

114TH CONGRESS
2D SESSION

H. R. 5222

To impose sanctions with respect to persons responsible for knowingly engaging in significant activities undermining cybersecurity on behalf of or at the direction of the Government of Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2016

Mr. RATCLIFFE introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions with respect to persons responsible for knowingly engaging in significant activities undermining cybersecurity on behalf of or at the direction of the Government of Iran, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iran Cyber Sanctions
5 Act of 2016”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO PER-**
2 **SONS RESPONSIBLE FOR KNOWINGLY EN-**
3 **GAGING IN SIGNIFICANT ACTIVITIES UNDER-**
4 **MINING CYBERSECURITY ON BEHALF OF OR**
5 **AT THE DIRECTION OF THE GOVERNMENT OF**
6 **IRAN.**

7 (a) CYBERSECURITY REPORT REQUIRED.—

8 (1) IN GENERAL.—Not later than 90 days after
9 the date of the enactment of this Act, and not less
10 frequently than once every 180 days thereafter, the
11 President shall submit to the appropriate congres-
12 sional committees a report on significant activities
13 undermining cybersecurity conducted by persons on
14 behalf of or at the direction of the Government of
15 Iran (including members of paramilitary organiza-
16 tions such as Ansar-e-Hezbollah and Basij-e
17 Mostaz'afin) against the Government of the United
18 States or any United States person.

19 (2) INFORMATION.—The report required under
20 paragraph (1) shall include the following:

21 (A) The identity of persons that have
22 knowingly facilitated, participated or assisted
23 in, engaged in, directed, or provided material
24 support for significant activities undermining
25 cybersecurity described in paragraph (1).

1 (B) A description of the conduct engaged
2 in by each person identified under subpara-
3 graph (A).

4 (C) An assessment of the extent to which
5 the Government of Iran or another foreign gov-
6 ernment directed, facilitated, or provided mate-
7 rial support in the conduct of significant activi-
8 ties undermining cybersecurity described in
9 paragraph (1).

10 (D) A strategy to counter efforts by per-
11 sons to conduct significant activities under-
12 mining cybersecurity described in paragraph
13 (1), including efforts to engage foreign govern-
14 ments to halt the capability of persons to con-
15 duct those activities described in paragraph (1).

16 (3) FORM.—The report required under para-
17 graph (1) shall be submitted in unclassified form but
18 may include a classified annex.

19 (b) DESIGNATION OF PERSONS.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), the President shall include on the spe-
22 cially designated nationals and blocked persons list
23 maintained by the Office of Foreign Assets Control
24 of the Department of the Treasury—

1 (A) any person identified under subsection
2 (a)(2)(A); and

3 (B) any person for which the Department
4 of Justice has issued an indictment in connec-
5 tion with significant activities undermining cy-
6 bersecurity against the Government of the
7 United States or any United States person.

8 (2) EXCEPTION.—The President is not required
9 to include a person described in paragraph (1)(A) or
10 (1)(B) on the specially designated nationals and
11 blocked persons list maintained by the Office of For-
12 eign Assets Control of the Department of the Treas-
13 ury if the President submits to the appropriate con-
14 gressional committees an explanation of the reasons
15 for not including that person on that list.

16 (c) SANCTIONS DESCRIBED.—The President shall
17 use authority provided in Executive Order 13694 (April
18 1, 2015, relating to blocking the property of certain per-
19 sons engaging in significant malicious cyber-enabled ac-
20 tivities) to impose sanctions against any person included
21 on the specially designated nationals and blocked persons
22 list maintained by the Office of Foreign Assets Control
23 of the Department of the Treasury pursuant to subsection
24 (b).

1 (d) PRESIDENTIAL BRIEFINGS TO CONGRESS.—Not
2 later than 180 days after the date of the enactment of
3 this Act, and periodically thereafter, the President shall
4 provide a briefing to the appropriate congressional com-
5 mittees on efforts to implement this section.

6 (e) DEFINITIONS.—In this section:

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

10 (A) the Committee on Foreign Relations,
11 the Committee on Homeland Security and Gov-
12 ernmental Affairs, and the Committee on Bank-
13 ing, Housing, and Urban Affairs of the Senate;
14 and

15 (B) the Committee on Foreign Affairs, the
16 Committee on Homeland Security, the Com-
17 mittee on Financial Services, and the Com-
18 mittee on Ways and Means of the House of
19 Representatives.

20 (2) SIGNIFICANT ACTIVITIES UNDERMINING CY-
21 BERSECURITY.—The term “significant activities un-
22 dermining cybersecurity” includes—

23 (A) significant efforts to—

1 (i) deny access to or degrade, disrupt,
2 or destroy an information and communica-
3 tions technology system or network; or

4 (ii) exfiltrate information from such a
5 system or network without authorization;

6 (B) significant destructive malware at-
7 tacks;

8 (C) significant denial of service activities;
9 and

10 (D) such other significant activities as may
11 be described in regulations prescribed to imple-
12 ment this section.

13 (3) UNITED STATES PERSON.—The term
14 “United States person” means—

15 (A) an individual who is a citizen of the
16 United States or an alien lawfully admitted for
17 permanent residence to the United States;

18 (B) an entity organized under the laws of
19 the United States or any jurisdiction within the
20 United States, including a foreign branch of
21 such an entity; or

22 (C) any government (Federal, State, or
23 local) entity.

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