112TH CONGRESS  S. 1048
1ST Session

To expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

IN THE SENATE OF THE UNITED STATES  MAY 23, 2011

Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Mr. KYL, Mr. CASEY, Mrs. GILLIBRAND, Ms. COLLINS, and Mr. KIRK) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL  To expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

Be it enacted by the Senate and House of Representa-
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, North Korea, and Syria Sanctions Consolidation Act of 2011”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
TITLE I—SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN

Subtitle A—Expansion of Sanctions With Respect to the Islamic Republic of Iran

Sec. 101. United States policy with respect to the acquisition of nuclear weapons capabilities by the Islamic Republic of Iran.

Sec. 102. Sense of Congress with respect to the acquisition of nuclear weapons capabilities by the Islamic Republic of Iran.

Sec. 103. Sanctions with respect to persons engaging in certain joint ventures with the Islamic Republic of Iran.

Sec. 104. Strengthening the Iran Sanctions Act of 1996.

Sec. 105. Disclosures to the Securities and Exchange Commission relating to sanctionable activities.

Sec. 106. Deadline for regulations with respect to financial institutions maintaining accounts for foreign financial institutions.

Sec. 107. Diplomatic efforts to expand multilateral sanctions regime with respect to the Islamic Republic of Iran.

Sec. 108. Report on certain actions of the Central Bank of Iran.

Sec. 109. Report on entities that provide refined petroleum products to the Islamic Republic of Iran.

Sec. 110. Government Accountability Office report on providers of goods and services to Iranian energy sector.

Subtitle B—Application of Sanctions Against Affiliates of Iran’s Islamic Revolutionary Guard Corps

Sec. 121. Definitions.

Sec. 122. Sanctions against affiliates of Iran’s Islamic Revolutionary Guard Corps.

Sec. 123. Measures against foreign persons or entities supporting Iran’s Islamic Revolutionary Guard Corps.

Sec. 124. Exportation of petroleum, oil, and natural gas produced by Iran’s Islamic Revolutionary Guard Corps or its affiliates.

Sec. 125. Rule of construction.

Subtitle C—Human Rights Sanctions

Sec. 131. Definitions.

Sec. 132. Imposition of sanctions with respect to the transfer of goods or technologies to the Islamic Republic of Iran that may be used to commit human rights abuses.

Sec. 133. Iran freedom support act reauthorization.

Sec. 134. Special representative on human rights and democracy in the Islamic Republic of Iran.

Sec. 135. Comprehensive strategy to promote Internet freedom and access to information in the Islamic Republic of Iran.

Sec. 136. Expedited consideration of requests for authorization of human rights and democracy-related activities with respect to the Islamic Republic of Iran.

Subtitle D—General Provisions

Sec. 141. Termination.
TITLE II—EXPANSION OF SANCTIONS WITH RESPECT TO THE
ISLAMIC REPUBLIC OF IRAN, NORTH KOREA, AND SYRIA

Sec. 201. Definitions.
Sec. 202. Sanctions applicable under the Iran, North Korea, and Syria Non-
proliferation Act.
Sec. 203. Identification of, and immigration restrictions on, senior officials of
the governments of the Islamic Republic of Iran, North Korea,
and Syria, and their associates.
Sec. 204. Reports by certain financial institutions with respect to activities car-
rried out with sanctioned financial institutions.
Sec. 205. Sanctions with respect to critical defense resources provided to or ac-
quired from the Islamic Republic of Iran, North Korea, or
Syria.

1 SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Successive presidents 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 allies and
partners of the United States, and to global security.

(2) In May 1995, President Bill Clinton stated,
“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 George W. Bush stated, “The Iranian gov-
ernment is defying the world with its nuclear ambi-
tions, 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 Barack Obama committed to “developing a strategy to use all elements of American power to prevent Iran from developing a nuclear weapon”.

(5) The Islamic Republic of Iran is a major threat to the national security interests of the United States, exemplified not only by its nuclear program but also by its material assistance to armed groups in Iraq and Afghanistan, to the Palestinian group Hamas, to the Lebanese group Hezbollah, and to other extremists that seek to undermine regional stability. Those relationships provide the Iranian regime with potential asymmetric delivery capabilities for nuclear or other unconventional weapons.

(6) The Islamic Republic of Iran’s growing inventory of ballistic missiles and other destabilizing types of conventional weapons provides the Iranian regime the capabilities to enhance its projection of power throughout the region and to undermine the national security interests of the United States and its friends and allies.
(7) If the Islamic Republic of Iran achieved a nuclear weapons capability, it would, among other things—

(A) likely lead to the proliferation of nuclear weapons throughout the region, where several states have already indicated interest in nuclear programs, and would dramatically undercut 60 years of efforts by the United States to stop the spread of nuclear weapons;

(B) greatly increase the threat of nuclear terrorism;

(C) significantly expand the Islamic Republic of Iran’s destabilizing and malign influence in the region;

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

(E) embolden all terrorist groups supported by the Islamic Republic of Iran, including Hamas and Hezbollah; and

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

**TITLE I—SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN**

Subtitle A—Expansion of Sanctions With Respect to the Islamic Republic of Iran

**SEC. 101. UNITED STATES POLICY WITH RESPECT TO THE ACQUISITION OF NUCLEAR WEAPONS CAPABILITIES BY THE ISLAMIC REPUBLIC OF IRAN.**

It is the policy of the United States to prevent the Islamic Republic of Iran from acquiring a nuclear weapons capability. Although nothing in this Act shall be construed as an authorization of the use of force with respect to the Islamic Republic of Iran, all options remain on the table.

**SEC. 102. SENSE OF CONGRESS WITH RESPECT TO THE ACQUISITION OF NUCLEAR WEAPONS CAPABILITIES BY THE ISLAMIC REPUBLIC OF IRAN.**

It is the sense of Congress that the current Government of the Islamic Republic of Iran, having engaged in a consistent and longstanding pattern of deceptive and illicit conduct related to the development of a nuclear weap-
of Iran’s neighbors, cannot be trusted by the United
States or the international community to possess indige-
nous enrichment or reprocessing technologies.

6 SEC. 103. SANCTIONS WITH RESPECT TO PERSONS ENGAG-

ING IN CERTAIN JOINT VENTURES WITH THE

ISLAMIC REPUBLIC OF IRAN.

Section 5(a) of the Iran Sanctions Act of 1996 (Pub-
lie Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) in the subsection heading, by striking

“WITH RESPECT TO” and all that follows through

“TO IRAN” and inserting “RELANG TO PETRO-
LEUM RESOURCES”; and

(2) by adding at the end the following:

“(4) CERTAIN JOINT VENTURES WITH IRAN.—

Except as provided in subsection (f), the President
shall impose 3 or more of the sanctions described in
section 6(a) with respect to a person if the President
determines that the person knowingly, on or after
the date of the enactment of the Iran, North Korea,
and Syria Sanctions Consolidation Act of 2011, par-
ticipates in a joint venture with respect to the devel-

opment of petroleum resources outside of Iran—
“(A) in which Iran is a substantial partner or investor; or

“(B) through which Iran could receive technological knowledge or equipment that could contribute to the enhancement of Iran’s ability to develop petroleum resources in Iran.”.

SEC. 104. STRENGTHENING THE IRAN SANCTIONS ACT OF 1996.

(a) Inclusion of Certain Infrastructure Construction in Sanctionable Activity Relating to Refined Petroleum Products.—Section 5(a)(2)(B) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended to read as follows:

“(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—
“(i) petroleum refineries or associated infrastructure; or

“(ii) port facilities, railroads, or roads, if the primary use of those facilities, railroads, or roads is to support the transportation of refined petroleum products.”.

(b) Definition of Credible Information; Requests by Members of Congress.—Section 4(e) of the Iran Sanctions Act of 1996 is amended by adding at the end the following:

“(4) Credible information defined.—The term ‘credible information’ means, with respect to a person—

“(A) a public announcement by the person that the person has engaged in an activity described in section 5(a);

“(B) an announcement by the Government of Iran that the person has engaged in such an activity; or

“(C) information indicating that the person has engaged in such an activity that is set forth in—

“(i) a report to stockholders of the person;
“(ii) a report of the Government Accountability Office, the Energy Information Administration, or the Congressional Research Service; or

“(iii) a report or publication of a similarly reputable governmental organization.

“(5) REQUESTS BY MEMBERS OF CONGRESS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 60 days after receiving a written request from a Member of Congress with respect to whether a person has engaged in an activity described in section 5(a), the President shall inform that Member of the determination of the President with respect to whether or not that person has engaged in such an activity.

“(B) EXCEPTION FOR ONGOING INVESTIGATIONS.—The President may decline to inform a Member of Congress who submits a request under subparagraph (A) with respect to a person of the determination of the President with respect to that person if—

“(i) the person is the subject of an ongoing investigation under this subsection; and
“(ii) the President informs the Member, in an unclassified format, that the person is the subject of such an investigation.”.

SEC. 105. DISCLOSURES TO THE SECURITIES AND EXCHANGE COMMISSION RELATING TO SANCTIONABLE ACTIVITIES.

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

“(r) DISCLOSURE OF CERTAIN ACTIVITIES RELATING TO IRAN, TERRORISM, AND THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.—

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

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

“(B) knowingly engaged in an activity described in subsection (c)(2) of section 104 of the Comprehensive Iran Sanctions, Account-
ability, and Divestment Act of 2010 (22 U.S.C. 8513) or knowingly violated regulations pre-
scribed under subsection (d)(1) or (e)(1) of
such section 104; or

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

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

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

“(iii) any person on the list contained
in Appendix A to part 560 of title 31,
Code of Federal Regulations (commonly
known as the ‘Iranian Transactions Regu-
lations’).
“(2) Specific disclosure required.—If an issuer reports under paragraph (1) that the issuer or an affiliate of the issuer has engaged in any activity described in that paragraph, the issuer shall include with the statement required under that paragraph a detailed description of each such activity, including—

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

“(B) the revenues and profits, if any, attributable to the activity; and

“(C) whether the issuer or the affiliate of the issuer (as the case may be) intends to continue the activity.

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

“(A) initiate an investigation into the possible imposition of sanctions under the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513), the Executive Orders or regulations specified in
paragraph (1)(C), or any other provision of law; and

“(B) not later than 180 days after initiating such an investigation, make a determination with respect to whether sanctions should be imposed with respect to the issuer or the affiliate of the issuer (as the case may be).

“(4) PUBLIC DISCLOSURE OF INFORMATION.— The Commission shall promptly—

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

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

“(i) the President;

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

“(iii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.
“(5) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President makes the certification described in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)).”.

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

SEC. 106. DEADLINE FOR REGULATIONS WITH RESPECT TO FINANCIAL INSTITUTIONS MAINTAINING ACCOUNTS FOR FOREIGN FINANCIAL INSTITUTIONS.

Section 104(e)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(e)(1)) is amended by striking “The Secretary” and inserting “Not later than 90 days after the date of the enactment of the Iran, North Korea, and Syria Sanctions Consolidation Act of 2011, the Secretary”.

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SEC. 107. DIPLOMATIC EFFORTS TO EXPAND MULTILATERAL SANCTIONS REGIME WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN.

(a) Multilateral Negotiations.—In order to further the policy set forth in section 101, Congress urges the President to immediately 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 with respect to the Islamic Republic of Iran, including—

(1) qualitatively expanding the United Nations Security Council sanctions regime with respect to the Islamic Republic of Iran to include—

(A) a provision prohibiting the issuance of visas to any official of the Government of the Islamic Republic of Iran who is involved in—

(i) human rights violations in or outside of the Islamic Republic of Iran;

(ii) the development of the nuclear weapons program of the Islamic Republic of Iran; or

(iii) support by the Government of the Islamic Republic of Iran for terrorist organizations, including Hamas and Hezbollah;

(B) a provision requiring each member country of the United Nations to prohibit the
Islamic Republic of Iran Shipping Lines and
cargo flights of Iran Air from landing at ports
in that country because of the role of those or-
ganizations in proliferation and illegal arms
sales; and

(C) a provision authorizing and requiring
international interdiction of aircraft or vessels
suspected of being involved in smuggling of
weapons or items relating to the proliferation of
weapons of mass destruction by North Korea,
the Islamic Republic of Iran, or Syria;

(2) qualitatively expanding the range of sanc-
tions imposed with respect to the Islamic Republic
of Iran by the European Union, South Korea,
Japan, Australia, and other key allies of the United
States;

(3) expanding efforts to limit the development
of petroleum resources and the importation of re-
fining petroleum products by the Islamic Republic of
Iran; and

(4) developing initiatives aimed at—

(A) increasing the production of crude oil
in countries other than the Islamic Republic of
Iran; and
(B) assisting countries that purchase or otherwise obtain crude oil or other petroleum products from the Islamic Republic of Iran to reduce their dependence crude oil and petroleum products from the Islamic Republic of Iran.

(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 that includes—

(1) an identification of the countries that have agreed to impose additional sanctions or take other measures to further the policy set forth in section 101 and a description of those measures;

(2) an identification of the countries that have not agreed to impose such sanctions or measures; and

(3) with respect to the countries described in paragraph (2), recommendations with respect to other measures the United States could take to further the policy set forth in section 101.

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

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

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

(3) the disposition of any decision by the World Trade Organization or its predecessor organization with respect to whether the imposition of any such sanction by any such country is inconsistent with the obligations of that country as a member of the World Trade Organization or under the General Agreement on Tariffs and Trade.

SEC. 108. REPORT ON CERTAIN ACTIONS OF THE CENTRAL BANK OF IRAN.

Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report on the involvement of the Central Bank of Iran in supporting—
(1) the development of weapons of mass de-
struction by the Islamic Republic of Iran; and

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

SEC. 109. REPORT ON ENTITIES THAT PROVIDE REFINED
PETROLEUM PRODUCTS TO THE ISLAMIC RE-
PUBLIC OF IRAN.

(a) Report.—Not later than 90 days after the date
of the enactment of this Act, and annually thereafter, the
President shall submit to Congress a report that identifies,
based on credible information (as defined in section
4(c)(4) of the Iran Sanctions Act of 1996, as amended
by section 104(b) of this Act) available to the President—

(1) any entity that has sold or is selling a re-
fined petroleum product to the Islamic Republic of
Iran; and

(2) the country where that refined petroleum
was refined.

(b) Effect of Failure to Submit Report.—If,
in any year, the President does not submit the report re-
quired by subsection (a) by the date required by that sub-
section, for each 30-day period that begins after that date,
an amount equivalent to 10 percent of the amount appro-
priated for the Bureau of Legislative Affairs of the De-
partment of State for the preceding 30-day period shall be rescinded.

(c) WAIVER.—The President may waive the application of subsection (b) on a case-by-case basis if the President—

(1) certifies that the waiver is in the national interest; and

(2) notifies Congress in writing not later than 15 days before the waiver takes effect.

SEC. 110. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON PROVIDERS OF GOODS AND SERVICES TO IRANIAN ENERGY SECTOR.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report listing all foreign investors in the energy sector of the Islamic Republic of Iran, including—

(1) all entities that export gasoline and other refined petroleum products to the Islamic Republic of Iran;

(2) all entities involved in providing refined petroleum products to the Islamic Republic of Iran, including entities that provide ships to transport refined petroleum products to the Islamic Republic of Iran and entities that provide insurance or reinsur-
ance for shipments of refined petroleum products to
the Islamic Republic of Iran; and
   (3) all entities involved in commercial trans-
actions of any kind, including joint ventures any-
where in the world, with Iranian energy companies.

Subtitle B—Application of Sanctions Against Affiliates of Iran’s
Islamic Revolutionary Guard Corps

SEC. 121. DEFINITIONS.

In this subtitle:

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

     (A) the Committee on Banking, Housing,
and Urban Affairs and the Committee on For-
egn Relations of the Senate; and

     (B) the Committee on Financial Services
and the Committee on Foreign Affairs of the
House of Representatives.

   (2) FOREIGN PERSON.—The term “foreign per-
son” has the meaning given the term in section 14
of the Iran Sanctions Act of 1996 (Public Law 104–
(3) **Iran’s Islamic Revolutionary Guard Corps.**—The term “Iran’s Islamic Revolutionary Guard Corps” includes the Iran’s Islamic Revolutionary Guard Corps-Qods Force.

**SEC. 122. 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 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 13382 to each foreign person or foreign entity for which there is a reasonable basis for determining that the person or entity—

(1) is as an agent, alias, front, instrumentality, official, or affiliate of Iran’s Islamic Revolutionary Guard Corps; or

(2) 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—

(1) 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 the Islamic Republic of Iran); and

(2) 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 financial transaction or series of transactions valued at more than $1,000,000 in the aggregate in any 12-month period involving a non-Iranian financial institution;

(2) 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;
(3) a transaction relating to the manufacture, procurement, or sale of goods, services, and technology relating to the Islamic Republic of Iran’s energy sector, including the development of the energy resources of the Islamic Republic of Iran, exportation of petroleum products, and importation of refined petroleum and refining capacity available to the Islamic Republic of 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 (22 U.S.C. 8515(c)); or

(5) an attempt to exert a malign influence in the internal affairs of Iraq, Afghanistan, or Lebanon.

(d) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who, on or after the date of the enactment of this Act, is a foreign person designated for inclusion in the Annex to Executive Order 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 with respect to Iran’s Islamic Revo-
volutionary Guard Corps as of the date of the enactment of this Act by reason of the fact that Iran’s Islamic Revo-

lutionary Guard Corps is an entity of the Government of the Islamic Republic of Iran.

SEC. 123. MEASURES AGAINST FOREIGN PERSONS OR ENTITIES SUPPORTING IRAN’S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) IDENTIFICATION AND NOTIFICATION.—The President shall notify the appropriate congressional com-
mittees in any case in which the President determines that there is credible information indicating that a foreign per-
son or foreign entity, on or after the date of the enactment of this Act, knowingly—

(1) materially assists, sponsors, or provides fi-
nancial, material, or technological support for, or goods or services in support of, Iran’s Islamic Revo-
lutionary Guard Corps or any person or entity that is identified pursuant to section 122(a) as an agent, alias, front, instrumentality, official, or affiliate of Iran’s Islamic Revolutionary Guard Corps or an in-
dividual serving as a representative of Iran’s Islamic Revolutionary Guard Corps; or

(2) conducts any commercial transaction or fi-
nancial transaction, including a transaction relating to the energy sector of the Islamic Republic of Iran,
with Iran’s Islamic Revolutionary Guard Corps or
any person or entity described in paragraph (1).

(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 identifica-
tion 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 na-
tional security of the United States, including
through the divulgence of sources and methods of in-
telligence 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 en-
tity, including a description of any activity or trans-
action that would have caused the identification, des-
ignation, or determination for purposes of this title.

(c) Sanctions.—

(1) In general.—Not later than 60 days after
the date on which the President provides notice to
the appropriate congressional committees pursuant
to subsection (a), the President shall apply to each
foreign person or foreign entity identified in the no-
tice, for a period of not less than 2 years, the fol-
lowing sanctions:

(A) No department or agency of the
United States Government may procure or
enter into a contract for the procurement of
goods or services from the person or entity.

(B) No products produced by the person or
entity may be imported into the United States.

(2) TERMINATION.—The President may termi-
nate the sanctions applied to a foreign person or for-
ign entity pursuant to paragraph (1) if the Presi-
dent determines that the person or entity—

(A) no longer engages in the activity or ac-
tivities for which the sanctions were imposed;
and

(B) 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 exer-
cise the authorities provided under section 203(a) of the
International Emergency Economic Powers Act (50
U.S.C. 1702(a)) to impose additional sanctions on each
foreign person or foreign entity identified pursuant to sub-
session (a) of this section, for a period of not less than
2 years, without regard to section 202 of that Act.
(c) Waiver.—

(1) In General.—The President may waive the application of any sanction described in subsection (c) with respect to a foreign person or foreign entity if the President—

(A)(i) 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

(ii) determines that it is in the national security interests of the United States to do so; and

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

(2) Form of Report.—A report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 124. EXPORTATION OF PETROLEUM, OIL, AND NATURAL GAS PRODUCED BY IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS OR ITS AFFILIATES.

(a) In General.—Except as provided in subsection (c), the President shall impose the sanctions described in
section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, provides any service described in subsection (b) with respect to the exportation of petroleum, oil, or liquefied natural gas to be refined or otherwise processed outside of the Islamic Republic of Iran if—

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

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

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

(b) SERVICES DESCRIBED.—The services described in this subsection are—

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

(2) the provision of ships or shipping services; or
(3) financing, brokering, underwriting, or providing insurance or reinsurance.

(c) Exception for Underwriters and Insurance Providers Exercising Due Diligence.—The President may not impose sanctions under this section with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance with respect to the exportation of petroleum, oil, or liquefied natural gas in violation of subsection (a).

SEC. 125. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the authority of the President to designate foreign persons or foreign entities for inclusion in the Annex to Executive Order 13382 (70 Fed. Reg. 38567; relating to blocking property of weapons of mass destruction proliferators and their supporters).

Subtitle C—Human Rights Sanctions

SEC. 131. DEFINITIONS.

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

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

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

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

(3) CREDIBLE INFORMATION.—The term “credible information” has the meaning given that term in section 4(e)(4) of the Iran Sanctions Act of 1996, as amended by section 104(b) of this Act.

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

(5) UNITED STATES PERSON.—The term “United States person” has the meaning given that
term in section 101(10) of the Comprehensive Iran
Sanctions, Accountability, and Divestment Act of
2010 (22 U.S.C. 8511(10)).

SEC. 132. IMPOSITION OF SANCTIONS WITH RESPECT TO
THE TRANSFER OF GOODS OR TECHNOLOGIES TO THE ISLAMIC REPUBLIC OF
IRAN THAT MAY BE USED TO COMMIT HUMAN
RIGHTS ABUSES.

(a) INVESTIGATIONS; DETERMINATIONS.—

(1) IN GENERAL.—Except as provided in para-
graph (3), upon receiving credible information that
a person may have engaged in an activity described
in paragraph (2), the President shall initiate an in-
vestigation and, not later than 180 days after initi-
ating the investigation, make a determination with
respect to whether that person engaged in that activ-
ity.

(2) ACTIVITY DESCRIBED.—

(A) IN GENERAL.—A person engages in an
activity described in this subparagraph if the
person knowingly, on or after the date of the
enactment of this Act—

(i) transfers, or facilitates the transfer
of, goods or technologies described in sub-
paragraph (C) to the Islamic Republic of Iran; or

(ii) provides services with respect to goods or technologies described in subparagraph (C) after such goods or technologies are transferred to the Islamic Republic of Iran.

(B) APPLICABILITY TO CONTRACTS AND OTHER AGREEMENTS.—A person engages in an activity described in subparagraph (A) without regard to whether the activity is carried out pursuant to a contract or other agreement entered into before, on, or after the date of the enactment of this Act.

(C) GOODS OR TECHNOLOGIES DESCRIBED.—Goods or technologies described in this subparagraph are—

(i) firearms or ammunition (as those terms are defined in section 921 of title 18, United States Code), accessories for firearms, rubber bullets, clubs, batons, police sticks, mace, stun grenades, tasers or other electroshock weapons, tear gas, water cannons, motorcycles, or surveillance technology, if any of such goods or technologies
may be used by the Government of the Islamic Republic of Iran or any of its agencies or instrumentalities;

(ii) sensitive technology (as defined in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515(c)); and

(iii) other goods or technologies that the President determines may be used by the Government of the Islamic Republic of Iran, or any of its agencies or instrumentalities, to commit human rights abuses against the people of the Islamic Republic of Iran.

(3) Special rule to allow for termination of sanctionable activity.—The President shall not be required to initiate an investigation, and may terminate an investigation, under this subsection if the President certifies in writing to the appropriate congressional committees that—

(A) the person whose activity was the basis for the investigation is no longer engaging in the activity or has taken significant verifiable steps toward stopping the activity; and
(B) the President has received reliable assurances that the person will not knowingly engage in an activity described in paragraph (2) in the future.

(b) List.—

(1) In general.—The President shall submit to the appropriate congressional committees a list of each person the President determines has engaged in an activity described in subsection (a)(2)—

(A) not later than 210 days after the date of the enactment of this Act, and every 180 days thereafter; and

(B) as new information becomes available.

(2) Form of list.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(c) Asset freeze.—The President shall freeze and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.
(d) Waiver Authority.—The President may waive the application of this section with respect to a person if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the waiver.

(e) Termination.—The provisions of this section shall terminate on the date described in section 105(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(d)).

SEC. 133. IRAN FREEDOM SUPPORT ACT REAUTHORIZATION.

(a) Additional Forms of Assistance.—Section 302(a)(1) of the Iran Freedom Support Act (Public Law 109–293; 22 U.S.C. 2151 note) is amended by adding at the end the following: "Such assistance may also include the award of grants and the formation of public-private partnerships to facilitate or subsidize the enrollment in or directly provide Internet-based Farsi- or English-language higher education courses for people in Iran denied access to higher education solely on the basis of their race, religion, ethnicity, language, sexual orientation, belief, polit-
ical opinion, membership in a political party or inde-
pendent labor union, or lifestyle.”.

(b) USE OF NEAR EAST REGIONAL DEMOCRACY
FUNDS.—Section 302(c)(1) of such Act is amended by
striking “and the Human Rights and Democracy Fund”
and inserting “the Human Rights and Democracy Fund,
and the Near East Regional Democracy program”.

(c) REAUTHORIZATION.—Section 302(f) of such Act
is amended by striking “2011” and inserting “2016”.

SEC. 134. SPECIAL REPRESENTATIVE ON HUMAN RIGHTS
AND DEMOCRACY IN THE ISLAMIC REPUBLIC
OF IRAN.

(a) APPOINTMENT.—The President shall appoint a
Special Representative on Human Rights and Democracy
in the Islamic Republic of Iran (in this section and section
135 referred to as the “Special Representative”) within
the Department of State.

(b) QUALIFICATIONS.—The Special Representative
should be a person of recognized distinction in the field
of human rights and democracy promotion who shall have
the rank of ambassador and shall hold the office at the
pleasure of the President.

(e) DUTIES.—The Special Representative shall carry
out the following duties:
(1) Coordinate United States Government-wide activities that promote human rights, democracy, political freedom, and religious freedom inside the Islamic Republic of Iran.

(2) Coordinate United States Government-wide activities that promote human rights, political freedom, and religious freedom for Iranian refugees and asylees living outside the Islamic Republic of Iran.


(4) Coordinate the documentation and publicity of political dissidents and cases of human rights abuse inside the Islamic Republic of Iran.

(5) Coordinate multilateral efforts to build international support for the promotion of human rights, democracy, political freedom, and religious freedom in the Islamic Republic of Iran, including broadcasting, Internet access, and dissemination of information.

(6) Encourage the United Nations, multilateral organizations, and human rights nongovernmental organizations to more robustly investigate and re-
port on human rights abuses in the Islamic Republic of Iran.

(7) Encourage foreign governments to downgrade or sever diplomatic relations with the Government of the Islamic Republic of Iran, enact economic sanctions, and assist Iranian dissidents in response to the Government of the Islamic Republic of Iran’s continued violations of human rights.


(9) Coordinate all programs funded under the Iran Freedom Support Act (Public Law 109–293; 22 U.S.C. 2151 note).

(d) AUTHORITY.—

(1) COORDINATION OF ACTIVITIES.—The Special Representative shall coordinate all activities related to the Islamic Republic of Iran carried out by the Bureau of Near Eastern Affairs, the Bureau of

(2) Coordination of Use of Funds.—The Special Representative shall coordinate and oversee the obligation and expenditure of funds related to human rights, democracy, Internet freedom, and broadcasting activities in the Islamic Republic of Iran, including funds made available for such purposes to the Middle East Partnership Initiative (MEPI), the Broader Middle East, and North Africa Initiative, the Human Rights and Democracy Fund, and Near Eastern Regional Democracy.

(e) Diplomatic Representation.—Subject to the direction of the President and the Secretary of State, the Special Representative is authorized to represent the United States in matters and cases relevant to the promotion of human rights, democracy, political freedom, and religious freedom in the Islamic Republic of Iran in—

(1) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization of Security and Cooperation in Europe, and other international
organizations of which the United States is a member; and

(2) multilateral conferences and meetings relevant to the promotion of human rights, democracy, political freedom, and religious freedom in the Islamic Republic of Iran.

(f) CONSULTATIONS.—The Special Representative shall consult with domestic and international nongovernmental organizations, unions, multilateral organizations and institutions as the Special Representative considers appropriate to fulfill the purposes of this Act.

(g) FUNDING.—Of prior year funds made available for “Near East Regional Democracy”, the Secretary of State shall provide to the Special Representative such sums as may be necessary for fiscal year 2012 for the hiring of staff, for the conduct of investigations, and for necessary travel to carry out the provisions of this Act.

SEC. 135. COMPREHENSIVE STRATEGY TO PROMOTE INTERNET FREEDOM AND ACCESS TO INFORMATION IN THE ISLAMIC REPUBLIC OF IRAN.

Not later than 90 days after the date of the enactment of this Act, the President, in coordination with the Special Representative on Human Rights and Democracy in the Islamic Republic of Iran, shall submit to the Committees on Appropriations and Foreign Affairs of the
House of Representatives and the Committees on Appropriations and Foreign Relations of the Senate a comprehensive strategy developed in consultation with the Department of State, other Federal agencies, the National Endowment for Democracy, the Broadcasting Board of Governors, and nongovernmental organizations, including current implementers and unions, as appropriate, to—

(1) help the people of the Islamic Republic 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 the Islamic Republic of Iran to undertake Internet activities without interference from their government;

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

(4) provide resources for digital safety training for media, unions, and academic and civil society organizations in the Islamic Republic of Iran;

(5) increase the amount of accurate Internet content in local languages in the Islamic Republic of Iran;
(6) increase emergency resources for the most vulnerable human rights advocates seeking to organize, share information, and support human rights in the Islamic Republic of Iran;

(7) expand surrogate radio, television, live stream, and social network communications inside the Islamic Republic of Iran and improve Voice of America’s Persian News Network and Radio Free Europe/Radio Liberty’s Radio Farda to provide 24/7 hourly live news update and breaking news coverage capability;

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

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

(10) expand worldwide United States embassy and consulate programming for and outreach to Iranian dissident communities.
SEC. 136. EXPEDITED CONSIDERATION OF REQUESTS FOR AUTHORIZATION OF HUMAN RIGHTS AND DEMOCRACY-RELATED ACTIVITIES WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN.

(a) REQUIREMENT.—The Office of Foreign Assets Control shall establish a 30-day expedited process for the consideration of requests for authorization of human rights or democracy-related activities relating to the Islamic Republic of Iran submitted by—

(1) entities receiving funds from the Department of State;

(2) the Broadcasting Board of Governors; and

(3) other appropriate agencies of the United States Government.

(b) REGULATIONS.—The Secretary of the Treasury shall prescribe such regulations as are appropriate to carry out the requirement in subsection (a).

Subtitle D—General Provisions

SEC. 141. TERMINATION.

(a) IN GENERAL.—The provisions of, and amendments made by, this title (other than the amendments made by sections 104, 105, and 123) shall terminate on the date that is 30 days after the date on which the President certifies to Congress that the Government of the Islamic Republic of 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) is no longer involved in acts of violence against the people of the Islamic Republic of Iran;

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

(4) poses no threat to the national security, interests, or allies of the United States.

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

TITLE II—EXPANSION OF SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN, NORTH KOREA, AND SYRIA

SEC. 201. DEFINITIONS.

In this title:
(1) Domestic financial institution; foreign financial institution.—The terms “domestic financial institution” and “foreign financial institution” have the meanings given those terms by the Secretary of the Treasury pursuant to section 104(i)(1)(D) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)(1)(D)).

(2) Financial institution.—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

SEC. 202. SANCTIONS APPLICABLE UNDER THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.

(a) Sanctions for Acquiring Certain Materials and Providing Certain Services.—Section 2 of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (E) as clauses (i)
through (v), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(C) in the matter preceding subparagraph (A), as redesignated, by striking “indicating that that person on or after January 1, 1999” and inserting the following: “indicating that that person—

“(1) on or after January 1, 1999”;

(D) in paragraph (1)(B), as redesignated—

(i) by striking “paragraph (1)” and inserting “subparagraph (A)”; and

(ii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(2) on or after the date of the enactment of the Iran, North Korea, and Syria Sanctions Consolidation Act of 2011, acquired materials mined or otherwise extracted within the territory or control of North Korea; or
“(3) except as provided in subsection (f), on or after the date of the enactment of the Iran, North Korea, and Syria Sanctions Consolidation Act of 2011, knowingly provided a vessel, insurance or reinsurance, or any other shipping service for the transportation of goods to or from Iran, North Korea, or Syria if those goods relate, directly or indirectly, to the activities of Iran, North Korea, or Syria with respect to weapons of mass destruction, support for acts of international terrorism, or human rights abuses.”; and

(2) by adding at the end the following:

“(f) WAIVER WITH RESPECT TO SHIPPING SERVICES FOR EMERGENCY OR HUMANITARIAN PURPOSES.—The President may waive, on a case-by-case basis, the requirement under subsection (a)(3) to include in the list required by subsection (a) foreign persons that provide vessels, insurance or reinsurance, or other shipping services for the transportation of goods to or from Iran, North Korea, or Syria if the President certifies to the appropriate congressional committees that such a waiver is necessary for emergency or humanitarian purposes.

“(g) REPORT WITH RESPECT TO PETROLEUM FROM IRAN.—Not later than 180 days after the date of the enactment of the Iran, North Korea, and Syria Sanctions
Consolidation Act of 2011, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that—

“(1) describes in detail the countries and persons that purchase petroleum, petroleum products, or natural gas from Iran;

“(2) assesses the extent to which the member countries of the Organization of the Petroleum Exporting Countries and other countries that export a significant quantity of petroleum have the capacity to increase production of petroleum and petroleum products in a manner that would maintain the world supply of petroleum and petroleum products in the event that Iran is no longer able to export petroleum and petroleum products because of economic sanctions, including economic embargoes, imposed with respect to Iran by countries that purchase petroleum or petroleum resources from Iran as of the date of the report; and

“(3) describes in detail the financial transactions that take place, and the property that is located, in the United States of—

“(A) any person identified under paragraph (1);
“(B) any person owned or controlled by a person identified under paragraph (1); and

“(C) any person that holds a significant share of the stock, or a significant number of votes on the board of directors, of a person identified under paragraph (1).

“(4) FORM OF REPORTS.—A report submitted under this subsection shall be submitted in unclassified form, but may contain a classified annex.”.

(b) APPLICATION OF CERTAIN MEASURES.—Section 3 of the Iran, North Korea, and Syria Nonproliferation Act is amended—

(1) by amending subsection (a) to read as follows:

“(a) APPLICATION OF MEASURES.—Subject to sections 4 and 5, the President may apply, for a period of not less than 2 years, the measures described in subsection (b) with respect to—

“(1) each foreign person identified in a report submitted under section 2(a);

“(2) each person that is a successor, subunit, or subsidiary of a foreign person described in paragraph (1); and

“(3) each person that owns more than 50 percent of, or controls in fact, a foreign person de-
scribed in paragraph (1) or a person described in paragraph (2)."

(2) in subsection (b)—

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

"(1) EXECUTIVE ORDER 12938 PROHIBITIONS.—
The measures set forth in subsections (b), (e), and (d) of section 4 of Executive Order 12938 (50 U.S.C. 1701 note; relating to proliferation of weapons of mass destruction)."

(B) in paragraph (2), by striking "that foreign person" and inserting "a person described in subsection (a)";

(C) in paragraph (3), by striking "that person" and inserting "a person described in subsection (a)"; and

(D) by adding at the end the following:

"(4) INVESTMENT PROHIBITION.—Prohibition on any new investment by a United States person in property, including entities, owned or controlled by a person described in subsection (a).

(5) FINANCING PROHIBITION.—Prohibition on any approval, financing, or guarantee by a United States person, wherever located, of a transaction by a person described in subsection (a)."
“(6) FINANCIAL ASSISTANCE PROHIBITION.—

Denial by the United States Government of any credit, credit guarantees, grants, or other financial assistance by any agency of the United States Government to a person described in subsection (a).”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “foreign person” and inserting “person described in subsection (a)”;

(B) in paragraphs (1), (2), and (3), by striking “foreign” each place it appears; and

(4) by amending subsection (d) to read as follows:

“(d) PUBLICATION IN FEDERAL REGISTER.—

“(1) IN GENERAL.—The President shall publish notice of application of measures pursuant to subsection (a) in the Federal Register.

“(2) CONTENT.—Each notice published pursuant to paragraph (1) shall include the name and address (where known) of each person to which measures have been applied pursuant to subsection (a).”.

(c) NATIONAL SECURITY WAIVER.—Section 4 of the Iran, North Korea, and Syria Nonproliferation Act is amended to read as follows:
"SEC. 4. WAIVER ON BASIS OF NATIONAL SECURITY.

(a) IN GENERAL.—The President may waive the application of any measure under section 3 with respect to a person not earlier than 30 days after the President determines and reports in writing to the appropriate congressional committees that the waiver is in the national security interests of the United States.

(b) CONTENTS OF REPORT.—A report submitted under subsection (a) shall include—

"(1) a description of the circumstances and rationale supporting the determination of the President that the waiver is in the national security interests of the United States; and

"(2) an identification of—

"(A) the name and address (where known) of the person to which the waiver will be applied;

"(B) in the case of activities described in paragraphs (1) and (2) of section 2(a)—

"(i) the specific goods, services, or technologies, the transfer or acquisition of which would require the application of measures pursuant to section 3 if the President had not invoked the waiver authority under subsection (a); and
“(ii) the name and address (where known) of the person to which the goods, services, or technology were transferred or from which the goods, services, or technology were acquired (as applicable); and

“(C) in the case of the provision of a vessel, insurance or reinsurance, or another shipping service described in section 2(a)(3)—

“(i) a description of the vessel or service the provision of which would require the application of measures pursuant to section 3 if the President had not invoked the waiver authority under subsection (a); and

“(ii) the name and address (where known) of the person to which the vessel or service was provided.

“(c) FORM.—A report submitted under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.”.

(d) PROHIBITION ON LANDING IN THE UNITED STATES OF VESSELS THAT HAVE LANDED IN IRAN, NORTH KOREA, OR SYRIA.—The Iran, North Korea, and Syria Nonproliferation Act, as amended by this section, is further amended by adding at the end the following:
SEC. 8. PROHIBITION ON CERTAIN VESSELS LANDING IN
THE UNITED STATES; ENHANCED INSPECTIONS.

(a) Prohibition on Certain Vessels Landing
in the United States.—On and after the date of the
enactment of the Iran, North Korea, and Syria Sanctions
Consolidation Act of 2011, a vessel may not knowingly
land at any port in the United States to load or unload
cargo or engage in the trade of goods or services if the
vessel entered a port in Iran, North Korea, or Syria during
the 180-day period preceding arrival of the vessel at the
port in the United States.

(b) Enforcement; Enhanced Inspections.—
Not later than 180 days after the date of the enactment
of the Iran, North Korea, and Syria Sanctions Consolida-
tion Act of 2011, the Secretary of Homeland Security, in
consultation with the Secretary of the Treasury and the
Secretary of Commerce, shall prescribe regulations that—

(1) require each vessel requesting to land at a
port in the United States to certify that the vessel
is not prohibited from landing at that port under
subsection (a);

(2) provide for, with respect to any vessel that
provides a false certification under paragraph (1)—
“(A) the prohibition, for a period of 2 years, on that vessel landing at a port in the United States; or

“(B) the prosecution of the owner of that vessel under title 18, United States Code, if the penalty provided for under such title is greater than the penalty described in subparagraph (A);

“(3) provide a mechanism for identifying foreign ports at which vessels have landed during the preceding 180-day period that have also landed at ports in Iran, North Korea, or Syria during that period;

“(4) require enhanced inspection of all vessels arriving at a port in the United States from a foreign port identified under paragraph (3); and

“(5) set forth procedures for inspecting each vessel described in paragraph (4) that are sufficiently rigorous to establish whether the vessel was involved, during the 180-day period preceding the arrival of the vessel at the port in the United States, in any activity that would be subject to sanctions under this Act or any other provision of law.

“(c) NATIONAL SECURITY WAIVER.—The Secretary of Homeland Security, in consultation with the Secretary of the Treasury and the Secretary of Commerce, may
waive the application of subsections (a) and (b) with respect to a vessel not earlier than 30 days after the Secretary of Homeland Security—

“(1) determines that the waiver is in the national security interests of the United States; and

“(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

“(d) PORT DEFINED.—For purposes of this section, the term ‘port’ means a seaport.”.

(e) CONFORMING AMENDMENTS.—The Iran, North Korea, and Syria Nonproliferation Act, as amended by this section, is further amended—

(1) in section 2(a), by striking “Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate” and inserting “appropriate congressional committees”;

(2) in section 5—

(A) in the section heading, by striking “SECTIONS 3 AND 4” and inserting “SECTION 3”; and

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “Sections 3 and 4 shall not
apply to a foreign person 15 days after the President reports to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate’’ and inserting ‘‘The measures described in section 3(b) shall not apply to a person described in section 3(a) 15 days after the President reports to the appropriate congressional committees’’;

(ii) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(iii) by inserting after ‘‘that—’’ the following:

‘‘(1) in the case of a transfer or acquisition of goods, services, or technology described in section 2(a)(1)—’’;

(iv) in paragraph (1)(C), as redesignated, by striking ‘‘section 2(a)(1)’’ and inserting ‘‘section 2(a)(1)(A)’’;
(v) in paragraph (1)(D), as redesignated, by striking the period and inserting a semicolon; and

(vi) by adding at the end the following:

“(2) in the case of an acquisition of materials mined or otherwise extracted within the territory of North Korea described in section 2(a)(2), the person did not acquire such materials; or

“(3) in the case of the provision of a vessel, insurance or reinsurance, or another shipping service for the transportation of goods to or from Iran, North Korea, or Syria described in section 2(a)(3), the person did not provide such a vessel or service.”;

and

(C) in subsection (b)—

(i) in paragraph (1), by striking “each foreign person identified in each report submitted pursuant to section 2(a)” and inserting “each person described in section 3(a)”;

and

(ii) in paragraph (2), by striking “a foreign person identified in a report submitted pursuant to section 2(a)” and in-
serting “a person described in section 3(a)”; and

(3) in section 6—

(A) by striking “Committee on International Relations” each place it appears and inserting “Committee on Foreign Affairs”; and

(B) by striking “Committee on Science” each place it appears and inserting “Committee on Science and Technology”.

(f) DEFINITIONS.—Section 7 of the Iran, North Korea, and Syria Nonproliferation Act is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by striking “; PERSON”;

(B) in the matter preceding subparagraph (A), by striking “The terms ‘foreign person’ and ‘person’ mean” and inserting “The term ‘foreign person’ means”;

(C) in subparagraph (B), by striking the semicolon and inserting “; and”;

(D) in subparagraph (C), by striking “; and” and inserting a period; and

(E) by striking subparagraph (D);
(2) by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) by adding at the end the following:

“(5) UNITED STATES PERSON.—The term ‘United States person’ means—

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

“(B) an entity that is organized under the laws of the United States or any State or territory thereof.

“(6) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

“(7) VESSEL.—The term ‘vessel’ has the meaning given that term in section 1081 of title 18, United States Code.”.
SEC. 203. IDENTIFICATION OF, AND IMMIGRATION RESTRICTIONS ON, SENIOR OFFICIALS OF THE GOVERNMENTS OF THE ISLAMIC REPUBLIC OF IRAN, NORTH KOREA, AND SYRIA, AND THEIR ASSOCIATES.

(a) IDENTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall publish a list of each individual the President determines is—

(1) a senior official of the Government of the Islamic Republic of Iran, North Korea, or Syria, including a member of Iran’s Islamic Revolutionary Guard Corps; or

(2) a close associate of an individual described in paragraph (1).

(b) RESTRICTIONS ON VISAS AND ADJUSTMENTS IN IMMIGRATION STATUS.—If the Secretary of State or the Secretary of Homeland Security, as appropriate, determines that there is credible evidence that an individual is on the list required by subsection (a), the Secretary of State or the Secretary of Homeland Security may not grant the individual immigration status in, or admit the individual to, the United States.

(e) WAIVER FOR NATIONAL INTERESTS.—The President may waive the application of subsection (a) with respect to individual if the President—
(1) determines that such a waiver is in the na-
tional interests of the United States; and

(2) not less than 7 days before the waiver takes
effect, notifies Congress of the waiver and the rea-
son for the waiver.

SEC. 204. REPORTS BY CERTAIN FINANCIAL INSTITUTIONS
WITH RESPECT TO ACTIVITIES CARRIED OUT
WITH SANCTIONED FINANCIAL INSTITU-
TIONS.

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of the
Treasury shall prescribe regulations requiring each domes-
tic financial institution and any foreign financial institu-
tion that operates in the United States to report to the
Secretary with respect to whether the financial institution
engages in any transactions with—

(1) any financial institution whose property or
interests in are blocked pursuant to the Inter-
national Emergency Economic Powers Act (50
U.S.C. 1701 et seq.) as a result of the involvement
of that financial institution in any activity in or by
the Islamic Republic of Iran, North Korea, or Syria
with respect to support for acts of international ter-
rorism or the proliferation of weapons of mass de-
struction; or

(2) any financial institution that has been
designated by the Secretary of the Treasury
under section 5661 of the Housing and Urban
Development Act of 1968 (42 U.S.C. 1705)
because of the involvement of that financial
institution in any activity in or by the Islamic
Republic of Iran, North Korea, or Syria
with respect to support for acts of interna-
tional terrorism or the proliferation of weapons of
mass destruction; or
(2) any financial institution that engages in any transactions with a financial institution described in paragraph (1).

(b) Penalties.—

(1) Prohibition on operating in the United States.—A foreign financial institution that operates in the United States may not continue to operate in the United States if the institution—

(A) reports that the institution engages in transactions with a financial institution described in paragraph (1) or (2) of subsection (a);

(B) does not submit a report required by that subsection after the Secretary of the Treasury has warned the institution 2 times that it is required to submit that report; or

(C) submits a false report under that subsection and does not correct the factual errors in the report after the Secretary of the Treasury has warned the institution 2 times about the errors.

(2) Restriction on domestic financial institutions.—A domestic financial institution may not conduct any transactions with a financial institution that—
(A) is required to submit a report under subsection (a); and

(B)(i) does not submit a report required by subsection (a);

(ii) reports under that subsection that the financial institution engages in transactions with financial institutions described in paragraph (1) or (2) of that subsection; or

(iii) submits a false report under that subsection.

(c) WAIVER.—The President may waive the application of a penalty under subsection (b) with respect to a financial institution on a case-by-case basis if the President—

(1) certifies to the appropriate congressional committees that the waiver is in the national security interests of the United States; and

(2) submits to those committees not less than 15 days before the waiver takes effect a report that—

(A) identifies the financial institution to which the waiver applies by name; and

(B) provides an explanation for the need for the waiver.
SEC. 205. SANCTIONS WITH RESPECT TO CRITICAL DEFENSE RESOURCES PROVIDED TO OR ACQUIRED FROM THE ISLAMIC REPUBLIC OF IRAN, NORTH KOREA, OR SYRIA.

(a) IN GENERAL.—The President shall apply the sanctions described in subsection (b) to any person the President determines is providing to, or acquiring from, the Islamic Republic of Iran, North Korea, or Syria any good or technology that the President determines is used, or is likely to be used, for military applications.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are, with respect to a person described in subsection (a), the following:

(1) FOREIGN EXCHANGE.—Prohibiting any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which that person has any interest.

(2) BANKING TRANSACTIONS.—Prohibiting 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 that person.

(3) PROPERTY TRANSACTIONS.—Prohibiting any person from—
(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the person described in subsection (a) 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.

(4) LOAN GUARANTEES.—Prohibiting the head of any Federal agency from providing a loan guarantee to that person.

(c) RESTRICTIONS ON EXPORT LICENSES FOR NUCLEAR COOPERATION AND CERTAIN LOAN GUARANTEES.—Before issuing a license for the exportation of any article pursuant to an agreement for cooperation under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) or approving a loan guarantee or any other assistance provided by the United States Government with respect to a nuclear energy projects, the Secretary of Energy, the Secretary of Commerce, and the Nuclear Regulatory Commission shall certify to Congress that issuing the license or approving the loan guarantee or other assist-
ance (as the case may be) will not permit the transfer of
any good or technology described in subsection (a) to the
Islamic Republic of Iran, North Korea, or Syria.