, transfer, or
2 use such capabilities;

3 (B) is a successor entity to a person re-
4 ferred to in subparagraph (A);

5 (C) owns or controls, is owned or con-
6 trolled by, or is under common ownership or
7 control with, a person referred to in subpara-
8 graph (A);

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

11 (E) is known or believed to have provided,
12 or attempted to provide, during the period spec-
13 ified in paragraph (2), financial, material, tech-
14 nological, or other support for, or goods or serv-
15 ices in support of, any material contribution to
16 a program described in subparagraph (A) ear-
17 ried out by a person described in subparagraph
18 (A), (B), (C), or (D).

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

21 (A) in the case of the first report sub-
22 mitted under paragraph (1), the period begin-
23 ning on July 14, 2015, and ending on the date
24 the report is submitted; and

1 (B) in the case of a subsequent such re-
2 port, the 180-day period preceding the submis-
3 sion of the report.

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

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

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) The IRGC is subject to sanctions pursuant
12 to Executive Order 13382 (50 U.S.C. 1701 note; re-
13 lating to blocking property of weapons of mass de-
14 struction delivery system proliferators and their sup-
15 porters); the Comprehensive Iran Sanctions, Ac-
16 countability, and Divestment Act of 2010 (22 U.S.C.
17 8501 et seq.); Executive Order 13553 (50 U.S.C.
18 1701 note; relating to blocking property of certain
19 persons with respect to serious human rights abuses
20 by the Government of Iran); and Executive Order
21 13606 (50 U.S.C. 1701 note; relating to blocking
22 the property and suspending entry into the United
23 States of certain persons with respect to grave
24 human rights abuses by the Governments of Iran
25 and Syria via information technology).

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

16 (3) The IRGC, not just the ~~IRGC-QF~~, is re-
17 sponsible for implementing Iran’s international pro-
18 gram of destabilizing activities, support for acts of
19 international terrorism, and ballistic missile pro-
20 gram.

21 (b) ~~IN GENERAL.~~—Beginning on the date that is 90
22 days after the date of the enactment of this Act, the Presi-
23 dent shall impose the sanctions described in subsection (c)
24 with respect to the IRGC and foreign persons that are
25 officials, agents, or affiliates of the IRGC.

1 (e) **SANCTIONS DESCRIBED.**—The sanctions de-
 2 scribed in this subsection are sanctions applicable with re-
 3 spect to a foreign person pursuant to Executive Order
 4 13224 (50 U.S.C. 1701 note; relating to blocking property
 5 and prohibiting transactions with persons who commit,
 6 threaten to commit, or support terrorism).

7 **SEC. 6. IMPOSITION OF ADDITIONAL SANCTIONS WITH RE-**
 8 **SPECT TO PERSONS RESPONSIBLE FOR**
 9 **HUMAN RIGHTS ABUSES.**

10 (a) **IN GENERAL.**—Not later than 90 days after the
 11 date of the enactment of this Act, and annually thereafter,
 12 the Secretary of State shall submit to the appropriate con-
 13 gressional committees a list of each person the Secretary
 14 determines, based on credible evidence—

15 (1) has been responsible for extrajudicial
 16 killings, torture, or other gross violations of inter-
 17 nationally recognized human rights committed
 18 against individuals in Iran who seek—

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

21 (B) to obtain, exercise, defend, or promote
 22 internationally recognized human rights and
 23 freedoms, such as the freedoms of religion, ex-
 24 pression, association, and assembly, and the

1 rights to a fair trial and democratic elections;
2 and

3 ~~(2)~~ has acted as an agent of or on behalf of a
4 foreign person in a matter relating to an activity de-
5 scribed in paragraph (1).

6 (b) SANCTIONS DESCRIBED.—

7 (1) IN GENERAL.—The President may, in ac-
8 cordance with the International Emergency Eco-
9 nomic Powers Act (50 U.S.C. 1701 et seq.), block
10 all transactions in all property and interests in prop-
11 erty of a person on the list required by subsection
12 (a) if such property and interests in property are in
13 the United States, come within the United States, or
14 are or come within the possession or control of a
15 United States person.

16 ~~(2)~~ PENALTIES.—A person that violates, at-
17 tempts to violate, conspires to violate, or causes a
18 violation of paragraph (1) or any regulation, license,
19 or order issued to carry out paragraph (1) shall be
20 subject to the penalties set forth in subsections (b)
21 and (c) of section 206 of the International Emer-
22 gency Economic Powers Act (50 U.S.C. 1705) to the
23 same extent as a person that commits an unlawful
24 act described in subsection (a) of that section.

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

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

5 (1) engages in any activity that materially con-
6 tributes to the supply, sale, or transfer directly or
7 indirectly to or from Iran, or for the use in or ben-
8 efit of Iran, of any battle tanks, armored combat ve-
9 hicles, large caliber artillery systems, combat air-
10 craft, attack helicopters, warships, missiles or mis-
11 sile systems, as defined for the purpose of the
12 United Nations Register of Conventional Arms, or
13 related materiel, including spare parts; or

14 (2) provides to Iran any technical training, fi-
15 nancial resources or services, advice, other services
16 or assistance related to the supply, sale, transfer,
17 manufacture, maintenance, or use of arms and re-
18 lated materiel described in paragraph (1).

19 (b) **SANCTIONS DESCRIBED.**—

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

1 or come within the possession or control of a United
2 States person.

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

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

16 (d) EXCEPTION.—The President is not required to
17 impose sanctions under subsection (a) with respect to a
18 person for engaging in an activity described in that sub-
19 section if the President certifies to the appropriate con-
20 gressional committees that—

21 (1) permitting the activity is in the national se-
22 curity interest of the United States;

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

1 (3) the Government of Iran has ceased pro-
 2 viding operational or financial support for acts of
 3 international terrorism and no longer satisfies the
 4 requirements for designation as a state sponsor of
 5 terrorism.

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

12 (1) section 6(j)(1)(A) of the Export Administra-
 13 tion Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as con-
 14 tinued in effect pursuant to the International Emer-
 15 gency Economic Powers Act (50 U.S.C. 1701 et
 16 seq.));

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

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

21 (4) any other provision of law.

22 **SEC. 8. CONTINUATION IN EFFECT OF SANCTIONS FOR IRA-**
 23 **NIAN SUPPORT RELATING TO TERRORISM.**

24 (a) IN GENERAL.—United States sanctions imposed
 25 with respect to a person under Executive Order 13382 (50

1 U.S.C. 1701 note; relating to blocking property of weap-
2 ons of mass destruction delivery system proliferators and
3 their supporters) or Executive Order 13224 (50 U.S.C.
4 1701 note; relating to blocking property and prohibiting
5 transactions with persons who commit, threaten to com-
6 mit, or support terrorism); and imposed as a result of ac-
7 tivities described in subsection (b), that are in effect on
8 the day before the date of the enactment of this Act, shall
9 remain in effect until the date that is 90 days after the
10 date on which the President submits to the appropriate
11 congressional committees the certification described in
12 subsection (c) with respect to the person.

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

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

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

20 (c) CERTIFICATION.—

21 (1) IN GENERAL.—A certification described in
22 this subsection is a certification that the person with
23 respect to which sanctions were imposed under Exec-
24 utive Order 13382 or Executive Order 13224 has
25 not, during the 3-month period immediately pre-

1 eeding the date of the certification, provided support
2 for or otherwise facilitated or engaged in any activ-
3 ity described in subsection (b).

4 (2) SUBMISSION TO CONGRESS.—

5 (A) IN GENERAL.—The President shall
6 submit the certification described in paragraph
7 (1) to the appropriate congressional committees
8 in writing and shall include a detailed justifica-
9 tion for the certification.

10 (B) FORM OF CERTIFICATION.—The cer-
11 tification described in paragraph (1) shall be
12 submitted in unclassified form but may include
13 a classified annex.

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

18 **SEC. 9. REPORT ON COORDINATION OF SANCTIONS BE-**
19 **TWEEN THE UNITED STATES AND THE EURO-**
20 **PEAN UNION.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of the enactment of this Act, and every 180 days
23 thereafter, the President shall submit to the appropriate
24 congressional committees a report that includes the fol-
25 lowing:

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

3 (A) in which the United States has im-
4 posed sanctions with respect to a person for ac-
5 tivity related to the proliferation of weapons of
6 mass destruction or delivery systems for such
7 weapons to or by Iran, support for acts of inter-
8 national terrorism by Iran, or human rights
9 abuses in Iran, but in which the European
10 Union has not imposed corresponding sanctions;
11 and

12 (B) in which the European Union has im-
13 posed sanctions with respect to a person for ac-
14 tivity related to the proliferation of weapons of
15 mass destruction or delivery systems for such
16 weapons to or by Iran, support for acts of inter-
17 national terrorism by Iran, or human rights
18 abuses in Iran, but in which the United States
19 has not imposed corresponding sanctions.

20 (2) An explanation for the reason for each dis-
21 crepancy between sanctions imposed by the Euro-
22 pean Union and sanctions imposed by the United
23 States described in subparagraphs (A) and (B) of
24 paragraph (1).

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

3 (1) in the case of the first report submitted
4 under subsection (a), the period beginning on Sep-
5 tember 1, 2009, and ending on the date the report
6 is submitted; and

7 (2) in the case of a subsequent such report, the
8 180-day period preceding the submission of the re-
9 port.

10 (c) **FORM OF REPORT.**—The report required by sub-
11 section (a) shall be submitted in unclassified form but may
12 include a classified annex.

13 **SEC. 10. REPORT ON UNITED STATES CITIZENS DETAINED**
14 **BY IRAN.**

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

22 (1) information regarding any officials of the
23 Government of Iran involved in any way in the de-
24 tentions; and

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

4 (b) FORM OF REPORT.—The report required by sub-
5 section (a) shall be submitted in unclassified form, but
6 may include a classified annex.

7 **SEC. 11. EXCEPTIONS FOR NATIONAL SECURITY AND HU-**
8 **MANITARIAN ASSISTANCE; RULE OF CON-**
9 **STRUCTION.**

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

12 (1) Any activity subject to the reporting re-
13 quirements under title V of the National Security
14 Act of 1947 (50 U.S.C. 3091 et seq.), or to any au-
15 thorized intelligence activities of the United States.

16 (2) The admission of an alien to the United
17 States if such admission is necessary to comply with
18 United States obligations under the Agreement be-
19 tween the United Nations and the United States of
20 America regarding the Headquarters of the United
21 Nations, signed at Lake Success June 26, 1947, and
22 entered into force November 21, 1947, or under the
23 Convention on Consular Relations, done at Vienna
24 April 24, 1963, and entered into force March 19,
25 1967.

1 (3) The conduct or facilitation of a transaction
2 for the sale of agricultural commodities, food, medi-
3 cine, or medical devices to Iran or for the provision
4 of humanitarian assistance to the people of Iran, in-
5 cluding engaging in a financial transaction relating
6 to humanitarian assistance or for humanitarian pur-
7 poses, transporting goods or services that are nec-
8 essary to carry out operations relating to humani-
9 tarian assistance or humanitarian purposes, and
10 having merely incidental contact, in the course of
11 providing humanitarian assistance or aid for human-
12 itarian purposes, with individuals who are under the
13 control of a foreign person subject to sanctions
14 under this Act.

15 (b) DEFINITIONS.—In this section:

16 (1) AGRICULTURAL COMMODITY.—The term
17 “agricultural commodity” has the meaning given
18 that term in section 102 of the Agricultural Trade
19 Act of 1978 (7 U.S.C. 5602).

20 (2) MEDICAL DEVICE.—The term “medical de-
21 vice” has the meaning given the term “device” in
22 section 201 of the Federal Food, Drug, and Cos-
23 metic Act (21 U.S.C. 321).

24 (3) MEDICINE.—The term “medicine” has the
25 meaning given the term “drug” in section 201 of the

1 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
2 321).

3 (c) **RULE OF CONSTRUCTION.**—Nothing in this Act
4 shall be construed to limit the authority of the President
5 to designate persons for the imposition of sanctions pursu-
6 ant to the International Emergency Economic Powers Act
7 (50 U.S.C. 1701 et seq.).

8 **SEC. 12. PRESIDENTIAL WAIVER AUTHORITY.**

9 (a) **CASE-BY-CASE WAIVER AUTHORITY.**—

10 (1) **IN GENERAL.**—The President may waive,
11 on a case-by-case basis and for a period of not more
12 than 180 days, a requirement under section 4, 5, 6,
13 7, or 8 to impose or maintain sanctions with respect
14 to a person, and may waive the continued imposition
15 of such sanctions, not less than 30 days after the
16 President determines and reports to the appropriate
17 congressional committees that it is vital to the na-
18 tional security interests of the United States to
19 waive such sanctions.

20 (2) **RENEWAL OF WAIVERS.**—The President
21 may, on a case-by-case basis, renew a waiver under
22 paragraph (1) for an additional period of not more
23 than 180 days if, not later than 15 days before that
24 waiver expires, the President makes the determina-

1 tion and submits to the appropriate congressional
2 committees a report described in paragraph (1).

3 ~~(3) SUCCESSIVE RENEWAL.~~—The renewal au-
4 thority provided under paragraph ~~(2)~~ may be exer-
5 cised for additional successive periods of not more
6 than 180 days if the President follows the proce-
7 dures set forth in paragraph ~~(2)~~, and submits the
8 report described in paragraph (1), for each such re-
9 newal.

10 ~~(b) CONTENTS OF WAIVER REPORTS.~~—Each report
11 submitted under subsection ~~(a)~~ in connection with a waiv-
12 er of sanctions under section 4, 5, 6, 7, or 8 with respect
13 to a person, or the renewal of such a waiver, shall in-
14 clude—

15 ~~(1)~~ a specific and detailed rationale for the de-
16 termination that the waiver is vital to the national
17 security interests of the United States;

18 ~~(2)~~ a description of the activity that resulted in
19 the person being subject to sanctions;

20 ~~(3)~~ an explanation of the efforts made by the
21 United States to secure the cooperation of the gov-
22 ernment with primary jurisdiction over the person or
23 the location where the activity described in para-
24 graph ~~(2)~~ occurred in terminating or, as appro-
25 priate, penalizing the activity; and

1 (4) an assessment of the significance of the ac-
 2 tivity described in paragraph (2) in contributing to
 3 the ability of Iran to threaten the interests of the
 4 United States or allies of the United States, develop
 5 systems capable of delivering weapons of mass de-
 6 struction, support acts of international terrorism, or
 7 violate the human rights of any person in Iran.

8 (e) EFFECT OF REPORT ON WAIVER.—If the Presi-
 9 dent submits a report under subsection (a) in connection
 10 with a waiver of sanctions under section 4, 5, 6, 7, or
 11 8 with respect to a person, or the renewal of such a waiver,
 12 the President shall not be required to impose or maintain
 13 sanctions under section 4, 5, 6, 7, or 8, as applicable, with
 14 respect to the person described in the report during the
 15 30-day period referred to in subsection (a).

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.

Sec. 4. Imposition of additional sanctions in response to Iran’s ballistic missile program.

Sec. 5. Imposition of terrorism-related sanctions with respect to the IRGC.

Sec. 6. Imposition of additional sanctions with respect to persons responsible for human rights abuses.

Sec. 7. Enforcement of arms embargos.

Sec. 8. Review of applicability of sanctions relating to Iran’s support for terrorism and its ballistic missile program.

Sec. 9. Report on coordination of sanctions between the United States and the European Union.

Sec. 10. Report on United States citizens detained by Iran.

Sec. 11. Exceptions for national security and humanitarian assistance; rule of construction.

Sec. 12. Presidential waiver authority.

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *ACT OF INTERNATIONAL TERRORISM.*—*The*
 4 *term “act of international terrorism” has the mean-*
 5 *ing given that term in section 14 of the Iran Sanc-*
 6 *tions Act of 1996 (Public Law 104–172; 50 U.S.C.*
 7 *1701 note).*

8 (2) *APPROPRIATE CONGRESSIONAL COMMIT-*
 9 *TEES.*—*The term “appropriate congressional commit-*
 10 *tees” has the meaning given that term in section 14*
 11 *of the Iran Sanctions Act of 1996 (Public Law 104–*
 12 *172; 50 U.S.C. 1701 note).*

13 (3) *FOREIGN PERSON.*—*The term “foreign per-*
 14 *son” means a person that is not a United States per-*
 15 *son.*

16 (4) *IRANIAN PERSON.*—*The term “Iranian per-*
 17 *son” means—*

18 (A) *an individual who is a citizen or na-*
 19 *tional of Iran; or*

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

1 (5) *IRGC*.—The term “*IRGC*” means Iran’s Is-
2 lamic Revolutionary Guard Corps.

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

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

9 (A) a United States citizen or an alien law-
10 fully admitted for permanent residence to the
11 United States; or

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

16 **SEC. 3. REGIONAL STRATEGY FOR COUNTERING CONVEN-**
17 **TIONAL AND ASYMMETRIC IRANIAN THREATS**
18 **IN THE MIDDLE EAST AND NORTH AFRICA.**

19 (a) *IN GENERAL*.—Not later than 180 days after the
20 date of the enactment of this Act, and every 2 years there-
21 after, the Secretary of State, the Secretary of Defense, the
22 Secretary of the Treasury, and the Director of National In-
23 telligence shall jointly develop and submit to the appro-
24 priate congressional committees a strategy for deterring
25 conventional and asymmetric Iranian activities and threats

1 *that directly threaten the United States and key allies in*
2 *the Middle East, North Africa, and beyond.*

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

5 (1) *A summary of the near- and long-term*
6 *United States objectives, plans, and means for coun-*
7 *tering Iran’s destabilizing activities, including identi-*
8 *fication of countries that share the objective of coun-*
9 *tering Iran’s destabilizing activities.*

10 (2) *A summary of the capabilities and contribu-*
11 *tions of individual countries to shared efforts to*
12 *counter Iran’s destabilizing activities, and a sum-*
13 *mary of additional actions or contributions that each*
14 *country could take to further contribute.*

15 (3) *An assessment of Iran’s conventional force*
16 *capabilities and an assessment of Iran’s plans to up-*
17 *grade its conventional force capabilities, including its*
18 *acquisition, development, and deployment of ballistic*
19 *and cruise missile capabilities, unmanned aerial ve-*
20 *hicles, and maritime offensive and anti-access or area*
21 *denial capabilities.*

22 (4) *An assessment of Iran’s chemical and biologi-*
23 *cal weapons capabilities and an assessment of Ira-*
24 *nian plans to upgrade its chemical or biological*
25 *weapons capabilities.*

1 (5) *An assessment of Iran’s asymmetric activi-*
2 *ties in the region, including—*

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

5 (B) *the size, capabilities, and activities of*
6 *Iran’s cyber operations;*

7 (C) *the types and amount of support, in-*
8 *cluding funding, lethal and nonlethal contribu-*
9 *tions, and training, provided to Hezbollah,*
10 *Hamas, special groups in Iraq, the regime of*
11 *Bashar al-Assad in Syria, Houthi fighters in*
12 *Yemen, and other violent groups across the Mid-*
13 *dle East; and*

14 (D) *the scope and objectives of Iran’s infor-*
15 *mation operations and use of propaganda.*

16 (6) *A summary of United States actions, unilat-*
17 *erally and in cooperation with foreign governments,*
18 *to counter destabilizing Iranian activities, includ-*
19 *ing—*

20 (A) *interdiction of Iranian lethal arms*
21 *bound for groups designated as foreign terrorist*
22 *organizations under section 219 of the Immigra-*
23 *tion and Nationality Act (8 U.S.C. 1189);*

24 (B) *Iran’s interference in international*
25 *commercial shipping lanes;*

1 (C) attempts by Iran to undermine or sub-
2 vert internationally recognized governments in
3 the Middle East region; and

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

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

9 (ii) support and direction to other
10 armed actors that are not Syrian or Ira-
11 nian and are acting on behalf of that re-
12 gime.

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

16 **SEC. 4. IMPOSITION OF ADDITIONAL SANCTIONS IN RE-**
17 **SPONSE TO IRAN'S BALLISTIC MISSILE PRO-**
18 **GRAM.**

19 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
20 that the Secretary of the Treasury and the Secretary of
21 State should continue to implement Executive Order 13382
22 (50 U.S.C. 1701 note; relating to blocking property of weap-
23 ons of mass destruction delivery system proliferators and
24 their supporters).

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

5 (1) *knowingly engages in any activity that mate-*
6 *rially contributes to the activities of the Government*
7 *of Iran with respect to its ballistic missile program,*
8 *or any other program in Iran for developing, deploy-*
9 *ing, or maintaining systems capable of delivering*
10 *weapons of mass destruction, including any efforts to*
11 *manufacture, acquire, possess, develop, transport,*
12 *transfer, or use such capabilities;*

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

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

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

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

22 (6) *knowingly provides or attempts to provide fi-*
23 *nancial, material, technological, or other support for,*
24 *or goods or services in support of, a person referred*
25 *to in paragraph (1), (2), (3), (4) or (5).*

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

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

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

17 (d) *PENALTIES.*—*A person that violates, attempts to*
18 *violate, conspires to violate, or causes a violation of sub-*
19 *section (c)(1) or any regulation, license, or order issued to*
20 *carry out that subsection shall be subject to the penalties*
21 *set forth in subsections (b) and (c) of section 206 of the*
22 *International Emergency Economic Powers Act (50 U.S.C.*
23 *1705) to the same extent as a person that commits an un-*
24 *lawful act described in subsection (a) of that section.*

1 (e) *REPORT ON CONTRIBUTIONS TO IRAN'S BALLISTIC*
2 *MISSILE PROGRAM.*—

3 (1) *IN GENERAL.*—*Not later than 180 days after*
4 *the date of the enactment of this Act, and every 180*
5 *days thereafter, the President shall submit to the ap-*
6 *propriate congressional committees a report describ-*
7 *ing each person that—*

8 (A) *has, during the period specified in*
9 *paragraph (2), conducted any activity that has*
10 *materially contributed to the activities of the*
11 *Government of Iran with respect to its ballistic*
12 *missile program, or any other program in Iran*
13 *for developing, deploying, or maintaining sys-*
14 *tems capable of delivering weapons of mass de-*
15 *struction, including any efforts to manufacture,*
16 *acquire, possess, develop, transport, transfer, or*
17 *use such capabilities;*

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

20 (C) *owns or controls or is owned or con-*
21 *trolled by a person referred to in subparagraph*
22 *(A);*

23 (D) *forms an entity with the purpose of*
24 *evading sanctions that could be imposed as a re-*

1 *sult of a relationship described in subparagraph*
2 *(C);*

3 *(E) is acting for or on behalf of a person re-*
4 *ferred to in subparagraph (A), (B), (C), or (D);*
5 *or*

6 *(F) is known or believed to have provided,*
7 *or attempted to provide, during the period speci-*
8 *fied in paragraph (2), financial, material, tech-*
9 *nological, or other support for, or goods or serv-*
10 *ices in support of, any material contribution to*
11 *a program described in subparagraph (A) car-*
12 *ried out by a person described in subparagraph*
13 *(A), (B), (C), (D), or (E).*

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

16 (A) *in the case of the first report submitted*
17 *under paragraph (1), the period beginning Jan-*
18 *uary 1, 2016, and ending on the date the report*
19 *is submitted; and*

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

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

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

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

4 (1) *The IRGC is subject to sanctions pursuant to*
5 *Executive Order 13382 (50 U.S.C. 1701 note; relating*
6 *to blocking property of weapons of mass destruction*
7 *delivery system proliferators and their supporters),*
8 *the Comprehensive Iran Sanctions, Accountability,*
9 *and Divestment Act of 2010 (22 U.S.C. 8501 et seq.),*
10 *Executive Order 13553 (50 U.S.C. 1701 note; relating*
11 *to blocking property of certain persons with respect to*
12 *serious human rights abuses by the Government of*
13 *Iran), and Executive Order 13606 (50 U.S.C. 1701*
14 *note; relating to blocking the property and suspending*
15 *entry into the United States of certain persons with*
16 *respect to grave human rights abuses by the Govern-*
17 *ments of Iran and Syria via information technology).*

18 (2) *The Iranian Revolutionary Guard Corps–*
19 *Quds Force (in this section referred to as the “IRGC–*
20 *QF”)* is the primary arm of the Government of Iran
21 *for executing its policy of supporting terrorist and in-*
22 *surgent groups. The IRGC–QF provides material,*
23 *logistical assistance, training, and financial support*
24 *to militants and terrorist operatives throughout the*
25 *Middle East and South Asia and was designated for*
26 *the imposition of sanctions by the Secretary of Treas-*

1 *ury pursuant to Executive Order 13224 (50 U.S.C.*
2 *1701 note; relating to blocking property and prohib-*
3 *iting transactions with persons who commit, threaten*
4 *to commit, or support terrorism) in October 2007 for*
5 *its support of terrorism.*

6 *(3) The IRGC, not just the IRGC-QF, is respon-*
7 *sible for implementing Iran's international program*
8 *of destabilizing activities, support for acts of inter-*
9 *national terrorism, and ballistic missile program.*

10 *(b) IN GENERAL.—Beginning on the date that is 90*
11 *days after the date of the enactment of this Act, the Presi-*
12 *dent shall impose the sanctions described in subsection (c)*
13 *with respect to the IRGC and foreign persons that are offi-*
14 *cials, agents, or affiliates of the IRGC.*

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

21 **SEC. 6. IMPOSITION OF ADDITIONAL SANCTIONS WITH RE-**
22 **SPECT TO PERSONS RESPONSIBLE FOR**
23 **HUMAN RIGHTS ABUSES.**

24 *(a) IN GENERAL.—Not later than 90 days after the*
25 *date of the enactment of this Act, and annually thereafter,*

1 *the Secretary of State shall submit to the appropriate con-*
2 *gressional committees a list of each person the Secretary*
3 *determines, based on credible evidence, on or after the date*
4 *of the enactment of this Act—*

5 *(1) is responsible for extrajudicial killings, tor-*
6 *ture, or other gross violations of internationally recog-*
7 *nized human rights committed against individuals in*
8 *Iran who seek—*

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

11 *(B) to obtain, exercise, defend, or promote*
12 *internationally recognized human rights and*
13 *freedoms, such as the freedoms of religion, expres-*
14 *sion, association, and assembly, and the rights to*
15 *a fair trial and democratic elections; or*

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

19 *(b) SANCTIONS DESCRIBED.—*

20 *(1) IN GENERAL.—The President may, in ac-*
21 *cordance with the International Emergency Economic*
22 *Powers Act (50 U.S.C. 1701 et seq.), block all trans-*
23 *actions in all property and interests in property of*
24 *a person on the list required by subsection (a) if such*
25 *property and interests in property are in the United*

1 *States, come within the United States, or are or come*
2 *within the possession or control of a United States*
3 *person.*

4 (2) *PENALTIES.*—*A person that violates, at-*
5 *tempts to violate, conspires to violate, or causes a vio-*
6 *lation of paragraph (1) or any regulation, license, or*
7 *order issued to carry out paragraph (1) shall be sub-*
8 *ject to the penalties set forth in subsections (b) and*
9 *(c) of section 206 of the International Emergency*
10 *Economic Powers Act (50 U.S.C. 1705) to the same*
11 *extent as a person that commits an unlawful act de-*
12 *scribed in subsection (a) of that section.*

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

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

18 (1) *knowingly engages in any activity that mate-*
19 *rially contributes to the supply, sale, or transfer di-*
20 *rectly or indirectly to or from Iran, or for the use in*
21 *or benefit of Iran, of any battle tanks, armored com-*
22 *bat vehicles, large caliber artillery systems, combat*
23 *aircraft, attack helicopters, warships, missiles or mis-*
24 *sile systems, as defined for the purpose of the United*

1 *Nations Register of Conventional Arms, or related*
2 *materiel, including spare parts; or*

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

8 (b) *SANCTIONS DESCRIBED.—*

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

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

23 (c) *PENALTIES.—A person that violates, attempts to*
24 *violate, conspires to violate, or causes a violation of sub-*
25 *section (b)(1) or any regulation, license, or order issued to*

1 *carry out that subsection shall be subject to the penalties*
2 *set forth in subsections (b) and (c) of section 206 of the*
3 *International Emergency Economic Powers Act (50 U.S.C.*
4 *1705) to the same extent as a person that commits an un-*
5 *lawful act described in subsection (a) of that section.*

6 *(d) EXCEPTION.—The President is not required to im-*
7 *pose sanctions under subsection (a) with respect to a person*
8 *for engaging in an activity described in that subsection if*
9 *the President certifies to the appropriate congressional com-*
10 *mittees that—*

11 *(1) permitting the activity is in the national se-*
12 *curity interest of the United States;*

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

16 *(3) the Government of Iran has ceased providing*
17 *operational or financial support for acts of inter-*
18 *national terrorism and no longer satisfies the require-*
19 *ments for designation as a state sponsor of terrorism.*

20 *(e) STATE SPONSOR OF TERRORISM DEFINED.—In*
21 *this section, the term “state sponsor of terrorism” means*
22 *a country the government of which the Secretary of State*
23 *has determined to be a government that has repeatedly pro-*
24 *vided support for acts of international terrorism for pur-*
25 *poses of—*

1 (1) *section 6(j)(1)(A) of the Export Administra-*
2 *tion Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as contin-*
3 *ued in effect pursuant to the International Emergency*
4 *Economic Powers Act (50 U.S.C. 1701 et seq.));*

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

7 (3) *section 40(d) of the Arms Export Control Act*
8 *(22 U.S.C. 2780(d)); or*

9 (4) *any other provision of law.*

10 **SEC. 8. REVIEW OF APPLICABILITY OF SANCTIONS RELAT-**
11 **ING TO IRAN'S SUPPORT FOR TERRORISM**
12 **AND ITS BALLISTIC MISSILE PROGRAM.**

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

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

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

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

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

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

7 (B) *Executive Order 13224 (50 U.S.C. 1701*
8 *note; relating to blocking property and prohib-*
9 *iting transactions with persons who commit,*
10 *threaten to commit, or support terrorism).*

11 (b) *IMPLEMENTATION OF SANCTIONS.—If the Presi-*
12 *dent determines under subsection (a) that sanctions under*
13 *an Executive Order specified in paragraph (2) of that sub-*
14 *section are applicable with respect to a person, the Presi-*
15 *dent shall—*

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

18 (2) *exercise the waiver authority provided under*
19 *section 12.*

20 **SEC. 9. REPORT ON COORDINATION OF SANCTIONS BE-**
21 **TWEEN THE UNITED STATES AND THE EURO-**
22 **PEAN UNION.**

23 (a) *IN GENERAL.—Not later than 180 days after the*
24 *date of the enactment of this Act, and every 180 days there-*

1 *after, the President shall submit to the appropriate congress-*
2 *sional committees a report that includes the following:*

3 (1) *A description of each instance, during the pe-*
4 *riod specified in subsection (b)—*

5 (A) *in which the United States has imposed*
6 *sanctions with respect to a person for activity re-*
7 *lated to the proliferation of weapons of mass de-*
8 *struction or delivery systems for such weapons to*
9 *or by Iran, support for acts of international ter-*
10 *rorism by Iran, or human rights abuses in Iran,*
11 *but in which the European Union has not im-*
12 *posed corresponding sanctions; and*

13 (B) *in which the European Union has im-*
14 *posed sanctions with respect to a person for ac-*
15 *tivity related to the proliferation of weapons of*
16 *mass destruction or delivery systems for such*
17 *weapons to or by Iran, support for acts of inter-*
18 *national terrorism by Iran, or human rights*
19 *abuses in Iran, but in which the United States*
20 *has not imposed corresponding sanctions.*

21 (2) *An explanation for the reason for each dis-*
22 *crepancy between sanctions imposed by the European*
23 *Union and sanctions imposed by the United States*
24 *described in subparagraphs (A) and (B) of paragraph*
25 *(1).*

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

3 (1) *in the case of the first report submitted under*
4 *subsection (a), the period beginning on the date of the*
5 *enactment of this Act and ending on the date the re-*
6 *port is submitted; and*

7 (2) *in the case of a subsequent such report, the*
8 *180-day period preceding the submission of the re-*
9 *port.*

10 (c) *FORM OF REPORT.*—*The report required by sub-*
11 *section (a) shall be submitted in unclassified form but may*
12 *include a classified annex.*

13 **SEC. 10. REPORT ON UNITED STATES CITIZENS DETAINED**
14 **BY IRAN.**

15 (a) *IN GENERAL.*—*Not later than 90 days after the*
16 *date of the enactment of this Act, and every 180 days there-*
17 *after, the President shall submit to the appropriate congres-*
18 *sional committees a report on United States citizens, in-*
19 *cluding United States citizens who are also citizens of other*
20 *countries, detained by Iran or groups supported by Iran*
21 *that includes—*

22 (1) *information regarding any officials of the*
23 *Government of Iran involved in any way in the de-*
24 *tentions; and*

1 (2) *a summary of efforts the United States Gov-*
2 *ernment has taken to secure the swift release of those*
3 *United States citizens.*

4 (b) *FORM OF REPORT.*—*The report required by sub-*
5 *section (a) shall be submitted in unclassified form, but may*
6 *include a classified annex.*

7 **SEC. 11. EXCEPTIONS FOR NATIONAL SECURITY AND HU-**
8 **MANITARIAN ASSISTANCE; RULE OF CON-**
9 **STRUCTION.**

10 (a) *IN GENERAL.*—*The following activities shall be ex-*
11 *empt from sanctions under sections 4, 5, 6, and 7:*

12 (1) *Any activity subject to the reporting require-*
13 *ments under title V of the National Security Act of*
14 *1947 (50 U.S.C. 3091 et seq.), or to any authorized*
15 *intelligence activities of the United States.*

16 (2) *The admission of an alien to the United*
17 *States if such admission is necessary to comply with*
18 *United States obligations under the Agreement be-*
19 *tween the United Nations and the United States of*
20 *America regarding the Headquarters of the United*
21 *Nations, signed at Lake Success June 26, 1947, and*
22 *entered into force November 21, 1947, or under the*
23 *Convention on Consular Relations, done at Vienna*
24 *April 24, 1963, and entered into force March 19,*

1 1967, or other applicable international obligations of
2 the United States.

3 (3) *The conduct or facilitation of a transaction*
4 *for the sale of agricultural commodities, food, medi-*
5 *cine, or medical devices to Iran or for the provision*
6 *of humanitarian assistance to the people of Iran, in-*
7 *cluding engaging in a financial transaction relating*
8 *to humanitarian assistance or for humanitarian pur-*
9 *poses or transporting goods or services that are nec-*
10 *essary to carry out operations relating to humani-*
11 *tarian assistance or humanitarian purposes.*

12 (b) *EXCEPTION RELATING TO IMPORTATION OF*
13 *GOODS.—A requirement or the authority to block and pro-*
14 *hibit all transactions in all property and interests in prop-*
15 *erty under section 4, 5, 6, 7, or 8 shall not include the au-*
16 *thority to impose sanctions with respect to the importation*
17 *of goods.*

18 (c) *IMPLEMENTATION.—The President may exercise all*
19 *authorities provided under sections 203 and 205 of the*
20 *International Emergency Economic Powers Act (50 U.S.C.*
21 *1702 and 1704) to carry out this Act.*

22 (d) *RULE OF CONSTRUCTION.—Nothing in this Act*
23 *shall be construed to limit the authority of the President*
24 *under the International Emergency Economic Powers Act*
25 *(50 U.S.C. 1701 et seq.).*

1 (e) *DEFINITIONS.*—*In this section:*

2 (1) *AGRICULTURAL COMMODITY.*—*The term “ag-*
3 *ricultural commodity” has the meaning given that*
4 *term in section 102 of the Agricultural Trade Act of*
5 *1978 (7 U.S.C. 5602).*

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

11 (3) *MEDICAL DEVICE.*—*The term “medical de-*
12 *vice” has the meaning given the term “device” in sec-*
13 *tion 201 of the Federal Food, Drug, and Cosmetic Act*
14 *(21 U.S.C. 321).*

15 (4) *MEDICINE.*—*The term “medicine” has the*
16 *meaning given the term “drug” in section 201 of the*
17 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
18 *321).*

19 **SEC. 12. PRESIDENTIAL WAIVER AUTHORITY.**

20 (a) *CASE-BY-CASE WAIVER AUTHORITY.*—

21 (1) *IN GENERAL.*—*The President may waive, on*
22 *a case-by-case basis and for a period of not more than*
23 *180 days, a requirement under section 4, 5, 6, 7, or*
24 *8 to impose or maintain sanctions with respect to a*
25 *person, and may waive the continued imposition of*

1 *such sanctions, not less than 30 days after the Presi-*
2 *dent determines and reports to the appropriate con-*
3 *gressional committees that it is vital to the national*
4 *security interests of the United States to waive such*
5 *sanctions.*

6 (2) *RENEWAL OF WAIVERS.*—*The President may,*
7 *on a case-by-case basis, renew a waiver under para-*
8 *graph (1) for an additional period of not more than*
9 *180 days if, not later than 15 days before that waiver*
10 *expires, the President makes the determination and*
11 *submits to the appropriate congressional committees a*
12 *report described in paragraph (1).*

13 (3) *SUCCESSIVE RENEWAL.*—*The renewal au-*
14 *thority provided under paragraph (2) may be exer-*
15 *cised for additional successive periods of not more*
16 *than 180 days if the President follows the procedures*
17 *set forth in paragraph (2), and submits the report de-*
18 *scribed in paragraph (1), for each such renewal.*

19 (b) *CONTENTS OF WAIVER REPORTS.*—*Each report*
20 *submitted under subsection (a) in connection with a waiver*
21 *of sanctions under section 4, 5, 6, 7, or 8 with respect to*
22 *a person, or the renewal of such a waiver, shall include—*

23 (1) *a specific and detailed rationale for the de-*
24 *termination that the waiver is vital to the national*
25 *security interests of the United States;*

1 (2) a description of the activity that resulted in
2 the person being subject to sanctions;

3 (3) an explanation of any efforts made by the
4 United States, as applicable, to secure the cooperation
5 of the government with primary jurisdiction over the
6 person or the location where the activity described in
7 paragraph (2) occurred in terminating or, as appro-
8 priate, penalizing the activity; and

9 (4) an assessment of the significance of the activ-
10 ity described in paragraph (2) in contributing to the
11 ability of Iran to threaten the interests of the United
12 States or allies of the United States, develop systems
13 capable of delivering weapons of mass destruction,
14 support acts of international terrorism, or violate the
15 human rights of any person in Iran.

16 (c) *EFFECT OF REPORT ON WAIVER.*—If the President
17 submits a report under subsection (a) in connection with
18 a waiver of sanctions under section 4, 5, 6, 7, or 8 with
19 respect to a person, or the renewal of such a waiver, the
20 President shall not be required to impose or maintain sanc-
21 tions under section 4, 5, 6, 7, or 8, as applicable, with re-
22 spect to the person described in the report during the 30-
23 day period referred to in subsection (a).

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115TH CONGRESS
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S. 722

A BILL

To impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

MAY 25, 2017

Reported with an amendment