112TH CONGRESS  
1ST SESSION  

H. R. 1905

IN THE SENATE OF THE UNITED STATES  

DECEMBER 14, 2011  

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

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

1 Be it enacted by the Senate and House of Represent- 
2 tives 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”.

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

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.
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Sec. 109. Duration of sanctions.
Sec. 110. Reports required.
Sec. 111. Determinations not reviewable.
Sec. 112. Definitions.
Sec. 113. Effective date.
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Title II—Iran Freedom Support

Sec. 201. Codification of sanctions.
Sec. 202. Liability of parent companies for violations of sanctions by foreign subsidiaries.
Sec. 203. Declaration of Congress regarding United States policy toward Iran.
Sec. 204. Assistance to support democracy in Iran.
Sec. 205. 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. 206. Clarification of sensitive technologies for purposes of procurement ban.
Sec. 207. Comprehensive strategy to promote internet freedom and access to information in Iran.

Title III—Iran Regime and Iran’s Islamic Revolutionary Guard Corps Accountability

Sec. 301. Iran’s Islamic Revolutionary Guard Corps.
Sec. 302. Additional export sanctions against Iran.
Sec. 303. Sanctions against affiliates of Iran’s Islamic Revolutionary Guard Corps.
Sec. 304. Measures against foreign persons or entities supporting Iran’s Islamic Revolutionary Guard Corps.
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 govern-
ment 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 com-
mitted 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 United States na-
tional 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, the Government of Syria, 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 United States 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 United States 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 United States 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 policies 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 and Libya Sanctions Act of 1996 was signed into law, now known as the Iran Sanctions Act of 1996. 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) Laws such as the Iran and Libya Sanctions Act of 1996, which was retitled the Iran Sanctions Act of 1996, paved the way for the enactment of similar laws, such as the Iran, North Korea and Syria Nonproliferation Act, the Iran-Iraq Arms Non-Proliferation Act of 1992, the Iran Freedom Support Act, and the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

(11) United States 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 (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. Con-
fers believe that the lack of enforcement of rel-
evant enacted sanctions may have served to encour-
age rather than deter Iran’s efforts to pursue nu-
clear 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 pro-
vided for in this Act.”.

(14) The Comprehensive Iran Sanctions, Ac-
countability, and Divestment Act of 2010 mandates
among other provisions that the President initiate
investigations of potentially sanctionable activity
under the Iran Sanctions Act of 1996. Although
more than 16 months have passed since enactmen-
of this legislation, Congress has not received notice
of the imposition of sanctions on any entities that do
significant business in the United States, despite
multiple reports of potentially sanctionable activity
by such entities. Although, in accordance with the
Comprehensive Iran Sanctions, Accountability, and
Divestment Act of 2010, some potentially
sanctionable entities have been persuaded to wind
down and end their involvement in Iran, others have not.

(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 deprive the Government of Iran of necessary resources and 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 deliver them, both through ballistic missile and asymmetric means, and its support for foreign terrorist organizations and other extremists endanger the national 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 proliferation of nuclear and other unconventional weapons and countering the activities of foreign terrorist organizations 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 of this Act, 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 of
this Act with respect to Iran, and a description of
those measures; and

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

(c) INTERIM REPORT ON MULTILATERAL SAN-
CTIONS; 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 legisla-
tive or administrative standards providing for the
imposition of trade sanctions on persons or their af-
iliates 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 of this Act 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 of this Act, 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 3-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 unclassi-
fied 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, including the number, scope, and dates of such investigations or reviews.

(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
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 en-
gaging in the activity or is divesting all
holdings and terminating the activity with-
in one year from the date of the certifi-
cation; and

(ii) the President has received reliable
assurances that the person will not know-
ingly engage in an activity described in
section 105(a) of this Act in the future.

(B) APPLICATION OF SANCTIONS.—The
President shall apply the sanctions described in
section 106(a) of this Act in accordance with
section 105(a) of this Act to a person described
in subparagraph (A) if—

(i) the person fails to verifiably divest
all holdings and terminate the activity de-
scribed in subparagraph (A) of this para-
graph within one year from the date of
certification of the President under sub-
paragraph (A); or

(ii) the person has been previously
designated pursuant to section 4(e)(3) of
the Iran Sanctions Act of 1996, as in ef-
fect on the day before the date of the en-
actment of this Act, and fails to verifiably
divest all holdings and terminate the activ-
ity described in subparagraph (A) within
180 days from the date of enactment of
this Act.

(C) REPORT.—Not later than 90 days
after the date of enactment of this Act, the
President shall transmit to the appropriate con-
gressional committees a report on the actions
taken by persons previously designated pursu-
ant to section 4(e)(3) of the Iran Sanctions Act
of 1996, as in effect on the day before the date
of the enactment of this Act, to verifiably divest
all holdings and terminate the activity described
in subparagraph (A).

SEC. 105. IMPOSITION OF SANCTIONS.

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

(1) DEVELOPMENT OF PETROLEUM RESOURCES
OF IRAN.—

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(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose a ma-

jority of the sanctions described in section 106(a) of this Act with respect to a person if

the President determines that the person know-

ingly, 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 invest-

ments described in subparagraph (B) in a

12-month period if each such investment is

of at least $5,000,000 and such invest-

ments equal or exceed $20,000,000 in the

aggregate.

(B) INVESTMENT DESCRIBED.—An invest-

ment described in this subparagraph is an in-

vestment that directly and significantly contrib-

utes to the enhancement of Iran’s ability to de-

velop petroleum resources.

(2) PRODUCTION OF REFINED PETROLEUM

PRODUCTS.—

(A) IN GENERAL.—Except as provided in

subsection (f), the President shall impose a ma-
majority of the sanctions described in section 106(a) of this Act with respect to a person if the President determines that the person knowingly, on or after the date of the 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) of this Act 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) bartering or contracting by which the parties exchange goods for goods, including the insurance or reinsurance of such exchanges;

(iv) purchasing, subscribing to, or facilitating the issuance of sovereign debt of
the Government of Iran, including govern-
mental bonds; or

(v) providing ships or shipping serv-
ices to deliver refined petroleum products
to Iran.

(C) Exception for Underwriters and
Insurance Providers Exercising Due Diligence.—The President may not impose sanc-
tions under this paragraph with respect to a
person that provides underwriting services or
insurance or reinsurance if the President deter-
mines that the person has exercised due dili-
gence in establishing and enforcing official poli-
cies, procedures, and controls to ensure that the
person does not underwrite or enter into a con-
tact to provide insurance or reinsurance for
the sale, lease, or provision of goods, services,
technology, information, or support described in
subparagraph (B).

(4) Purchase, Subscription To, Or Facili-
tation Of The Issuance Of Iranian Sovereign
Debt.—Except as provided in subsection (f), the
President shall impose a majority of the sanctions
described in section 106(a) of this Act with respect
to a person if the President determines that the per-
son knowingly, on or after the date of the enactment of this Act, purchases, subscribes to, or facilitates the issuance of—

(A) sovereign debt of the Government of Iran, including governmental bonds; or

(B) debt of any entity owned or controlled by the Government of Iran, including bonds.

(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) of this Act 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 transshipment 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 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 ap-
propriate 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-
technology 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 Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate the justification 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.

(e) **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 required to apply or maintain the sanctions under subsection (a) or (b)—

(1) in the case of procurement of defense articles 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 alternative 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 of this Act 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.—The President may order the United States Government not to issue any specific license and not to grant any other spe-
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 Inter-
national 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 Gov-
ernment as a condition for the export or reex-
port 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 san-
tioned 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 Institu-
tions.—The following prohibitions may be imposed
against a sanctioned person that is a financial insti-
tution:

(A) Prohibition on designation as
primary dealer.—Neither the Board of Gov-
ernors 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 of this Act, and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of section 105 of this Act.

(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, 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 deny admission into the United States to, 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 inadmissible 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) of this Act the name of any person
against whom sanctions are imposed under this paragraph.

(11) ADDITIONAL SANCTIONS.—The President may impose additional sanctions, as appropriate, 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 1303 of title 41, United States Code, shall require a certification from each person that is a prospective contractor that such person and any person owned or controlled by the person does not engage in any activity for which sanctions may be imposed under section 105 or section 304 of this Act.

(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 less than 2 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

(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 1303 of title 41, United States Code, 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 rem-
edies 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-
bymease 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 failure to
exercise such waiver authority would pose an un-
usual and extraordinary threat to the vital national
security interests of the United States.

(6) EXECUTIVE AGENCY DEFINED.—In this
subsection, the term “executive agency” has the
meaning given such term in section 133 of title 41,
United States Code.

(7) APPLICABILITY.—The revisions to the Fed-
eral Acquisition Regulation required under para-
(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 of this Act 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 of this Act 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 of this Act. Following such consultations, the President shall immediately
impose on the foreign person referred to in para-
graph (1) such sanctions unless the President deter-
mines 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 of this Act con-
cerning such foreign person and the foreign person
is no longer engaged in such activities.

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

   (1) for a period of not less than 2 years begin-
ning on the date on which such sanction is imposed;
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) of this Act 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) or section 105(b)(2) of this Act, as the case may be;

(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) or 105(b)(2) of this Act, as the case may be;

(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) or 105(b)(2) of this Act, as the case may be.

(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) of this Act 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 weapons or related technologies; or

(bb) acquiring or developing destabilizing numbers and types of advanced conventional weapons; and

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

(ii) submits to the appropriate congressional committees a report identifying—

(I) the person with respect to which the President waives the application of sanctions; and
(II) the actions taken by the government described in clause (i)(I) to cooperate in multilateral efforts described 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.

(3) PUBLICATION IN THE FEDERAL REGISTER.—Not later than 15 days after any waiver authority is exercised pursuant to paragraph (1) or (2) of this subsection, the name of the person or entity with respect to which sanctions are being waived shall be published in the Federal Register.

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 November 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 of this Act 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, economic, and foreign policy interests of the United States, including relations with countries friendly to the United States, and on the United States economy.

The President may include in such reports the President’s recommendation on whether or not this Act should be terminated or modified.
(c) OTHER REPORTS.—The President shall ensure the continued transmittal to Congress of reports describing—

(1) the nuclear and other military capabilities of Iran, as required under section 601(a) of the Nuclear 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 enactment of the this Act and annually thereafter, the President shall transmit to the appropriate congressional committees 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 Governors.

SEC. 111. DETERMINATIONS NOT REVIEWABLE.

A determination to impose sanctions under this title shall not be reviewable in any court.
SEC. 112. DEFINITIONS.

In this title:

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

(2) Appropriate congressional committees.—The term “appropriate congressional committees” means—

(A) 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; and

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

(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 of this Act, Iranian govern-
mental announcements of such an investment, re-
ports to stockholders, annual reports, industry re-
ports, Government Accountability Office products,
State and local government reports, and trade pub-
lications.

(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 “fi-
nancial institution” includes—

(A) a depository institution (as defined in
section 3(c)(1) of the Federal Deposit Insur-
ance 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 fi-
nancial 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) IRAN.—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 de-
fined 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, guar-
antor, or any other business organization,
any other nongovernmental entity, organi-
ization, 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 entity that is not operating as a business enterprise.

(17) Petroleum Resources.—The term “petroleum resources” includes petroleum and natural gas resources, refined petroleum products, oil or liquefied natural gas, oil or liquefied natural gas tankers, 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 kerosene-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 territory 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 allegiance 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 described in subparagraph (A) owns more than 50 percent of the outstanding capital stock or other beneficial interest in such corporation or legal entity.

SEC. 113. 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 of this Act that is commenced on or after such date of enactment.

SEC. 114. REPEAL.

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

(b) Conforming Amendments.—The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8501 et seq.) is amended—

(1) in section 103(b)(3)(E), by striking “section 14 of the Iran Sanctions Act of 1996 (Public Law
104–172; 50 U.S.C. 1701 note)” and inserting “sec-
(2) in section 111(a)(1), by striking “section 5
of the Iran Sanctions Act of 1996, as amended by
section 102 of this Act” and inserting “section 105
of the Iran Threat Reduction Act of 2011”;
(3) in section 112(3), by striking “Iran San-
tions Act of 1996, as amended by section 102 of this
Act,” and inserting “Iran Threat Reduction Act of
2011”; and
(4) in section 201(2), by striking “section 14 of
the Iran Sanctions Act of 1996 (Public Law 104–
172; 50 U.S.C. 1701 note)” and inserting “section
112 of the Iran Threat Reduction Act of 2011”.
(c) REFERENCES.—Any reference in a law, regula-
tion, document, or other record of the United States to
the Iran Sanctions Act of 1996 shall be deemed to be a
reference to this title.
(d) FEDERAL ACQUISITION REGULATION.—Notwith-
standing the repeal made by subsection (a), the modifica-
tion 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 Regula-
tion 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—

(1) sections 1 and 3 of Executive Order No. 12957;

(2) sections 1(e), 1(g), and 3 of Executive Order No. 12959;

(3) sections 2, 3, and 5 of Executive Order No. 13059;

(4) sections 1, 5, 6, 7, and 8 of Executive Order No. 13553; or

(5) sections 1, 2, and 5 of Executive Order No. 13574,

as in effect on September 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. LIABILITY OF PARENT COMPANIES FOR VIOLATIONS OF SANCTIONS BY FOREIGN SUBSIDIARIES.

(a) DEFINITIONS.—In this section:

(1) ENTITY.—The term “entity” means a partnership, association, trust, joint venture, corporation, or other organization.

(2) OWN OR CONTROL.—The term “own or control” means, with respect to an entity—

(A) to hold more than 50 percent of the equity interest by vote or value in the entity;

(B) to hold a majority of seats on the board of directors of the entity; or

(C) to otherwise control the actions, policies, or personnel decisions of the entity.

(3) SUBSIDIARY.—The term “subsidiary” means an entity that is owned or controlled by a United States person.

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

(A) a natural person who is a citizen, resident, or national of the United States; and

(B) an entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if nat-
urnal persons described in subparagraph (A) own
or control the entity.

(b) In general.—A United States person shall be
subject to a penalty for a violation of the provisions of
Executive Order No. 12959 (50 U.S.C. 1701 note) or Ex-
cutive Order No. 13059 (50 U.S.C. 1701 note), or any
other prohibition on transactions with respect to Iran im-
posed under the authority of the International Emergency
Economic Powers Act (50 U.S.C. 1701 et seq.), if the
President determines that a subsidiary of the United
States person that is established or maintained outside the
United States engages in an act that, if committed in the
United States or by a United States person, would violate
such provisions.

(c) Effective date.—

(1) In general.—Subsection (b) shall take ef-
effect on the date of the enactment of this Act and
apply with respect to acts described in subsection
(b)(2) that are—

(A) commenced on or after the date of the
enactment of this Act; or

(B) except as provided in paragraph (2),
commenced before such date of enactment, if
such acts continue on or after such date of en-
actment.
(2) EXCEPTION.—Subsection (b) shall not apply with respect to an act described in paragraph (1)(B) by a subsidiary owned or controlled by a United States person if the United States person divests or terminates its business with the subsidiary not later than 90 days after the date of the enactment of this Act.

SEC. 203. 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. 204. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.

(a) ASSISTANCE AUTHORIZED.—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 prodemocracy 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 4 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 funds available to the Middle East Partnership Initiative (MEPI), the Broader Middle East and North Africa Ini-
tiative, the Human Rights and Democracy Fund, and the Near East Regional Democracy Fund.

(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. 205. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPPLICIT 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 senior 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 mem-
ers of paramilitary organizations such as Ansar-e-
Hezbollah and Basij-e Mostaz’afin.

(2) CERTIFICATION.—The President shall im-
pose on the persons specified in the list under para-
graph (1) the sanctions described in subsection (b).
The President shall exempt any such person from
such imposition if the President determines and cer-
tifies to the appropriate congressional committees
that such person, based on credible evidence, is not
responsible for or complicit in, or responsible for or-
dering, controlling, or otherwise directing, the com-
mission of serious human rights abuses against citi-
zens 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 commit-
tees 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 described in section 106 of this Act, 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.

(c) 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—

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

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

(3) has 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. 206. CLARIFICATION OF SENSITIVE TECHNOLOGIES FOR PURPOSES OF PROCUREMENT BAN.

The Secretary of State shall—

(1) not later than 90 days after the date of the enactment of this Act, issue guidelines to further describe the goods, services, and technologies that will be considered “sensitive technologies” for purposes of section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515), and publish those guidelines in the Federal Register;

(2) determine the types of goods, services, and technologies that enable any indigenous capabilities that Iran has to disrupt and monitor information and communications in that country, and consider adding descriptions of those items to the guidelines; and

(3) periodically review, but in no case less than once each year, the guidelines and, if necessary, amend the guidelines on the basis of technological developments and new information regarding transfers of goods, services, and technologies to Iran and the development of Iran’s indigenous capabilities to disrupt and monitor information and communications in Iran.
SEC. 207. 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 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 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 or-
ganizations 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, including by assisting United States telecommunications and software companies to comply with the United States export licensing process for such purposes;

(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, including by identifying foreign providers of jamming technology;

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

(11) expand access to proxy servers for democracy activists in Iran; and

(12) discourage telecommunication and software companies from facilitating Internet censorship by the Government of Iran.
(b) Eligibility for Assistance.—Assistance authorized under the comprehensive strategy required under subsection (a) shall be provided only to an individual, organization, or entity that meets the eligibility criteria in section 204(b) of this Act for financial and political assistance authorized under section section 204(a) of this Act.

(c) Form.—The comprehensive strategy required under subsection (a) shall be submitted in unclassified form and may include a classified annex.

TITLE III—IRAN REGIME AND IRAN’S ISLAMIC REVOLUTIONARY GUARD CORPS ACCOUNTABILITY

SEC. 301. IRAN’S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) Transactions With Iran’s Islamic Revolutionary Guard Corps.—No United States person shall knowingly conduct any commercial transaction or financial transaction with, or make any investment in—

(1) any person or entity owned or controlled by Iran’s Islamic Revolutionary Guard Corps;

(2) any instrumentality, subsidiary, affiliate, or agent of Iran’s Islamic Revolutionary Guard Corps;

or
(3) any project, activity, or business owned or controlled by Iran’s Islamic Revolutionary Guard Corps.

(b) Transactions With Certain Foreign Persons.—No United States person shall knowingly conduct any commercial transaction or financial transaction with, or make any investment in, any foreign person or foreign entity that conducts any transaction with or makes any investment with Iran’s Islamic Revolutionary Guard Corps, which, if conducted or made by a United States person, would constitute a violation of subsection (a).

(c) Penalties.—Any United States person who violates subsection (a) or (b) shall be subject to 1 or more of the criminal penalties under the authority of section 206(c) of the International Emergency Economic Powers Act (50 U.S.C. 1705).

(d) Waiver.—

(1) In general.—The President is authorized to waive the restrictions in subsection (a) or (b) on a case-by-case basis if the President determines and notifies the appropriate congressional committees that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the national security interests of the United States.
(2) Publication in the Federal Register.—Not later than 15 days after any waiver authority is exercised pursuant to paragraph (1) of this subsection, the name of the person with respect to which sanctions are being waived shall be published in the Federal Register.

(e) Amendments to Code of Federal Regulations.—Not later than 30 days after the date of the enactment of this Act, the President shall amend part 544 of title 31, Code of Federal Regulations ("Weapons of Mass Destruction Proliferators Sanctions Regulations"), to incorporate the provisions of this section.

(f) Definitions.—In this section, the terms "foreign person", "knowingly", and "United States person" have the meanings given such terms in section 112 of this Act.

SEC. 302. ADDITIONAL EXPORT SANCTIONS AGAINST IRAN.

(1) licenses to export or reexport goods, services, or technology for the repair or maintenance of aircraft of United States origin to Iran may not be issued, and any such license issued before such date of enactment is no longer valid; and

(2) goods, services, or technology described in paragraph (1) may not be exported or reexported to Iran.

(b) Rule of Construction.—Nothing in this section shall be construed to repeal or otherwise supersede the requirements of section 740.15(d)(4) of title 15, Code of Federal Regulations (relating to reexports of vessels subject to the Export Administration Regulations).

SEC. 303. SANCTIONS AGAINST AFFILIATES OF IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, and as appropriate thereafter, the President shall identify in, and, in the case of a foreign person or foreign entity not already so designated, shall designate for inclusion in the Annex to Executive Order No. 13382 (70 Fed. Reg. 38567; relating to blocking property of weapons of mass destruction proliferators and their supporters) and shall apply all applicable sanctions of the United States pursuant to Executive Order No. 13382 to each foreign person or foreign
entity for which there is a reasonable basis for determining that the person or entity is as an agent, alias, front, instrumentality, official, or affiliate of Iran’s Islamic Revolutionary Guard Corps or is an individual serving as a representative of Iran’s Islamic Revolutionary Guard Corps.

(b) PRIORITY FOR INVESTIGATION.—In carrying out this section, the President shall give priority to investigating foreign persons and foreign entities identified under section 560.304 of title 31, Code of Federal Regulations (relating to the definition of the Government of Iran) and foreign persons and foreign entities for which there is a reasonable basis to suspect that the person or entity has conducted or attempted to conduct one or more sensitive transactions or activities described in subsection (c).

(c) SENSITIVE TRANSACTION OR ACTIVITY.—A sensitive transaction or activity referred to in subsection (b) is—

(1) a transaction to facilitate the manufacture, import, export, or transfer of items needed for the development of nuclear, chemical, biological, or advanced conventional weapons, including ballistic missiles;

(2) an attempt to interfere in the internal affairs of Iraq or Afghanistan, or equip or train, or
encourage violence by, individuals or groups opposed
to the governments of those countries;

(3) a transaction relating to the manufacture,
procurement, or sale of goods, services, and tech-
nology relating to Iran’s energy sector, including the
development of the energy resources of Iran, export
of petroleum products, and import of refined petro-
leum and refining capacity available to Iran;

(4) a transaction relating to the procurement of
sensitive technologies (as defined in section 106(c) of
the Comprehensive Iran Sanctions, Accountability,
and Divestment Act of 2010 (Public Law 111–195;
22 U.S.C. 8515(c)); or

(5) a financial transaction or series of trans-
actions valued at more than $1,000,000 in the ag-
gregate in any 12-month period involving a non-Ira-
nian financial institution.

(d) INADMISSIBILITY TO UNITED STATES.—The Sec-
retary of State shall deny a visa to, and the Secretary of
Homeland Security shall deny admission into the United
States to, any alien who, on or after the date of the enact-
ment of this Act, is a foreign person designated for inclu-
sion in the Annex to Executive Order No. 13382 pursuant
to subsection (a).
(e) **Rule of Construction.**—Nothing in this section shall be construed to remove any sanction of the United States in force against Iran’s Islamic Revolutionary Guard Corps as of the date of the enactment of this Act by reason of the fact that Iran’s Islamic Revolutionary Guard Corps is an entity of the Government of Iran.

**SEC. 304. MEASURES AGAINST FOREIGN PERSONS OR ENTITIES SUPPORTING IRAN’S ISLAMIC REVOLUTIONARY GUARD CORPS.**

(a) **Identification and Notification.**—The President shall notify the appropriate congressional committees in any case in which the President determines that there is credible information indicating that a foreign person or foreign entity, on or after the date of the enactment of this Act, knowingly—

(1) provides material support to Iran’s Islamic Revolutionary Guard Corps or any foreign person or foreign entity that is identified pursuant to section 303(a) of this Act as an agent, alias, front, instrumentality, official, or affiliate of Iran’s Islamic Revolutionary Guard Corps or an individual serving as a representative of Iran’s Islamic Revolutionary Guard Corps; or
(2) conducts any commercial transaction or financial transaction with Iran’s Islamic Revolutionary Guard Corps or any such person or entity.

(b) Waiver.—

(1) In general.—Notwithstanding any other provision of this title and subject to paragraph (2), the President is not required to make any identification or designation of or determination with respect to a foreign person or foreign entity for purposes of this title if doing so would cause damage to the national security of the United States through the divulgence of sources and methods of intelligence or other critical classified information.

(2) Notice to Congress.—The President shall notify Congress of any exercise of the authority of paragraph (1) and shall include in the notification an identification of the foreign person or foreign entity, including a description of the activity or transaction that would have caused the identification, designation, or determination for purposes of this title.

(c) Sanctions.—

(1) In general.—The President shall apply to each foreign person or foreign entity identified in a notice under subsection (a) for a period determined
by the President a majority of the sanctions described in section 106(a) of this Act.

(2) TERMINATION.—The President may terminate the sanctions applied to a foreign person or foreign entity pursuant to paragraph (1) if the President determines that the person or entity no longer engages in the activity or activities for which the sanctions were imposed and has provided assurances to the United States Government that it will not engage in the activity or activities in the future.

(d) IEEPA SANCTIONS.—The President may exercise the authorities provided under subparagraphs (A) and (C) of section 203(a)(1) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)(1)) to impose additional sanctions on each foreign person or foreign entity identified pursuant to subsection (a), for such time as the President may determine, without regard to section 202 of that Act.

(e) WAIVER.—The President may waive the application of any measure described in subsection (e) with respect to a foreign person or foreign entity if the President—

(1)(A) determines that the person or entity has ceased the activity that resulted in the notification under subsection (a) with respect to the person or
entity (as the case may be) and has taken measures
to prevent its recurrence; or

(B) determines and so reports to the appro-
appropriate congressional committees 15 days prior to the
exercise of waiver authority that failure to exercise
such waiver authority would pose an unusual and ex-
traordinary threat to the vital national security in-
terests of the United States; and

(2) submits to the appropriate congressional
committees a report that contains the reasons for
the determination.

(f) FOREIGN PERSON DEFINED.—In this section, the
term “foreign person” has the meaning given the term in
section 112 of this Act.

SEC. 305. SPECIAL MEASURES AGAINST FOREIGN COUN-
TRIES SUPPORTING IRAN’S ISLAMIC REVOLU-
TIONARY GUARD CORPS.

(a) SANCTIONS.—With respect to any foreign entity
identified pursuant to section 304(a) of this Act that is
an agency of the government of a foreign country, the
President shall, in addition to applying to the entity the
sanctions described in section 304(c) of this Act, apply
to the agency of the government of the foreign country
the following measures:
(1) No assistance shall be provided to the agency of the government of the foreign country under the Foreign Assistance Act of 1961, or any successor Act, or the Arms Export Control Act, or any successor Act, other than assistance that is intended to benefit the people of the foreign country directly and that is not provided through governmental agencies or entities of the foreign country.

(2) The United States shall oppose any loan or financial or technical assistance to the agency of the government of the foreign country by international financial institutions in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d).

(3) The United States shall deny to the agency of the government of the foreign country any credit or financial assistance by any department, agency, or instrumentality of the United States Government.

(4) The United States Government shall not approve the sale to the agency of the government of the foreign country any defense articles or defense services or issue any license for the export of items on the United States Munitions List.

(5) No exports to the agency of the government of the foreign country shall be permitted of any
goods or technologies controlled for national security reasons under the Export Administration Regulations.

(6) At the earliest practicable date, the Secretary of State shall terminate, in a manner consistent with international law, the authority of any air carrier that is controlled in fact by the agency of the government of the foreign country to engage in air transportation (as defined in section 40102(5) of title 49, United States Code).

(7) Additional restrictions may be imposed in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) TERMINATION.—The President may terminate the sanctions applied to an entity or government of a foreign country pursuant to subsection (a) if the President determines that the entity or government, as the case may be, no longer engages in the activity or activities for which the sanctions were imposed and has provided assurances to the United States Government that it will not engage in the activity or activities in the future.

(c) WAIVER.—The President may waive the application of any measure described in subsection (a) with respect to an entity or government of a foreign country if the President—
(1)(A) determines that the entity or government, as the case may be, has ceased the activity that resulted in the notification under section 304(a) of this Act with respect to the entity or government and has taken measures to prevent its recurrence; or

(B) 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; and

(2) submits to the appropriate congressional committees a report that contains the reasons for the determination.

SEC. 306. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO RESTRICT CONTRACTS OR LICENSES FOR CERTAIN SANCTIONABLE PERSONS.

Notwithstanding any other provision of law, a State or local government may adopt and enforce measures to prohibit the State or local government, as the case may be, from entering into or renewing any contract with, or granting to or renewing any license for persons that conduct business operations in Iran described in section 309 of this Act.
SEC. 307. 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 Order No. 13382 and Executive Order No. 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 threatening United States efforts to promote security and stability in Iraq and Afghanistan;

(2) have knowingly and 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 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.

(e) FINDINGS.—Congress finds that—

(1) 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; and

(2) an increase in Iranian activity and influence in Iraq threatens the safety and welfare of the residents of Camp Ashraf.
(d) Statement of Policy.—It shall be the policy of the United States to urge the Government of Iraq to—

(1) uphold its commitments to the United States to ensure the continued well-being of those individuals living in Camp Ashraf;

(2) prevent the involuntary return of such individuals to Iran in accordance with the United States Embassy Statement on Transfer of Security Responsibility for Camp Ashraf of December 28, 2008; and

(3) not close Camp Ashraf until the United Nations High Commission for Refugees can complete its process, recognize as political refugees the residents of Camp Ashraf who do not wish to go back to Iran, and resettle them in third countries.

(e) Definitions.—In this section, the terms “foreign person” and “United States person” have the meanings given such terms in section 112 of this Act.

SEC. 308. 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 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.

(c) **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 procurement networks utilized by, Iran on programs to develop a capability to develop unconventional weapons and Iran’s ballistic missile forces and Iran’s cruise missile forces.

(4) The Government of Iran’s economic strategy, including—
(A) sources of funding for the activities of the Government of Iran described in this section;

(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 Government 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).

(6) The United States strategy to—

(A) address and counter the capabilities of Iran’s conventional forces and Iran’s unconventional forces;
(B) disrupt and deny Iranian efforts to develop or augment capabilities related to nuclear, unconventional, and missile forces development;

(C) address the Government of Iran’s economic strategy to enable the objectives described in this subsection; and

(D) exploit key vulnerabilities identified in this subsection.

(7) An implementation plan for United States strategy described in under paragraph (6).

(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.

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

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Appropriations, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations, the Committee on Finance, and the
Permanent Select Committee on Intelligence of the Senate.

SEC. 309. DEFINITIONS.

Except as otherwise provided, in this title:

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

(A) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Finance, and the Permanent Select Committee on Intelligence of the Senate.

(2) IRAN’S BALLISTIC MISSILE FORCES.—The term “Iran’s ballistic missile forces” includes ballistic missiles, goods, and associated equipment and those elements of the Government of Iran that employ such ballistic missiles, goods, and associated equipment.

(3) IRAN’S BALLISTIC MISSILE AND UNCONVENTIONAL WEAPONS.—The term “Iran’s ballistic missile and unconventional weapons” means Iran’s bal-
listic missile forces and chemical, biological, and radiological weapons programs.

(4) IRAN’S CRUISE MISSILE FORCES.—The term “Iran’s cruise missile forces” includes cruise missile forces, goods, and associated equipment and those elements of the Government of Iran that employ such cruise missiles capable of flights less than 500 kilometers, goods, and associated equipment.

(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 Iran’s Islamic Revolutionary Guard Corps, other than Iran’s Islamic 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 Iran’s Islamic 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

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

(7) AFFILIATE.—The term “affiliate” means any individual or entity that controls, is controlled by, or is under common control with, the company,
including without limitation direct and indirect subsidiaries of the company.

(8) **BUSINESS OPERATIONS.**—The term “business operations” means—

(A) carrying out any of the activities described in section 105(a) and (b) of this Act that are sanctionable under such section;

(B) providing sensitive technology (as defined in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515(c))) to the Government of Iran; and

(C) carrying out any of the activities described in section 304(a) of this Act.

(9) **COMPANY.**—The term “company” means—

(A) a sole proprietorship, organization, association, corporation, partnership, limited liability company, venture, or other entity, its subsidiary or affiliate; and

(B) includes a company owned or controlled by the government of a foreign country, that is established or organized under the laws of, or has its principal place of business in, such foreign country and includes United States subsidiaries of the same.
(10) ENTITY.—The term “entity” means a sole proprietorship, a partnership, limited liability corporation, association, trust, joint venture, corporation, or other organization.

(11) EXECUTIVE AGENCY.—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(12) GOVERNMENT OF IRAN.—The term “Government of Iran” includes the Government of Iran, any political subdivision, agency, or instrumentality thereof, and any person owned or controlled by, or acting for or on behalf of, the Government of Iran.

(13) PETROLEUM RESOURCES.—The term “petroleum resources” has the meaning given the term in section 112 of this Act.

(14) SENSITIVE TECHNOLOGY.—The term “sensitive technology” has the meaning given the term in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515(c)).

SEC. 310. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the authority of the President to otherwise designate foreign persons or foreign entities for inclusion in the Annex to Executive Order No. 13382 (70 Fed. Reg. 38567; relating
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 wholly owned or controlled by a domestic financial institution to provide positive certification to the Secretary if such person is engaged in corresponding relations or business activity with a foreign person or financial institution that facilitates transactions from persons and do-
mestic financial institutions described in subsection
(d).”.

(b) CENTRAL BANK OF IRAN.—Section 104(c) of the
Comprehensive Iran Sanctions, Accountability, and Di-
vestment Act of 2010 (22 U.S.C. 8513(a)) is amended by
adding at the end the following:

“(4) CENTRAL BANK OF IRAN.—

“(A) DETERMINATION.—Not later than 30
days after the date of the enactment of this
paragraph, the President shall determine
whether the Central Bank of Iran has—

“(i) provided financial services in sup-
port of, or otherwise facilitated, the ability
of Iran to—

“(I) acquire or develop chemical,
biological or nuclear weapons, or re-
lated technologies;

“(II) construct, equip, operate, or
maintain nuclear enrichment facilities;
or

“(III) acquire or develop ballistic
missiles, cruise missiles, or desta-
bilizing types and amounts of conven-
tional weapons; or
“(ii) facilitated a transaction or pro-
vided financial services for—

“(I) Iran’s Islamic Revolutionary
Guard Corps; or

“(II) a financial institution
whose property or interests in prop-
erty are subject to sanctions imposed
pursuant to the International Emer-
gency Economic Powers Act—

“(aa) in connection with
Iran’s proliferation of weapons of
mass destruction or delivery sys-
tems for weapons of mass de-
struction; or

“(bb) Iran’s support for acts
of international terrorism.

“(B) Submission to Congress.—The
President shall submit the determination made
under subparagraph (A) in writing to the Con-
gress, together with the reasons therefor.

“(C) Imposition of Sanctions.—

“(i) In General.—If the President
determines under subparagraph (A) that
the Central Bank of Iran has engaged in
any of the activities described in that para-
the President shall apply to the Central Bank of Iran sanctions pursuant to the International Economic Powers Act (50 U.S.C. 1701 et seq.), including blocking of property and restrictions or prohibitions on financial transactions and the exportation of property.

“(ii) Effective period of designation.—The President shall maintain the sanctions imposed under clause (i) until such time as the President determines and certifies in writing to the Congress that the Central Bank of Iran is no longer engaged in any of the activities described in subparagraph (A).”.

(e) 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 606(a) 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 606(a) 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 606(a) 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) Disclosures of Certain Activities Relating to Iran, Terrorism, and the Proliferation of Weapons of Mass Destruction.—

“(1) In General.—The Commission shall, by rule, require any issuer described in paragraph (2) to disclose on a quarterly basis a detailed description of each activity described in paragraph (2) engaged in by the issuer or its affiliates during the period covered by the report, including—
“(A) the nature and extent of the activity;

“(B) the revenues, if any, attributable to

the activity; and

“(C) whether the issuer or the affiliate of

the issuer (as the case may be) intends to con-

tinue the activity.

“(2) Issuer described.—An issuer is de-

scribed in this paragraph if the issuer is required to

file reports with the Commission under subsection

(a) and the issuer or any of its affiliates has, during

the period covered by the report—

“(A) engaged in an activity described in

section 105 of the Iran Threat Reduction Act

of 2011 for which sanctions may be imposed;

“(B) knowingly engaged in an activity de-

scribed in subsection (e)(2) of section 104 of

the Comprehensive Iran Sanctions, Account-

ability, 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 No. 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 No. 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’).

“(3) SUNSET.—The provisions of this sub-
section and the rules issued by the Commission
under paragraph (1) shall terminate on the date
that is 30 days after the date on which the Presi-
dent makes the certification described in section
401(a) of the Comprehensive Iran Sanctions, Ac-
countability, and Divestment Act of 2010 (22 U.S.C.
8551(a)).
“(4) Investigation of disclosures.—When an issuer reports, pursuant to this subsection, that it or any of its affiliates has engaged in any activity described in paragraph (2), the President shall—

“(A) initiate an investigation into the possible imposition of sanctions under the Iran Threat Reduction Act of 2011, 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 (2)(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).”.

(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 deny admission into the United States to, 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), including a person who is a senior official of the Government of Iran who is specified in the list under section 205(a)(1), 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 affiliated with terrorist organizations.

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

(c) RESTRICTION ON CONTACT.—No person employed with the United States Government may contact in an official or unofficial capacity any person that—

(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 affiliated with terrorist organizations.

(d) WAIVER.—The President may waive the requirements of subsection (c) 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.
SEC. 602. INADMISSIBILITY OF CERTAIN ALIENS WHO ENGAGE IN CERTAIN ACTIVITIES WITH RESPECT TO IRAN.

(a) In General.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended by adding at the end the following:

“(II) INDIVIDUALS WHO ENGAGE IN CERTAIN ACTIVITIES WITH RESPECT TO IRAN.—

“(i) In general.—Subject to clause (iii), any alien described in clause (ii) is inadmissible.

“(ii) ALIENS DESCRIBED.—An alien described in this clause is an alien who the Secretary of State determines—

“(I) engages in—

“(aa) an activity for which sanctions may be imposed pursuant to section 105(a) of the Iran Threat Reduction Act of 2011;

“(bb) an activity—

“(AA) relating to the proliferation by Iran of weapons of mass destruction or the means of delivery of such weapons; and
“(BB) for which sanctions may be imposed pursuant to Executive Order No. 13382 (70 Fed. Reg. 38567) (or any successor thereto); “(cc) an activity—

“(AA) relating to support for international terrorism by the Government of Iran; and

“(BB) for which sanctions may be imposed pursuant to Executive Order No. 13224 (66 Fed. Reg. 49079) (or any successor thereto); or

“(dd) any other activity with respect to Iran for which sanctions may be imposed pursuant to any other provision of law;

“(II) is the chief executive officer, president, or other individual in charge of overall management of, a member of the board of directors of, or a shareholder with a controlling in-
terest in, an entity that engages in an activity described in subclause (I); or

“(III) is a spouse or minor child of—

“(aa) an alien who engages in an activity described in subclause (I); or

“(bb) the chief executive officer, president, or other individual in charge of overall management of, a member of the board of directors of, or a shareholder with a controlling interest in, an entity that engages in an activity described in subclause (I).

“(iii) NOTICE; WAIVER WITH RESPECT TO CERTAIN ENTITIES.—

“(I) NOTICE.—The Secretary of State may notify an alien the Secretary determines may be inadmissible under this subparagraph—

“(aa) that the alien may be inadmissible; and
“(bb) of the reason for the inadmissibility of the alien.

“(II) WAIVER.—The President may waive the application of this subparagraph and admit an alien to the United States if—

“(aa) the alien is described in subclause (II) or (III)(bb) of clause (ii);

“(bb) the entity that engaged in the activity that would otherwise result in the inadmissibility of the alien under this subparagraph is no longer engaging the activity or has taken significant steps toward stopping the activity; and

“(cc) the President has received reliable assurances that the entity will not knowingly engage in an activity described in clause (ii)(I) again.”.

(b) REGULATIONS.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:
“(j) Regulations With Respect to Inadmissibility of Aliens Who Engage in Certain Transactions With Iran.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall issue regulations and guidelines for interpreting and enforcing the prohibition under subparagraph (H) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) on the admissibility of aliens who engage in certain sanctionable activities with respect to Iran.”.

SEC. 603. AMENDMENTS TO CIVIL AND CRIMINAL PENALTIES PROVISIONS UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

(a) In General.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended—

(1) in subsection (a), by striking “attempt to violate, conspire to violate” and inserting “attempt or conspire to violate”;

(2) in subsection (b), by striking “not to exceed” and all that follows and inserting “that is not less than twice the value of the transaction that is the basis of the violation.”; and

(3) in subsection (c) to read as follows:
“(c) CRIMINAL PENALTIES.—A person who willfully commits, attempts or conspires to commit, or aids or abets in the commission of, an unlawful act described in subsection (a) shall be fined not less than $1,000,000, imprisoned for not more than 20 years, or both. A person other than a natural person shall be fined in an amount not less than the greater of half of the value of the transaction that is the basis of the violation or $10,000,000.”.

(b) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to any violation of section 206(a) of the International Emergency Economic Powers Act (50 U.S.C. 1705(a)) that occurs on or after such date of enactment.

SEC. 604. EXCLUSION OF CERTAIN ACTIVITIES.

Nothing in this Act or any amendment made by this Act shall apply to—

(1) activities subject to the reporting requirements of title V of the National Security Act of 1947; or

(2) involving a natural gas development and pipeline project initiated prior to the date of enactment of this Act—

(A) to bring gas from Azerbaijan to Europe and Turkey;
(B) in furtherance of a production sharing agreement or license awarded by a sovereign government, other than the Iranian government, before the date of enactment of this Act; and

(C) for the purpose of providing energy security and independence from Russia and other governments engaged in activities subject to sanctions under this Act.

SEC. 605. REGULATORY AUTHORITY.

(a) In General.—The President shall, not later than 90 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.

(b) Consultation With Congress.—Not less than 10 days prior to the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

SEC. 606. SUNSET.

(a) Sunset.—The provisions of this Act and the amendments made by 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).

Passed the House of Representatives December 14, 2011.

Attest: KAREN L. HAAS,

Clerk.