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

MAY 13, 2011

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 Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Iran Threat Reduction Act of 2011”.

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(b) TABLE OF CONTENTS.—The table of contents for 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 TECHNOLOGIES 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.

Congress makes the following findings:

(1) Successive administrations have clearly identified the unacceptability of the Iranian regime’s pursuit of nuclear weapons capabilities and the danger that pursuit presents to the United States, to our friends and allies, and to global security.

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

(3) In the 2006 State of the Union Address, President Bush stated that “The Iranian government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons. America
will continue to rally the world to confront these threats.”.

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

(5) Iran is a major threat to U.S. national security interests, not only exemplified by Tehran’s nuclear program but also by its material assistance to armed groups in Iraq and Afghanistan, to the Palestinian group Hamas, to Lebanese Hezbollah, and to other extremists that seek to undermine regional stability. These capabilities provide the regime with potential asymmetric delivery vehicles and mechanisms for nuclear or other unconventional weapons.

(6) Iran’s growing inventory of ballistic missile and other destabilizing types of conventional weapons provides the regime the capabilities to enhance its power projection throughout the region and undermine the national security interests of the U.S. and its friends and allies.

(7) Were Iran to achieve a nuclear weapons capability, it would, inter alia—
(A) likely lead to the proliferation of such weapons throughout the region, where several states have already indicated interest in nuclear programs, and would dramatically undercut 60 years of U.S. efforts to stop the spread of nuclear weapons;

(B) greatly increase the threat of nuclear terrorism;

(C) significantly expand Iran’s already-growing influence in the region;

(D) insulate the regime from international pressure, giving it wider scope further to oppress its citizens and pursue aggression regionally and globally;

(E) embolden all Iranian-supported terrorist groups, including Hamas and Hezbollah; and

(F) directly threaten several U.S. friends and allies, especially Israel, whose very right to exist has been denied successively by every leader of the Islamic Republic of Iran and which Iranian President Ahmadinejad says should be “wiped off the map”.

(8) Successive Congresses have clearly recognized the threat that the Iranian regime and its poli-
cies present to the United States, to our friends and allies, and to global security, and responded with successive bipartisan legislative initiatives.

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

(10) Legislation like ILSA, which was re-titled the Iran Sanctions Act in 2006, paved the way for similar legislation, such as the Iran, North Korea and Syria Nonproliferation Act; the Iran-Iraq Arms Nonproliferation Act (2006); the Iran Freedom Support Act (2006); and the Comprehensive Iran Sanctions, Accountability, and Divestment Act (2010).

(11) U.S. sanctions on Iran have hindered Iran’s ability to attract capital, material, and technical support for its petroleum sector, creating financial difficulties for the regime.
(12) In the Joint Explanatory Statement of the Committee of Conference to the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) (Public Law 111–195; 50 U.S.C. 1701 note) issued on June 23, 2010, the Members of the Committee of Conference noted that “Although [the Iran Sanctions Act] was enacted more than a decade ago, no Administration has sanctioned a foreign entity for investing $20 million or more in Iran’s energy sector, despite a number of such investments. Indeed, on only one occasion, in 1998, did the Administration make a determination regarding a sanctions-triggering investment, but the Administration waived sanctions against the offending persons. Conferees believe that the lack of enforcement of relevant enacted sanctions may have served to encourage rather than deter Iran’s efforts to pursue nuclear weapons.”.

(13) The Joint Explanatory Statement also noted that “The effectiveness of this Act will depend on its forceful implementation. The Conferees urge the President to vigorously impose the sanctions provided for in this Act.”.

(14) The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 mandates
(among other provisions) that the President initiate investigations of potentially sanctionable activity under the Iran Sanctions Act (Public Law 104–172; 50 U.S.C. 1701 note). Although more than 6 months have passed since enactment of this legislation, Congress has not received notice of the imposition of sanctions on any entities that do significant business in the U.S., despite multiple reports of potentially sanctionable activity by such entities. Although, in accordance with CISADA, some potentially sanctionable entities have been persuaded to wind down and end their involvement in Iran, others have not. In fact, since CISADA became law, only two entities have been sanctioned, neither of which does business in the U.S. and both of which are therefore largely untouched by the sanctions.

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

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

It shall be the policy of the United States to—

(1) prevent Iran from—

(A) acquiring or developing nuclear weapons and associated delivery capabilities;
(B) developing its unconventional weapons and ballistic missile capabilities; and

(C) continuing its support for Foreign Terrorist Organizations and other activities aimed at undermining and destabilizing its neighbors and other nations; and

(2) fully implement all multilateral and bilateral sanctions against Iran in order to compel the Government of Iran to—

(A) abandon and verifiably dismantle its nuclear capabilities;

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

(C) cease all support for Foreign Terrorist Organizations and other activities aimed at undermining and destabilizing its neighbors and other nations.

**TITLE I—IRAN ENERGY SANCTIONS**

**SEC. 101. FINDINGS.**

Congress makes the following findings:

(1) The efforts of the Government of Iran to achieve nuclear weapons capability and to acquire other unconventional weapons and the means to de-
liver them, both through ballistic-missile and asym-
metric means, and its support for foreign terrorist
organizations and other extremists endanger the na-
tional security and foreign policy interests of the
United States and those countries with which the
United States shares common strategic and foreign
policy objectives.

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

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

SEC. 102. SENSE OF CONGRESS.

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

SEC. 103. DECLARATION OF POLICY.

Congress declares that it is the policy of the United States to deny Iran the ability to support acts of foreign terrorist organizations and extremists and develop unconventional weapons and ballistic missiles. A critical means of achieving that goal is sanctions that limit Iran’s ability to develop its energy resources, including its ability to explore for, extract, refine, and transport by pipeline its hydrocarbon resources, in order to limit the funds Iran has available for pursuing its objectionable activities.

SEC. 104. MULTILATERAL REGIME.

(a) MULTILATERAL NEGOTIATIONS.—In order to further the objectives of section 103, Congress urges the President immediately to initiate diplomatic efforts, both in appropriate international fora such as the United Nations, and bilaterally with allies of the United States, to expand the multilateral sanctions regime regarding Iran, including—

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

(2) qualitatively expanding the range of sanctions by the European Union, South Korea, Japan, Australia, and other key United States allies;
(3) further efforts to limit Iran’s development of petroleum resources and import of refined petroleum; and

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

(b) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on the extent to which diplomatic efforts described in subsection (a) have been successful. Each report shall include—

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

(2) the countries that have not agreed to measures described in paragraph (1), and, with respect to those countries, other measures the President recommends that the United States take to further the objectives of section 103 with respect to Iran.

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

(1) the countries that have established legislative or administrative standards providing for the imposition of trade sanctions on persons or their affiliates that conduct business or have investments in Iran;

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

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

(d) INVESTIGATIONS.—

(1) IN GENERAL.—The President shall initiate an investigation into the possible imposition of sanctions under section 105 against a person upon receipt by the United States of credible information indicating that such person is engaged in an activity described in such section.

(2) DETERMINATION AND NOTIFICATION.—Not later than 180 days after the date on which an investigation is initiated under paragraph (1), the President shall (unless paragraph (6) applies) determine, pursuant to section 105, if a person has engaged in an activity described in such section and
shall notify the appropriate congressional committees of the basis for any such determination.

(3) Briefing.—

(A) In General.—Not later than 30 days after the date of the enactment of this Act, and at the end of every three-month period thereafter, the President, acting through the Secretary of State, shall brief the appropriate congressional committees regarding investigations initiated under this subsection.

(B) Form.—The briefings required under subparagraph (A) shall be provided in unclassified form, but may be provided in classified form.

(4) Submission of Information.—

(A) In General.—The Secretary of State shall, in accordance with section 15(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680(b)), provide to the appropriate congressional committees all requested information relating to investigations or reviews initiated under this title.

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

(5) **TERMINATION.**—Subject to paragraph (6), the President may, on a case-by-case basis, terminate an investigation of a person initiated under this subsection.

(6) **SPECIAL RULE.**—

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

(i) the person whose activity was the basis for the investigation is no longer engaging in the activity or is divesting all holdings and terminating the activity within one year from the date of the certification; and

(ii) the President has received reliable assurances that the person will not knowingly engage in an activity described in section 105(a) in the future.

(B) **APPLICATION OF SANCTIONS.**—The President shall apply the sanctions described in
section 106(a) in accordance with section 105(a) to a person described in subparagraph (A) of this paragraph if the person fails to verifiably divest all holdings and terminate the activity described in subparagraph (A) of this paragraph within one year from the date of certification.

SEC. 105. IMPOSITION OF SANCTIONS.

(a) Sanctions With Respect to the Development of Petroleum Resources of Iran, Production of Refined Petroleum Products in Iran, and Exportation of Refined Petroleum Products to Iran.—

(1) Development of Petroleum Resources of Iran.—

(A) In General.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act—

(i) makes an investment described in subparagraph (B) of $20,000,000 or more; or
(ii) makes a combination of investments described in subparagraph (B) in a 12-month period if each such investment is of at least $5,000,000 and such investments equal or exceed $20,000,000 in the aggregate.

(B) INVESTMENT DESCRIBED.—An investment described in this subparagraph is an investment that directly and significantly contributes to the enhancement of Iran’s ability to develop petroleum resources.

(2) PRODUCTION OF REFINED PETROLEUM PRODUCTS.—

(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) with respect to a person if the President determines that the person knowingly, on or after the date of enactment this Act, sells, leases, or provides to Iran goods, services, technology, information, or support described in subparagraph (B)—

(i) any of which has a fair market value of $1,000,000 or more; or
(ii) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(B) Goods, services, technology, information, or support described.—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or expansion of Iran’s domestic production of refined petroleum products, including any direct and significant assistance with respect to the construction, modernization, or repair of petroleum refineries or associated infrastructure, including construction of port facilities, railways, and roads, the primary use of which is to support the delivery of refined petroleum products.

(3) Exportation of refined petroleum products to Iran.—

(A) In general.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) with respect to a person if the President
determines that the person knowingly, on or after the date of the enactment of this Act—

(i) sells or provides to Iran refined petroleum products—

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

(II) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more; or

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

(I) any of which has a fair market value of $1,000,000 or more; or

(II) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(B) GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly contribute to the enhancement of Iran’s ability to import refined petroleum products, including—
(i) except as provided in subparagraph (C), underwriting or entering into a contract to provide insurance or reinsurance for the sale, lease, or provision of such goods, services, service contracts, technology, information, or support;

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

(iii) purchasing, subscribing to, or facilitating the issuance of Iranian sovereign debt; or

(iv) providing ships or shipping services.

(C) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under this paragraph with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for the sale, lease, or provision of goods, services,
technology, information, or support described in subparagraph (B).

(b) Mandatory Sanctions With Respect to Development of Weapons of Mass Destruction or Other Military Capabilities.—

(1) In General.—The President shall impose a majority of the sanctions described in section 106(a) if the President determines that a person, on or after the date of the enactment of this Act, has knowingly exported, transferred, permitted, hosted, or otherwise facilitated transshipment that may have enabled a person to export, transfer, or transship to Iran or otherwise provided to Iran any goods, services, technology, or other items that would contribute materially to the ability of Iran to—

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

(B) acquire or develop destabilizing numbers and types of advanced conventional weapons.

(2) Additional Mandatory Sanctions Relating to Transfer of Nuclear Technology.—

(A) In General.—Except as provided in subparagraphs (B) and (C), in any case in which a person is subject to sanctions under
paragraph (1) because of an activity described in that paragraph that relates to the acquisition or development of nuclear weapons or related technology or of missiles or advanced conventional weapons that are designed or modified to deliver a nuclear weapon, no license may be issued for the export, and no approval may be given for the transfer or retransfer, directly or indirectly, to the country the government of which has primary jurisdiction over the person, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation between the United States and that government.

(B) EXCEPTION.—The sanctions described in subparagraph (A) shall not apply with respect to a country the government of which has primary jurisdiction over a person that engages in an activity described in that subparagraph if the President determines and notifies the appropriate congressional committees that the government of the country—

(i) does not know or have reason to know about the activity; or
(ii) has taken, or is taking, all reason-
able steps necessary to prevent a recur-
rence of the activity and to penalize the 
person for the activity.

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

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

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

(D) CONSTRUCTION.—The restrictions in subparagraph (A) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other related laws.

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

(F) APPLICABILITY.—The sanctions described in subparagraph (A) shall apply only in a case in which a person is subject to sanctions under paragraph (1) because of an activity described in such paragraph in which such person engages on or after the date of the enactment of this Act.

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

(1) any person the President determines has carried out the activities described in subsection (a) or (b), respectively; and
(2) any person that—

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

(B) owns or controls the person referred to in paragraph (1), if the person that owns or controls the person referred to in paragraph (1) had actual knowledge or should have known that the person referred to in paragraph (1) engaged in the activities referred to in that paragraph; or

(C) is owned or controlled by, or under common ownership or control with, the person referred to in paragraph (1), if the person owned or controlled by, or under common ownership or control with (as the case may be), the person referred to in paragraph (1) knowingly engaged in the activities referred to in that paragraph.

For purposes of this title, any person or entity described in this subsection shall be referred to as a “sanctioned person”.

(d) Publication in Federal Register.—The President shall cause to be published in the Federal Register a current list of persons and entities on whom sanctions have been imposed under this title. The removal of
persons or entities from, and the addition of persons and
entities to, the list, shall also be so published.

(c) Publication of Projects.—The President
shall cause to be published in the Federal Register a list
of all significant projects that have been publicly tendered
in the oil and gas sector in Iran.

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

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

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

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

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

(2) in the case of procurement, to eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of that Act (19 U.S.C. 2511(b));

(3) to products, technology, or services provided under contracts entered into before the date on which the President publishes in the Federal Register the name of the person on whom the sanctions are to be imposed;

(4) to—

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

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

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

(5) to information and technology essential to United States products or production; or
(6) to medicines, medical supplies, or other humanitarian items.

SEC. 106. DESCRIPTION OF SANCTIONS.

(a) In General.—The sanctions to be imposed on a sanctioned person under section 105 are as follows:

(1) Export-Import Bank Assistance for Exports to Sanctioned Persons.—The President may direct the Export-Import Bank of the United States to not give approval to for the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to any sanctioned person.

(2) Export Sanction.—Except as provided in subparagraph (B), the President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to a sanctioned person under—

(A) the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act);

(B) the Arms Export Control Act;

(C) the Atomic Energy Act of 1954; or
(D) any other law that requires the prior review and approval of the United States Government as a condition for the export or re-export of goods or services.

(3) Loans from United States Financial Institutions.—The United States Government may prohibit any United States financial institution from making loans or providing credits to any sanctioned person totaling more than $10,000,000 in any 12-month period unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

(4) Prohibitions on Financial Institutions.—The following prohibitions may be imposed against a sanctioned person that is a financial institution:

(A) Prohibition on designation as primary dealer.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, such financial institution as a primary dealer in United States Government debt instruments.
(B) Prohibition on service as a repository of government funds.—Such financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

The imposition of either sanction under subparagraph (A) or (B) shall be treated as one sanction for purposes of section 105, and the imposition of both such sanctions shall be treated as two sanctions for purposes of section 105.

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

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

(7) Banking transactions.—The President may prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person.
(8) PROPERTY TRANSACTIONS.—The President may prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which a sanctioned person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

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

(A) corporate officer, principal, or shareholder with a controlling interest of a person against whom sanctions have been imposed under subsection (a) or (b);

(B) corporate officer, principal, or shareholder with a controlling interest of a successor
entity to or a parent or subsidiary of such a sanctioned person;

(C) corporate officer, principal, or shareholder with a controlling interest of an affiliate of such a sanctioned person, if such affiliate engaged in a sanctionable activity described in subsection (a) or (b) and if such affiliate is controlled in fact by such sanctioned person; or

(D) spouse, minor child, or agent of a person excludable under subparagraph (A), (B), or (C).

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of any sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this subsection. The President shall include on the list published under section 105(d) the name of any person against whom sanctions are imposed under this paragraph.

(11) ADDITIONAL SANCTIONS.—The President shall impose sanctions, as appropriate, to restrict imports with respect to a sanctioned person, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).
(b) Additional Measure Relating to Government Contracts.—

(1) Modification of Federal Acquisition Regulation.—The Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall require a certification from each person that is a prospective contractor that such person does not engage in any activity for which sanctions may be imposed under section 105.

(2) Remedies.—

(A) In General.—If the head of an executive agency determines that a person has submitted a false certification under paragraph (1) after the date on which the Federal Acquisition Regulation is revised to implement the requirements of this subsection, the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not more than three years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regula-

(B) Inclusion on list of parties excluded from federal procurement and nonprocurement programs.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subparagraph (A).

(3) Clarification regarding certain products.—The remedies specified in paragraph (2) shall not apply with respect to the procurement of eligible products, as defined in section 308(4) of the Trade Agreements Act of 1974 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of such Act (19 U.S.C. 2511(b)).
(4) Rule of construction.—This subsection shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under paragraph (1).

(5) Waiver.—The President may, on a case-by-case basis, waive the requirement that a person make a certification under paragraph (1) if the President determines and certifies in writing to the appropriate congressional committees that it is in the national interest of the United States to do so.

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

(7) Applicability.—The revisions to the Federal Acquisition Regulation required under paragraph (1) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 107. ADVISORY OPINIONS.

The Secretary of State may, upon the request of any person, issue an advisory opinion to such person as to
whether a proposed activity by such person would subject such person to sanctions under this title. Any person who relies in good faith on such an advisory opinion which states that such proposed activity would not subject such person to such sanctions, and any such person who thereafter engages in such activity, shall not be made subject to such sanctions on account of such activity.

SEC. 108. TERMINATION OF SANCTIONS.

(a) CERTIFICATION.—The requirement under section 105 to impose sanctions shall no longer have force or effect with respect to Iran if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has ceased and verifiably dismantled its efforts to design, develop, manufacture, or acquire—

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

(B) chemical and biological weapons; and

(C) ballistic missiles and ballistic missile launch technology;

(2) no longer provides support for acts of international terrorism; and

(3) poses no threat to the national security, interests, or allies of the United States.
(b) Notification.—The President shall notify the appropriate congressional committees not later than 15 days before making the certification described in subsection (a).

SEC. 109. DURATION OF SANCTIONS.

(a) Delay of Sanctions.—

(1) Consultations.—If the President makes a determination described in section 105 with respect to a foreign person, Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over such foreign person with respect to the imposition of sanctions under such section.

(2) Actions by Government of Jurisdiction.—In order to pursue consultations under paragraph (1) with the government concerned, the President may delay for up to 90 days the imposition of sanctions under section 105. Following such consultations, the President shall immediately impose on the foreign person referred to in paragraph (1) such sanctions unless the President determines and certifies to Congress that the government has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties to terminate the involvement of the foreign person in the
activities that resulted in the determination by the
President under section 105 concerning such foreign
person and the foreign person is no longer engaged
in such activities.

(b) Duration of Sanctions.—A sanction imposed
under section 105 shall remain in effect—

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

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

(c) Waiver.—

(1) Authorization.—

(A) In general.—The President may
waive the requirements in section 105(a) or
105(b)(2) to impose a sanction or sanctions,
and may waive, on a case-by-case basis, the
continued imposition of a sanction or sanctions
under subsection (b) of this section, if the
President determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States.

(B) CONTENTS OF REPORT.—Any report under subparagraph (A) shall provide a specific and detailed rationale for a determination made pursuant to such paragraph, including—

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

(ii) in the case of a foreign person, an explanation of the efforts to secure the cooperation of the government with primary jurisdiction over such person to terminate or, as appropriate, penalize the activities that resulted in the determination under section 105(a);

(iii) an estimate of the significance of the conduct of the person concerned in contributing to the ability of Iran to develop petroleum resources, produce refined
petroleum products, or import refined petroleum products; and

(iv) a statement as to the response of the United States in the event that the person concerned engages in other activities that would be subject to a sanction or sanctions under section 105(a).

(2) Waiver with respect to persons in countries that cooperate in multilateral efforts with respect to Iran.—

(A) In general.—The President may, on a case by case basis, waive for a period of not more than 12 months the application of section 105(a) with respect to a person if the President, at least 30 days before the waiver is to take effect—

(i) certifies to the appropriate congressional committees that—

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

(aa) acquiring or developing chemical, biological, or nuclear
41

weapons or related technologies;

or

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

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

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

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

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

(B) SUBSEQUENT RENEWAL OF WAIVER.—
At the conclusion of the period of a waiver
under subparagraph (A), the President may
renew the waiver—
(i) if the President determines, in accordance with subparagraph (A) that the waiver is appropriate; and
(ii) for subsequent periods of not more than 12 months each.

SEC. 110. REPORTS REQUIRED.

(a) Report on Certain International Initiatives.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter, the President shall transmit to the appropriate congressional committees a report describing—

(1) the efforts of the President to mount a multilateral campaign to persuade all countries to pressure Iran to cease its nuclear, chemical, biological, and missile weapons programs and its support of acts of international terrorism;

(2) the efforts of the President to persuade other governments to ask Iran to reduce in the countries of such governments the presence of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran, and to withdraw any such diplomats or representatives who participated in the takeover of the United States Embassy in Tehran, Iran, on Novem-
ber 4, 1979, or the subsequent holding of United States hostages for 444 days;

(3) the extent to which the International Atomic Energy Agency has established regular inspections of all nuclear facilities in Iran, including those facilities presently under construction; and

(4) Iran’s use of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran to promote acts of international terrorism or to develop or sustain Iran’s nuclear, chemical, biological, or missile weapons programs.

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

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

(A) been effective in achieving the policy objective described in section 103 and any other foreign policy or national security objectives of the United States with respect to Iran; and
(B) affected humanitarian interests in
Iran, the country in which a sanctioned person
is located, or in other countries; and

(2) the impact of actions relating to trade taken
pursuant to this title on other national security, eco-

nomic, and foreign policy interests of the United
States, including relations with countries friendly to
the United States, and on the United States econ-
omy.

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

(c) Other Reports.—The President shall ensure
the continued transmittal to Congress of reports describ-
ing—

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

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

(d) Reports on Global Trade Relating to
Iran.—Not later than 180 days after the date of the en-
actment of the this Act and annually thereafter, the Presi-
dent shall transmit to the appropriate congressional com-
mittees a report, with respect to the most recent 12-month period for which data are available, on the dollar value amount of trade, including in the energy sector, between Iran and each country maintaining membership in the Group of 20 Finance Ministers and Central Bank Gov-
ernors.

SEC. 111. DETERMINATIONS NOT REVIEWABLE.

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

SEC. 112. EXCLUSION OF CERTAIN ACTIVITIES.

Nothing in this title shall apply to any activities sub-
ject to the reporting requirements of title V of the Na-

SEC. 113. DEFINITIONS.

In this title:

(1) Act of international terrorism.—The term “act of international terrorism” has the mean-
ing given such term in section 2331 of title 18, United States Code.

(2) Appropriate congressional committees.—The term “appropriate congressional com-
mittees” means—
(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Banking and Financial Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

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

(4) CREDIBLE INFORMATION.—The term “credible information” means, with respect to a person, such person’s public announcement of an investment described in section 105, Iranian governmental announcements of such an investment, reports to stockholders, annual reports, industry reports, Government Accountability Office products, and trade publications.

(5) DEVELOP AND DEVELOPMENT.—The terms “develop” and “development” mean the exploration for, or the extraction, refining, or transportation by pipeline of, petroleum resources.
(6) **FINANCIAL INSTITUTION.**—The term “financial institution” includes—

(A) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978);

(B) a credit union;

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

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

(E) any other company that provides financial services including joint ventures with Iranian entities both inside and outside of Iran and partnerships or investments with Iranian government-controlled entities or affiliated entities.

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

(8) **FOREIGN PERSON.**—The term “foreign person” means—
(A) an individual who is not a United States person or an alien lawfully admitted for permanent residence into the United States; or

(B) a corporation, partnership, joint venture, cooperative venture, or other nongovernmental entity which is not a United States person.

(9) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated by the Secretary of State as a foreign terrorist organization in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

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

(11) INVESTMENT.—The term “investment” means any of the following activities if any of such activities is undertaken pursuant to an agreement, or pursuant to the exercise of rights under such an agreement, that is entered into with the Government of Iran or a nongovernmental entity in Iran, on or after the date of the enactment of this Act:
(A) The entry into a contract that includes responsibility for the development of petroleum resources located in Iran, or the entry into a contract providing for the general supervision and guarantee of another person’s performance of such a contract.

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

(C) The entry into a contract providing for the participation in royalties, earnings, or profits in the development described in subparagraph (A), without regard to the form of such participation.

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

(12) IRA N.—The term “Iran” includes any agency or instrumentality of Iran.

(13) IRANIAN DIPLOMATS AND REPRESENTATIVES OF OTHER GOVERNMENT AND MILITARY OR QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.—The term “Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran” includes employees, representatives, or affiliates of Iran’s—
(A) Foreign Ministry;

(B) Ministry of Intelligence and Security;

(C) Revolutionary Guard Corps and affiliated entities;

(D) Crusade for Reconstruction;

(E) Qods (Jerusalem) Forces;

(F) Interior Ministry;

(G) Foundation for the Oppressed and Disabled;

(H) Prophet’s Foundation;

(I) June 5th Foundation;

(J) Martyr’s Foundation;

(K) Islamic Propagation Organization; and

(L) Ministry of Islamic Guidance.

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

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

(16) PERSON.—

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

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, financial
institution, insurer, underwriter, guarantor, or any other business organization,
any other nongovernmental entity, organization, or group, and any governmental en-
tity operating as a business enterprise; and

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

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

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

(18) Refined petroleum products.—The
term “refined petroleum products” means diesel,
gasoline, jet fuel (including naphtha-type and kere-
osene-type jet fuel), and aviation gasoline.

(19) United States or State.—The terms
“United States” and “State” mean the several
States, the District of Columbia, the Commonwealth
of Puerto Rico, the Commonwealth of the Northern
Mariana Islands, American Samoa, Guam, the
United States Virgin Islands, and any other terri-
tory or possession of the United States.

(20) United States person.—The term
“United States person” means—

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

(B) a corporation or other legal entity that
is organized under the laws of the United
States or any State if a natural person de-
scribed in subparagraph (A) owns, directly or
indirectly, more than 50 percent of the out-
standing capital stock or other beneficial inter-
est in such corporation or legal entity.
SEC. 114. EFFECTIVE DATE.

This title shall take effect on the date of the enactment of this Act and shall apply with respect to an investment or activity described in subsection (a) or (b) of section 105 that is commenced on or after such date of enactment.

SEC. 115. REPEAL.

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

(b) FEDERAL ACQUISITION REGULATION.—Notwithstanding the repeal made by subsection (a), the modification to the Federal Acquisition Regulation made pursuant to section 6(b)(1) of the Iran Sanctions Act of 1996 shall continue in effect until the modification to such Regulation that is made pursuant to section 106(b)(1) of this Act takes effect.

TITLE II—IRAN FREEDOM SUPPORT

SEC. 201. CODIFICATION OF SANCTIONS.

United States sanctions with respect to Iran imposed pursuant to sections 1 and 3 of Executive Order 12957, sections 1(e), (1)(g), and (3) of Executive Order 12959, sections 2, 3, and 5 of Executive Order 13059 (relating to exports and certain other transactions with Iran), and sections 1, 5, 6, 7, and 8 of Executive Order 13553, as in effect on January 1, 2011, shall remain in effect until
the President certifies to the appropriate congressional committees, at least 90 days before the removal of such sanctions, that the Government of Iran has verifiably dismantled its nuclear weapons program, its biological and chemical weapons programs, its ballistic missile development programs, and ceased its support for international terrorism.

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

It shall be the policy of the United States to support those individuals in Iran seeking a free, democratic government that respects the rule of law and protects the rights of all citizens.

SEC. 203. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.

(a) Statement of Policy.—The President is authorized to provide financial and political assistance (including the award of grants) to foreign and domestic individuals, organizations, and entities that support democracy and the promotion of democracy in Iran. Such assistance may include the award of grants to eligible independent pro-democracy broadcasting organizations and new media that broadcast into Iran.

(b) Eligibility for Assistance.—Financial and political assistance authorized under this section shall be
provided only to an individual, organization, or entity that—

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

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

(3) is dedicated to democratic values and supports the adoption of a democratic form of government in Iran;

(4) is dedicated to respect for human rights, including the fundamental equality of women;

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

(6) supports freedom of the press, freedom of speech, freedom of association, and freedom of religion.

(c) FUNDING.—Financial and political assistance authorized under this section may only be provided using—

(1) funds available to the Middle East Partnership Initiative (MEPI), the Broader Middle East and North Africa Initiative, the Human Rights and
Democracy Fund, and the Near East Regional Democracy Fund; and

(2) amounts made available pursuant to the authorization of appropriations under subsection (f).

(d) NOTIFICATION.—Not later than 15 days before each obligation of assistance under this section, and in accordance with the procedures under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–l), the President shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate of such obligation of assistance. Such notification shall include, as practicable, a description of the types of programs supported by such assistance and an identification of the recipients of such assistance.

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

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

(2) support for those individuals seeking democracy in Iran should be expressed by United States representatives and officials in all appropriate international fora; and
(3) officials and representatives of the United States should—

(A) strongly and unequivocally support indigenous efforts in Iran calling for free, transparent, and democratic elections; and

(B) draw international attention to violations by the Government of Iran of human rights, freedom of religion, freedom of assembly, and freedom of the press.

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.

(a) List of Persons Who Are Responsible for or Complicit in Certain Human Rights Abuses; Sanctions on Such Persons.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a list of all persons who are officials of the Government of Iran, including the Supreme Leader, the President, Members of the Cabinet, Members of the Assembly of Experts, Members of the Ministry
of Intelligence Services, or any Member of the Iranian Revolutionary Guard Corps with the rank of brigadier general and above, including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz’afin.

(2) Certification.—The President shall impose on the persons specified in the list under paragraph (1) the sanctions described in subsection (b). The President shall exempt any such person from such imposition if the President determines and certifies to the appropriate congressional committees that such person, based on credible evidence, is not responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009, regardless of whether such abuses occurred in Iran.

(3) Updates of list.—The President shall transmit to the appropriate congressional committees an updated list under paragraph (1)—

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

(B) as new information becomes available.
(4) **FORM OF REPORT; PUBLIC AVAILABILITY.**—

(A) **FORM.**—The list required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) **PUBLIC AVAILABILITY.**—The unclassified portion of the list required under paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.

(5) **CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.**—In preparing the list required under paragraph (1), the President shall consider credible data already obtained by other countries and nongovernmental organizations, including organizations in Iran, that monitor the human rights abuses of the Government of Iran.

(b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are ineligibility for a visa to enter the United States and sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), including blocking of property and restrictions or prohibitions on financial transactions and the exportation and importation of property, subject to such regulations as the President may prescribe, including
regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

(e) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Iran has—

(1) unconditionally released all political prisoners, including the citizens of Iran detained in the aftermath of the June 12, 2009, presidential election in Iran;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Iran while engaging in peaceful political activity;

(3) conducted a transparent investigation into the killings, arrests, and abuse of peaceful political activists that occurred in the aftermath of the June 12, 2009, presidential election in Iran and prosecuted the individuals responsible for such killings, arrests, and abuse; and

(4) has—
(A) established an independent judiciary; and
(B) is respecting the human rights and basic freedoms recognized in the Universal Declaration of Human Rights.

SEC. 205. COMPREHENSIVE STRATEGY TO PROMOTE INTERNET FREEDOM AND ACCESS TO INFORMATION IN IRAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign Relations and Appropriations of the Senate a comprehensive strategy to—

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

(2) support the development of counter-censorship technologies that enable the citizens of Iran to undertake Internet activities without interference from the Government of Iran;

(3) increase the capabilities and availability of secure mobile communications among human rights and democracy activists in Iran;
(4) provide resources for digital safety training for media, unions, and academic and civil society organizations in Iran;

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

(6) increase emergency resources for the most vulnerable human rights advocates seeking to organize, share information, and support human rights in Iran;

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

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

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

(10) expand worldwide United States embassy and consulate programming for and outreach to Iranian dissident communities.

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

(a) In General.—Except as provided in subsection (c), the President shall impose the sanctions described in section 106(a) with respect to a person if the President determines that such person knowingly, on or after the date of the enactment of the Iran Threat Reduction Act of 2011, provides any service described in subsection (b) with respect to the exportation of petroleum, oil, or liquefied natural gas to be refined or otherwise processed outside of Iran if—

(1) Iran’s Islamic Revolutionary Guard Corps or any of its affiliates was directly and significantly involved in the development, extraction, production, transportation, or sale of such petroleum, oil, or liquefied natural gas in Iran; and

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

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

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

(2) the provision of ships or shipping services;

or

(3) financing, brokering, underwriting, or providing insurance or reinsurance.

(c) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under this paragraph with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that such person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that such person does not underwrite or enter into a contract to provide insurance or reinsurance with respect to the exportation of petroleum, oil, or liquefied natural gas in violation of subsection (a).

SEC. 302. IRANIAN ACTIVITIES IN IRAQ AND AFGHANISTAN.

(a) FREEZING OF ASSETS.—In accordance with subsection (b), all property and interests in property of the
foreign persons described in Executive Orders 13382 and 13224, or their affiliates, that are in the United States, that on or after the date of the enactment of this Act come within the United States, or that on or after the date of the enactment of this Act come within the possession or control of United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in with respect to any such person determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Defense to—

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

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

(B) undermining efforts to promote economic reconstruction and political reform in Iraq or to provide humanitarian assistance to the Iraqi people;

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

or

(D) undermining efforts to promote economic reconstruction and political reform in Af-
ghanistan or to provide humanitarian assistance to the Afghan people;

(2) have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, such an act or acts of violence or any person or entity whose property and interests in property are blocked pursuant this subsection; or

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

(b) DESCRIPTION OF PROHIBITIONS.—The prohibitions described in subsection (a) include—

(1) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked; and

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

(c) STATEMENT OF POLICY.—An increase in both the quantity and quality of Iranian arms shipments and technological expertise to the Iraqi insurgents, the Taliban, other terrorist organizations, and criminal elements has the potential to significantly change the battlefield in both
Iraq and Afghanistan, and lead to a large increase in
United States, International Security Assistance Force,
Coalition, and Iraqi and Afghan casualties.

SEC. 303. UNITED STATES POLICY TOWARD IRAN.

(a) NATIONAL STRATEGY REQUIRED.—The President shall develop a strategy, to be known as the “National Strategy to Counter Iran” that provides strategic guidance for activities that support the objective of addressing, countering, and containing the threats posed by Iran.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than January 30 of each year, the President shall transmit to the appropriate congressional committees in Congress a report on the current and future strategy of the United States toward Iran, and the implementation of the National Strategy to Counter Iran required under subsection (a).

(2) FORM.—If the President considers it appropriate, the report required under this subsection, or appropriate parts thereof, may be transmitted in classified form.

(e) MATTERS TO BE INCLUDED.—The report required under subsection (b) shall include a description of
the security posture and objectives of Iran, including at least the following:

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

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

(B) Iranian strategy to achieve such objectives in the Middle East, Europe, Africa, Western Hemisphere, and Asia.

(2) An assessment of the capabilities of Iran’s conventional forces and Iran’s unconventional forces, including—

(A) the size and capabilities of Iran’s conventional forces and Iran’s unconventional forces;

(B) an analysis of the formal and informal national command authority for Iran’s conventional forces and Iran’s unconventional forces;

(C) the size and capability of Iranian foreign and domestic intelligence and special operations units, including the Iranian Revolutionary Guard Corps-Quds Force;

(D) a description and analysis of Iranian military doctrine;
(E) the types and amount of support, including funding, lethal and nonlethal supplies, and training, provided to groups designated by the United States as foreign terrorist organizations and regional militant groups; and

(F) an estimate of the levels of funding and funding and procurement sources by Iran to develop and support Iran’s conventional forces and Iran’s unconventional forces.

(3) An assessment of Iranian strategy and capabilities related to nuclear, unconventional, and missile forces development, including—

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

(B) an estimate of the amount and sources of funding expended by, and an analysis of procurement networks utilized by, Iran to develop its nuclear weapons capabilities;

(C) a summary of the capabilities of Iran’s unconventional weapons and Iran’s ballistic missile forces and Iran’s cruise missile forces, including developments in the preceding year, the size of Iran’s ballistic missile forces and Iran’s cruise missile forces, and the locations of missile launch sites;
(D) a detailed analysis of the effectiveness
of Iran’s unconventional weapons and Iran’s
ballistic missile forces and Iran’s cruise missile
forces; and

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

(4) The Government of Iran’s economic strat-
egy, including—

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

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

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

(D) the effect of bilateral and multilateral
sanctions on the ability of Iran to implement its
grand strategy and security strategy described
in paragraph (1); and
(E) Iran’s strategy and efforts to leverage economic and political influence, cooperation, and activities in the Middle East Europe, Africa, Western Hemisphere, and Asia.

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

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

SEC. 304. DEFINITIONS.

In this title:

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

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Represent-
mittee on Appropriations, and the Permanent
Select Committee on Intelligence of the Senate.

(2) **Iran’s Ballistic Missile Forces.**—The
term “Iran’s ballistic missile forces” means those
elements of the Government of Iran that employ bal-
listic missiles.

(3) **Iran’s Ballistic Missile and Unconven-
tional Weapons.**—The term “Iran’s ballistic mis-
sile and unconventional weapons” means Iran’s bal-
listic missile forces and chemical, biological, and ra-
diological weapons programs.

(4) **Iran’s Cruise Missile Forces.**—The term
“Iran’s cruise missile forces” means those elements
of the Government of Iran that employ cruise mis-
siles capable of flights less than 500 kilometers.

(5) **Iran’s Conventional Forces.**—The term
“Iran’s conventional forces”—

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

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

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

(A) means forces of Iran that carry out missions typically associated with special operations forces; and

(B) includes—

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

(ii) paramilitary organizations;

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

(iv) any organization that—

(I) has been designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(II) receives assistance from Iran; and

(III) is assessed—

(aa) as being willing in some or all cases of carrying out attacks on behalf of Iran; or
attacks in response to an attack by another country on Iran or its interests.

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

SEC. 401. IRAN FINANCIAL SANCTIONS.

(a) Financial Institution Certification.—Section 104(e) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8513(e)) is amended by adding at the end the following new paragraph:

“(3) Certification.—Not later than 90 days after the date of the enactment of this paragraph, the Secretary of the Treasury shall prescribe regulations to require any person owned or controlled by a domestic financial institution to provide positive certification to the Secretary that such person is not engaged in corresponding relations or business activ-
ity with a foreign person or financial institution that facilitates transactions from persons and domestic financial institutions described in subsection (d).”.

(b) Report on the Activities of the Central Bank of Iran.—Section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended—

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

(2) by inserting after subsection (h) the following new subsection:

“(i) Report on the Activities of the Central Bank of Iran.—

“(1) In general.—Not later than 90 days after the date of the enactment of this subsection and annually thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to Congress a report on how the activities of the Central Bank of Iran facilitate Iran’s efforts to acquire nuclear weapons capabilities, unconventional weapons and ballistic and cruise missile development, and activities as a designated state sponsor of terrorism.
“(2) FORM.—The reports required under this subsection shall be submitted in unclassified form and may contain a classified annex.”.

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

SEC. 402. DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN.

Title II of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 shall remain in effect until the President makes the certification described in section 602 of this Act.

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

Title III of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 shall remain in effect until the President makes the certification described in section 602 of this Act.
TITLE V—SECURITIES AND EXCHANGE COMMISSION

SEC. 501. DISCLOSURES TO THE SECURITIES AND EXCHANGE COMMISSION RELATING TO SANCTIONABLE ACTIVITIES.

(a) In General.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following new subsection:

“(r) Disclosure of Certain Activities Relating to Iran, Terrorism, and the Proliferation of Weapons of Mass Destruction.—

“(1) General disclosure required.—Each issuer required to file an annual or quarterly report under subsection (a) shall include with such report a statement of whether, during the period since the issuer made the last such report, the issuer or any affiliate of the issuer—

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

“(B) knowingly engaged in an activity described in subsection (c)(2) of section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8513) or knowingly
violated regulations prescribed under subsection 
(d)(1) or (e)(1) of such section 104; or

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

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

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

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

“(2) SPECIFIC DISCLOSURE REQUIRED.—If an
issuer reports under paragraph (1) that the issuer or
an affiliate of the issuer has engaged in any activity
described in that paragraph, the issuer shall include with the statement required under that paragraph a detailed description of each such activity, including—

“(A) the nature and extent of the activity;
“(B) the revenues and profits, if any, attributable to the activity; and
“(C) whether the issuer or the affiliate of the issuer (as the case may be) intends to continue the activity.

“(3) Investigation of disclosures.—When the Commission receives a report under paragraph (1) from an issuer that the issuer or an affiliate of the issuer has engaged in any activity described in that paragraph, the President shall—

“(A) initiate an investigation into the possible imposition of sanctions under the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513), the Executive Orders or regulations specified in paragraph (1)(C), or any other provision of law; and
“(B) not later than 180 days after initiating such an investigation, make a determination with respect to whether sanctions should be imposed with respect to the issuer or the affiliate of the issuer (as the case may be).

“(4) PUBLIC DISCLOSURE OF INFORMATION.—

The Commission shall promptly—

“(A) make the information provided to the Commission under paragraphs (1) and (2) available to the public by posting the information on the Internet Web site of the Commission; and

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

“(i) the President;

“(ii) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

“(iii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

“(5) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President makes the cer-
tification described in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and divestment Act of 2010 (22 U.S.C. 8551(a)).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect with respect to reports required to be filed with the Securities and Exchange Commission after the date that is 90 days after the date of the enactment of this Act.

TITLE VI—GENERAL PROVISIONS

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

(a) IN GENERAL.—Except as necessary to meet United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international treaty obligations, the Secretary of State shall deny a visa to and the Secretary of Homeland Security shall exclude from the United States a person of the Government of Iran pursuant to section 6(j)(1)(A) of the Export Administration Act of 1979 (as in effect pursuant to the International Emergency Economic Powers Act; 50 U.S.C. 1701 et seq.), section 40(d) of the Arms Export Control Act (22 U.S.C.
2780(d)), and section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) if the Secretary determines that such person—

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

(2) presents a threat to the United States or is directly or indirectly affiliated with terrorist organizations.

(b) Restriction on Movement.—The Secretary of State shall restrict in Washington, DC, and at the United Nations in New York City, the travel to only within a 25-mile radius of Washington, DC, or the United Nations headquarters building, respectively, of any person identified in subsection (a).

SEC. 602. SUNSET.

(a) Sunset.—The provisions of this Act shall terminate, and shall cease to be effective, on the date that is 30 days after the date on which the President certifies to Congress that Iran—

(1) has ceased and verifiably dismantled its efforts to design, develop, manufacture, or acquire—

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

(B) chemical and biological weapons; and
(C) ballistic missiles and ballistic missile launch technology;

(2) no longer provides support for acts of international terrorism; and

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

(b) NOTIFICATION.—The President shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than 15 days before making a certification described in subsection (a).