

114TH CONGRESS
2D SESSION

S. 3518

To impose nonnuclear sanctions with respect to Iran, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2016

Mr. RUBIO (for himself, Mr. KIRK, Ms. AYOTTE, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose nonnuclear sanctions with respect to 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Nonnuclear Iran Sanctions Act of 2016”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Statement of policy.

TITLE I—SANCTIONS WITH RESPECT TO ENTITIES OWNED BY
IRAN’S REVOLUTIONARY GUARD CORPS

Subtitle A—Iran’s Revolutionary Guard Corps Sanctions, Watch List, and Report

- Sec. 101. Findings.
- Sec. 102. Imposition of sanctions with respect to the IRGC.
- Sec. 103. Imposition of sanctions against entities owned in whole or in part by IRGC.
- Sec. 104. IRGC watch list and report.
- Sec. 105. Imposition of sanctions against Mahan Air.
- Sec. 106. Additional measures on Mahan Air.
- Sec. 107. Modification and extension of reporting requirements on the use of certain Iranian seaports by foreign vessels and use of foreign airports by sanctioned Iranian air carriers.

Subtitle B—Other Provisions

- Sec. 111. Authority of States and local governments to divest from persons that engage in investment or business activities with Iran’s Revolutionary Guard Corps.
- Sec. 112. Safe harbor for changes in investment policies by asset managers.

Subtitle C—Termination

- Sec. 121. Termination.

TITLE II—SANCTIONS RELATING TO HUMAN RIGHTS ABUSES IN IRAN

- Sec. 201. Findings.
- Sec. 202. Expansion of list of persons involved in human rights abuses in Iran.
- Sec. 203. Identification of, and imposition of sanctions with respect to, certain Iranian individuals.
- Sec. 204. Imposition of sanctions with respect to persons who conduct transactions with or on behalf of certain Iranian individuals.
- Sec. 205. Mandatory sanctions with respect to financial institutions that engage in certain transactions on behalf of persons involved in human rights abuses or that export sensitive technology to Iran.
- Sec. 206. United States support for the people of Iran.
- Sec. 207. United States Special Coordinator on Human Rights and Democracy in Iran.
- Sec. 208. Broadcasting to Iran.
- Sec. 209. Report on United States citizens detained by Iran.
- Sec. 210. Sense of Congress on establishment of multilateral mechanism to promote human rights in Iran.
- Sec. 211. Sense of Congress on role of the United Nations in promoting human rights in Iran.

TITLE III—SANCTIONS WITH RESPECT TO THE BALLISTIC MISSILE PROGRAM OF IRAN

- Sec. 301. Findings.
- Sec. 302. Sense of Congress.
- Sec. 303. Expansion of sanctions with respect to efforts by Iran to acquire ballistic missile and related technology.
- Sec. 304. Imposition of sanctions with respect to ballistic missile program of Iran.

- Sec. 305. Expansion of mandatory sanctions with respect to financial institutions that engage in certain transactions relating to ballistic missile capabilities of Iran.
- Sec. 306. Disclosure to the Securities and Exchange Commission of activities with certain sectors of Iran that support the ballistic missile program of Iran.
- Sec. 307. Regulations.

TITLE IV—SANCTIONS WITH RESPECT TO CERTAIN IRANIAN TRANSACTIONS

Subtitle A—Sanctions Relating to Iran’s Support of Terrorism

- Sec. 401. Findings.
- Sec. 402. Special measures with respect to Iran relating to its designation as a jurisdiction of primary money laundering concern.

Subtitle B—Prohibition on and Other Sanctions Relating to Transactions With Iran

- Sec. 411. Prohibition on facilitation of certain transactions involving the Government of Iran or Iranian persons.
- Sec. 412. Reports on, and authorization of imposition of sanctions with respect to, offshore United States dollar clearing for transactions involving the Government of Iran or Iranian persons.
- Sec. 413. Clarification that freezing of assets of Iranian financial institutions includes assets in possession or control of a United States person pursuant to a U-turn transaction.

TITLE V—MISCELLANEOUS

- Sec. 501. Modification of requirements relating to state sponsors of terrorism.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ENTITY.—The term “entity” means a cor-
 4 poration, business association, partnership, trust, so-
 5 ciety, or any other entity.

6 (2) FOREIGN PERSON.—The term “foreign per-
 7 son” means a person that is not a United States
 8 person.

9 (3) IRGC.—The term “IRGC” means Iran’s
 10 Revolutionary Guard Corps.

1 (4) PERSON.—The term “person” means an in-
2 dividual or entity.

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

5 (A) a United States citizen or an alien law-
6 fully admitted for permanent residence to the
7 United States; or

8 (B) an entity organized under the laws of
9 the United States or of any jurisdiction within
10 the United States, including a foreign branch of
11 such an entity.

12 **SEC. 3. FINDINGS.**

13 Congress makes the following findings:

14 (1) Secretary of State John Kerry stated on
15 July 23, 2015, “We will not violate the [Joint Com-
16 prehensive Plan of Action (JCPOA)] if we use our
17 authorities to impose sanctions on Iran for ter-
18 rorism, human rights, missiles, or other nonnuclear
19 reasons. And the JCPOA does not provide Iran any
20 relief from United States sanctions under any of
21 those authorities or other authorities.”.

22 (2) President Barack Obama stated on April 2,
23 2015, “Other American sanctions on Iran for its
24 support for terrorism, its human rights abuses, its

1 ballistic missile program, will continue to be fully en-
2 forced.”.

3 (3) Director of National Intelligence James
4 Clapper wrote on February 9, 2016, “[T]he Islamic
5 Republic of Iran presents an enduring threat to U.S.
6 national interests because of its support to regional
7 terrorist and militant groups and the Assad regime,
8 as well as its development of advanced military capa-
9 bilities. Tehran views itself as leading the ‘axis of re-
10 sistance’ which includes the Assad regime and sub-
11 national groups aligned with Iran, especially Leba-
12 nese Hezbollah and Iraqi Shia militants . . . Tehran
13 might even use American citizens detained when en-
14 tering Iranian territories as bargaining pieces to
15 achieve financial or political concessions in line with
16 their strategic intentions.”.

17 (4) Director of National Intelligence James
18 Clapper wrote on June 3, 2015, “The United States
19 Intelligence Community continues to assess that
20 Iran and Hezbollah directly threaten the interests of
21 the United States and our allies and that Hezbollah
22 remains a global terrorist threat. Iran remains the
23 foremost state sponsor of terrorism and is increasing
24 its ability to influence regional crises and conduct
25 terrorism. Iran is doing this largely through the Is-

1 lamic Revolutionary Guard Corps-Qods Force
2 (IRGC-QF) and Lebanese Hezbollah, as well as the
3 support and use of sectarian political and militant
4 proxies closely aligned with the IRGC-QF and its
5 anti-Western ideology.”.

6 (5) Secretary of the Treasury Jacob Lew stated
7 on July 14, 2015, “We harbor no illusions about the
8 Iranian government’s nefarious activities beyond its
9 nuclear program. Make no mistake: We will continue
10 to impose and aggressively enforce sanctions to com-
11 bat Iran’s support for terrorist groups, its fomenting
12 of violence in the region, and its perpetration of
13 human rights abuses.”.

14 (6) Jake Sullivan, at the time Deputy Assistant
15 to President Obama and National Security Advisor
16 to Vice President Biden, stated on May 1, 2014,
17 “The wording of the Joint Plan of Action . . .
18 speaks to the issue of nuclear-related sanctions. And
19 that word was chosen very carefully, nuclear-related,
20 because we have made clear that sanctions relating
21 to terrorism and sanctions relating to human rights
22 violations are not covered by the discussions that we
23 are having on the nuclear file and that we are pre-
24 pared to continue to follow through on that . . . I
25 can tell you, as a matter of policy, this administra-

1 tion is committed to continuing to enforce and follow
2 through on that set of sanctions.”.

3 (7) Jake Sullivan further stated on May 1,
4 2014, “We must continue to speak out against the
5 gross violations of human rights and fundamental
6 freedoms in Iran and the hateful anti-Semitic rhet-
7 oric from some of its leaders, and we must keep pro-
8 viding support and assistance to those brave Ira-
9 nians seeking to have their voices heard . . . we’ve
10 got to stand up for our values, and we need to stand
11 against the human rights abuses and violations of
12 fundamental freedom, including religious freedom,
13 happening in Iran. And we have to provide real sup-
14 port to those voices on the ground who want to be
15 heard, who want to push for a better future . . .
16 this is an important line of effort that has to con-
17 tinue regardless of what is happening on the nuclear
18 file or on any other issue.”.

19 (8) Iranian Foreign Minister Mohammad Javad
20 Zarif stated on February 4, 2016, “Rebuilding the
21 confidence of the banks that the United States will
22 not re-intervene in their relations with Iran may re-
23 quire some further assurance from the United
24 States.”.

1 **SEC. 4. STATEMENT OF POLICY.**

2 It is the policy of the United States—

3 (1) to continue to impose pressure on the Gov-
4 ernment of Iran for its role as the foremost state
5 sponsor of terrorism, its continued development of
6 ballistic missiles, its ongoing human rights abuses
7 against the citizens of Iran and other peoples, and
8 its unjust detention of United States citizens;

9 (2) to continue to use sanctions as an element
10 of that pressure and to discourage financial institu-
11 tions and entities from engaging in business and
12 commerce with Iranian entities tied to Iran's Revolu-
13 tionary Guard Corps and to Iranian officials in-
14 volved in human rights abuses;

15 (3) not to encourage any foreign financial insti-
16 tution or other foreign entity to do business in Iran;
17 and

18 (4) not to provide any assurances regarding
19 protections from United States law or penalties to
20 those foreign entities that decide to engage or re-
21 engage in business and commerce with Iran.

1 **TITLE I—SANCTIONS WITH RE-**
2 **SPECT TO ENTITIES OWNED**
3 **BY IRAN’S REVOLUTIONARY**
4 **GUARD CORPS**

5 **Subtitle A—Iran’s Revolutionary**
6 **Guard Corps Sanctions, Watch**
7 **List, and Report**

8 **SEC. 101. FINDINGS.**

9 Congress finds the following:

10 (1) The IRGC threatens the national security of
11 the United States and United States allies.

12 (2) The IRGC is the key entity carrying out the
13 efforts of the Government of Iran to sow chaos and
14 instability throughout the Middle East, including
15 threatening activities against the United States,
16 Israel, and other allies and partners of the United
17 States in the region.

18 (3) The IRGC provides direct sponsorship and
19 support to numerous foreign terrorist organizations,
20 including Hamas, Hezbollah, and Palestinian Islamic
21 Jihad.

22 (4) According to General Joseph Dunford,
23 Chairman of the Joint Chiefs of Staff, the IRGC is
24 responsible for the deaths of more than 500 mem-
25 bers of the United States Armed Forces in Afghani-

1 stan and Iraq, including through the provision of ex-
2 plosive materials to Shia militias in Iraq.

3 (5) The IRGC is complicit in the ongoing
4 slaughter of the people of Syria as it maintains sup-
5 port for, and seeks to preserve, the regime of Bashar
6 al-Assad, which is responsible for hundreds of thou-
7 sands of deaths and millions of displaced citizens of
8 Syria.

9 (6) The Government of Iran and the IRGC
10 have been responsible for the repeated testing of ille-
11 gal ballistic missiles capable of carrying a nuclear
12 device, including observed tests in October and No-
13 vember 2015 and March 2016 that violated United
14 Nations Security Council resolutions.

15 (7) The United States holds the IRGC respon-
16 sible for severe and continuing human rights viola-
17 tions against the people of Iran, including unlawful
18 arrests, torture, and harassment.

19 (8) The United States upholds sanctions
20 against the IRGC for its proliferation-related activi-
21 ties and human rights abuses, and also against
22 Iran's Revolutionary Guard Corps-Qods Force for its
23 support of terrorism.

24 (9) The Office of Foreign Assets Control of the
25 Department of the Treasury includes the IRGC on

1 the list of specially designated nationals and blocked
2 persons (in this section referred to as the “SDN
3 list”).

4 (10) Pursuant to section 561.405 of title 31,
5 Code of Federal Regulations, entities owned by the
6 IRGC, directly or indirectly, with 50 percent or
7 greater interest are subject to sanctions and may be
8 listed by the Office of Foreign Assets Control on the
9 SDN list. Such entities’ property and interest in
10 property are blocked regardless of whether such enti-
11 ties are included on the SDN List. That regulation,
12 commonly termed the “50 percent rule”, is the
13 standard used by the Office of Foreign Assets Con-
14 trol when determining ownership of entities by
15 blocked or sanctioned persons.

16 (11) Under section 218 of the Iran Threat Re-
17 duction and Syria Human Rights Act of 2012 (22
18 U.S.C. 8725), the term “own or control”, with re-
19 spect to an entity, means—

20 (A) holding more than 50 percent of the
21 equity interest by vote or value in the entity;

22 (B) holding a majority of seats on the
23 board of directors of the entity; or

24 (C) otherwise controlling the actions, poli-
25 cies, or personnel decisions of the entity.

1 (12) The IRGC maintains a powerful and ex-
2 pansive presence throughout Iran’s financial, com-
3 mercial, and oil and energy sectors, owning, control-
4 ling, operating, and influencing Iranian entities
5 while producing revenues estimated in the billions of
6 dollars. According to the Department of the Treas-
7 ury, “The IRGC has a growing presence in Iran’s fi-
8 nancial and commercial sectors and extensive eco-
9 nomic interests in the defense production, construc-
10 tion, and oil industries, controlling billions of dollars
11 in corporate business.”

12 (13) The IRGC has continuously engaged in
13 sanctions evasion and deceptive business practices to
14 conceal its ownership or control of Iranian entities,
15 owning numerous Iranian entities that are not sub-
16 ject to sanctions because the IRGC has less than a
17 50-percent ownership interest, leaving such entities
18 unsanctioned and open to business.

19 (14) As sanctions are lifted pursuant to the
20 Joint Comprehensive Plan of Action and Iran be-
21 comes more open to international commerce, the
22 international community must be aware of any and
23 all entities that are owned, controlled, operated, or
24 influenced by the IRGC or its agents or affiliates,

1 including those entities that do not make the thresh-
2 old to be covered by the “50 percent rule”.

3 (15) There is no prohibition in section 219 of
4 the Immigration and Nationality Act (8 U.S.C.
5 1189) that prevents the Secretary of State from des-
6 ignating entities affiliated with the government of a
7 foreign country as a foreign terrorist organization.

8 (16) The Financial Crimes Enforcement Net-
9 work of the Department of the Treasury issued a
10 notice of proposed rulemaking on August 4, 2014
11 (79 Fed. Reg. 45151; relating to customer due dili-
12 gence requirements for financial institutions), pro-
13 posing to amend chapter X of title 31, Code of Fed-
14 eral Regulations, to provide greater transparency to
15 allow the identification of persons that own, control,
16 and profit from entities to which banks and other fi-
17 nancial institutions provide services. The proposed
18 rule, known also as the “beneficial ownership re-
19 quirement”, would require financial institutions to
20 identify and verify any individual who owns 25 per-
21 cent or more of an entity that is a customer and an
22 individual who controls such an entity.

23 (17) David Cohen, at the time Under Secretary
24 of the Treasury for Terrorism and Financial Intel-
25 ligence, stated on July 30, 2014, “The beneficial

1 ownership requirement is intended to provide us
2 with an important new tool to track down the real
3 people behind companies that abuse our financial
4 system to secretly move and launder their illicit
5 gains. Along with meeting our international commit-
6 ments, this rule would make our financial system
7 more transparent by exposing the activities of illicit
8 actors who will no longer be able to hide behind
9 their anonymity.”.

10 (18) On October 12, 2011, the Department of
11 the Treasury imposed sanctions on Mahan Air for
12 providing financial, material, and technological sup-
13 port to Iran’s Revolutionary Guards Corps-Qods
14 Force. The Department of the Treasury noted that
15 Mahan Air also provides transportation, funds trans-
16 fers, and personal travel services to Iran’s Revolu-
17 tionary Guards Corps-Qods Force. The Department
18 of the Treasury further noted that Mahan Air pro-
19 vides transportation services to Hezbollah, which
20 was designated as a Specially Designated Global
21 Terrorist under Executive Order 13224 (50 U.S.C.
22 1701 note; relating to blocking property and prohib-
23 iting transactions with persons who commit, threat-
24 en to commit, or support terrorism) in October

1 2001, and Mahan Air has transported personnel,
2 weapons, and goods on behalf of Hezbollah.

3 (19) David Cohen, at the time Under Secretary
4 of the Treasury for Terrorism and Financial Intel-
5 ligence, stated on October 12, 2011, “Mahan Air’s
6 close coordination with [Iran’s Revolutionary Guards
7 Corps-Qods Force (IRGC-QF)]—secretly ferrying
8 operatives, weapons and funds on its flights—reveals
9 yet another facet of the IRGC’s extensive infiltration
10 of Iran’s commercial sector to facilitate its support
11 for terrorism. Following the revelation about the
12 IRGC-QF’s use of the international financial system
13 to fund its murder-for-hire plot, today’s action high-
14 lights further the undeniable risks of doing business
15 with Iran.”.

16 **SEC. 102. IMPOSITION OF SANCTIONS WITH RESPECT TO**
17 **THE IRGC.**

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

23 (b) SANCTIONS DESCRIBED.—The sanctions de-
24 scribed in this subsection are the following:

1 (1) Sanctions applicable with respect to a for-
 2 eign person pursuant to Executive Order 13224 (50
 3 U.S.C. 1701 note; relating to blocking property and
 4 prohibiting transactions with persons who commit,
 5 threaten to commit, or support terrorism).

6 (2) Sanctions applicable with respect to an enti-
 7 ty that is designated as a foreign terrorist organiza-
 8 tion under section 219 of the Immigration and Na-
 9 tionality Act (8 U.S.C. 1189).

10 **SEC. 103. IMPOSITION OF SANCTIONS AGAINST ENTITIES**

11 **OWNED IN WHOLE OR IN PART BY IRGC.**

12 (a) IN GENERAL.—The President shall impose the
 13 sanctions described in subsection (b) with respect to—

14 (1) an entity, regardless of whether the entity
 15 is included on the list of specially designated nation-
 16 als and blocked persons maintained by the Office of
 17 Foreign Assets Control of the Department of the
 18 Treasury, that is owned, directly or indirectly, by a
 19 25 percent or greater interest—

20 (A) by the IRGC or an agent or affiliate
 21 of the IRGC; or

22 (B) collectively by a group of individuals
 23 that are members of the IRGC or an agent or
 24 affiliate of the IRGC, even if none of such indi-

1 viduals hold a 25 percent or greater interest in
2 the entity;

3 (2) a person that controls, manages, or directs
4 an entity described in paragraph (1); or

5 (3) an individual who is on the board of direc-
6 tors of an entity described in paragraph (1).

7 (b) SANCTIONS DESCRIBED.—

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

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

22 (c) EXCEPTIONS AND SPECIAL RULES.—

23 (1) INAPPLICABILITY OF NATIONAL EMER-
24 GENCY REQUIREMENT.—The requirements of section
25 202 of the International Emergency Economic Pow-

1 ers Act (50 U.S.C. 1701) shall not apply for pur-
2 poses of subsection (b)(1).

3 (2) COMPLIANCE WITH UNITED NATIONS HEAD-
4 QUARTERS AGREEMENT.—Subsection (b)(2) shall
5 not apply to the head of state of Iran, or necessary
6 staff of that head of state, if admission to the
7 United States is necessary to permit the United
8 States to comply with the Agreement regarding the
9 Headquarters of the United Nations, signed at Lake
10 Success June 26, 1947, and entered into force No-
11 vember 21, 1947, between the United Nations and
12 the United States.

13 (d) APPLICABILITY OF ADDITIONAL SANCTIONS.—A
14 person with respect to which the President imposes sanc-
15 tions under subsection (a) shall be considered an agent
16 or affiliate of the IRGC for purposes of sections 104 and
17 104A of the Comprehensive Iran Sanctions, Account-
18 ability, and Divestment Act of 2010 (22 U.S.C. 8513 and
19 8513b).

20 **SEC. 104. IRGC WATCH LIST AND REPORT.**

21 (a) IN GENERAL.—The Secretary of the Treasury
22 shall establish, maintain, and publish in the Federal Reg-
23 ister a list (to be known as the “IRGC Watch List”) of—

1 (1) each entity in which the IRGC or an agent
 2 or affiliate of the IRGC has an ownership interest
 3 of less than 25 percent;

4 (2) each entity in which the IRGC does not
 5 have an ownership interest if the IRGC or an agent
 6 or affiliate of the IRGC maintains a presence on the
 7 board of directors of the entity or otherwise influ-
 8 ences the actions, policies, or personnel decisions of
 9 the entity; and

10 (3) each person that controls, manages, or di-
 11 rects an entity described in paragraph (1) or (2).

12 (b) REPORTS REQUIRED.—

13 (1) TREASURY REPORT.—

14 (A) IN GENERAL.—Not later than 90 days
 15 after the date of the enactment of this Act, and
 16 annually thereafter, the Secretary of the Treas-
 17 ury shall submit to Congress a report that in-
 18 cludes—

19 (i) the list required by subsection (a)
 20 and, in the case of any report submitted
 21 under this subparagraph after the first
 22 such report, any changes to the list since
 23 the submission of the preceding such re-
 24 port; and

1 (ii) an assessment of the role of the
2 IRGC and its agents and affiliates in, and
3 its penetration into, the economy of Iran.

4 (B) FORM OF REPORT.—Each report re-
5 quired by subparagraph (A) shall be submitted
6 in unclassified form, but may include a classi-
7 fied annex if necessary.

8 (2) GOVERNMENT ACCOUNTABILITY OFFICE RE-
9 PORT.—

10 (A) IN GENERAL.—The Comptroller Gen-
11 eral of the United States shall—

12 (i) conduct a review of the list re-
13 quired by subsection (a); and

14 (ii) not later than 60 days after each
15 report required by paragraph (1) is sub-
16 mitted to Congress, submit to Congress a
17 report—

18 (I) on the review conducted
19 under clause (i); and

20 (II) that includes a list of per-
21 sons not included in the list required
22 by subsection (a) that qualify for in-
23 clusion in that list.

24 (B) CONSULTATIONS.—In preparing the
25 report required by subparagraph (A)(ii), the

1 Comptroller General shall consult with non-
2 governmental organizations.

3 **SEC. 105. IMPOSITION OF SANCTIONS AGAINST MAHAN AIR.**

4 (a) IN GENERAL.—The President shall impose the
5 sanctions described in subsection (b) with respect to—

6 (1) a person that provides, directly or indi-
7 rectly, goods, services, technology, or financial serv-
8 ices, including the sale or provision of aircraft or air-
9 craft parts, fuel, ramp assistance, baggage and
10 cargo handling, catering, refueling, ticketing, check-
11 in services, crew handling, or other services related
12 to flight operations, to Mahan Air or its agents or
13 affiliates, or for aircraft of Mahan Air or its agents
14 or affiliates;

15 (2) a person that controls, manages, or directs
16 Mahan Air or any of its agents or affiliates;

17 (3) an individual who is on the board of direc-
18 tors of Mahan Air or any of its agents or affiliates;
19 or

20 (4) an entity in which Mahan Air or an agent
21 or affiliate of Mahan Air that owns, directly or indi-
22 rectly, a 25 percent or greater interest, regardless of
23 whether the entity is included on the list of specially
24 designated nationals and blocked persons maintained

1 by the Office of Foreign Assets Control of the De-
2 partment of the Treasury.

3 (b) SANCTIONS DESCRIBED.—

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

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

18 (c) EXCEPTIONS AND SPECIAL RULES.—

19 (1) INAPPLICABILITY OF NATIONAL EMER-
20 GENCY REQUIREMENT.—The requirements of section
21 202 of the International Emergency Economic Pow-
22 ers Act (50 U.S.C. 1701) shall not apply for pur-
23 poses of subsection (b)(1).

24 (2) COMPLIANCE WITH UNITED NATIONS HEAD-
25 QUARTERS AGREEMENT.—Subsection (b)(2) shall

1 not apply to the head of state of Iran, or necessary
2 staff of that head of state, if admission to the
3 United States is necessary to permit the United
4 States to comply with the Agreement regarding the
5 Headquarters of the United Nations, signed at Lake
6 Success June 26, 1947, and entered into force No-
7 vember 21, 1947, between the United Nations and
8 the United States.

9 (d) APPLICABILITY OF ADDITIONAL SANCTIONS.—A
10 person with respect to which the President imposes sanc-
11 tions under subsection (a) shall be considered an agent
12 or affiliate of the IRGC for purposes of sections 104 and
13 104A of the Comprehensive Iran Sanctions, Account-
14 ability, and Divestment Act of 2010 (22 U.S.C. 8513 and
15 8513b).

16 **SEC. 106. ADDITIONAL MEASURES ON MAHAN AIR.**

17 (a) IN GENERAL.—The President shall require each
18 covered person to provide a certification to the President
19 that the person does not conduct transactions with any
20 entity that provides, directly or indirectly, goods, services,
21 technology, or financial services, including the sale or pro-
22 vision of aircraft or aircraft parts, fuel, ramp assistance,
23 baggage or cargo handling, catering, refueling, ticketing,
24 check-in services, crew handling, or other services related
25 to flight operations—

- 1 (1) to Mahan Air or its agents or affiliates;
- 2 (2) for aircraft owned or operated by Mahan
- 3 Air or its agents or affiliates; or
- 4 (3) to a person described in section 105(a).

5 (b) REPORTS REQUIRED.—

6 (1) DNI LIST.—

7 (A) IN GENERAL.—Not later than 90 days
8 after the date of the enactment of the Act, and
9 annually thereafter, the Director of National
10 Intelligence, in consultation with the Secretary
11 of the Treasury, shall submit to Congress a list
12 of each entity described in subsection (a).

13 (B) FORM OF LIST.—Each list required by
14 subparagraph (A) shall be submitted in unclas-
15 sified form, but may include a classified annex
16 if necessary.

17 (2) REPORT.—

18 (A) IN GENERAL.—Not later than 90 days
19 after the date of the enactment of the Act, and
20 annually thereafter, the President shall submit
21 to Congress a report that includes—

22 (i) a list of countries where aircraft of
23 Mahan Air or its agents or affiliates land;

24 (ii) a description of the efforts of the
25 President to encourage countries to pro-

hibit aircraft of Mahan Air or its agents or affiliates from landing in the territory of those countries; and

(iii) if the President has not imposed sanctions under section 105(a) with respect to any entity described in subsection (a), an explanation for why the President has not imposed such sanctions.

(B) FORM OF REPORT.—Each report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex if necessary.

(3) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(A) IN GENERAL.—The Comptroller General of the United States shall—

(i) conduct a review of the certifications required by subsection (a), the lists required by paragraph (1), and the reports required by paragraph (2); and

(ii) not later than 60 days after the submission of each list required by paragraph (1) and each report required by paragraph (2), submit to Congress a report—

1 (I) on the review conducted
2 under clause (i); and

3 (II) assessing the implementation
4 of section 105.

5 (B) CONSULTATIONS.—In preparing the
6 report required by subparagraph (A)(ii), the
7 Comptroller General shall consult with non-
8 governmental organizations.

9 (c) COVERED PERSON DEFINED.—In this section,
10 the term “covered person” means—

11 (1) an air carrier or foreign air carrier, as those
12 terms are defined in section 40102 of title 49,
13 United States Code; or

14 (2) a United States person that exports aircraft
15 or components for aircraft.

16 **SEC. 107. MODIFICATION AND EXTENSION OF REPORTING**
17 **REQUIREMENTS ON THE USE OF CERTAIN**
18 **IRANIAN SEAPORTS BY FOREIGN VESSELS**
19 **AND USE OF FOREIGN AIRPORTS BY SANC-**
20 **TIONED IRANIAN AIR CARRIERS.**

21 (a) IN GENERAL.—Section 1252(a) of the Iran Free-
22 dom and Counter-Proliferation Act of 2012 (22 U.S.C.
23 8808(a)) is amended—

24 (1) in the matter preceding paragraph (1), by
25 striking “2016” and inserting “2019”;

1 (2) in paragraph (1), by striking “and” at the
2 end;

3 (3) in paragraph (2), by striking the period at
4 the end and inserting “; and”; and

5 (4) by adding at the end the following:

6 “(3) a description of all efforts the Department
7 of State has made to encourage other countries to
8 prohibit the use of air space and airports by Iranian
9 air carriers described in paragraph (2) during the
10 period specified in subsection (b).”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) take effect on the date of the enactment
13 of this Act and apply with respect to reports required to
14 be submitted under section 1252(a) of the Iran Freedom
15 and Counter-Proliferation Act of 2012 on or after such
16 date of enactment.

17 **Subtitle B—Other Provisions**

18 **SEC. 111. AUTHORITY OF STATES AND LOCAL GOVERN-** 19 **MENTS TO DIVEST FROM PERSONS THAT EN-** 20 **GAGE IN INVESTMENT OR BUSINESS ACTIVI-** 21 **TIES WITH IRAN’S REVOLUTIONARY GUARD** 22 **CORPS.**

23 (a) IN GENERAL.—Subtitle B of title III of the Iran
24 Threat Reduction and Syria Human Rights Act of 2012

1 (Public Law 112–158; 126 Stat. 1247) is amended by
2 adding at the end the following:

3 **“SEC. 313. AUTHORITY OF STATES AND LOCAL GOVERN-**
4 **MENTS TO DIVEST FROM PERSONS THAT EN-**
5 **GAGE IN INVESTMENT OR BUSINESS ACTIVI-**
6 **TIES WITH IRAN’S REVOLUTIONARY GUARD**
7 **CORPS.**

8 “(a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the United States should support the decision
10 of any State or local government that for moral, pruden-
11 tial, or reputational reasons divests from, or prohibits the
12 investment of assets of the State or local government in,
13 a person that engages in investment or business activities
14 with Iran’s Revolutionary Guard Corps or a person de-
15 scribed in subsection (c), as long as Iran’s Revolutionary
16 Guard Corps is subject to economic sanctions imposed by
17 the United States.

18 “(b) AUTHORITY TO DIVEST.—Notwithstanding any
19 other provision of law, a State or local government may
20 adopt and enforce measures that meet the requirements
21 of subsection (e) to divest the assets of the State or local
22 government from, or prohibit investment of the assets of
23 the State or local government in, any person that the
24 State or local government determines, using credible infor-
25 mation available to the public, engages in investment or

1 business activities described in subsection (d) with Iran’s
2 Revolutionary Guard Corps or a person described in sub-
3 section (c).

4 “(c) PERSONS DESCRIBED.—A person described in
5 this subsection is—

6 “(1) an entity, regardless of whether the entity
7 is included on the list of specially designated nation-
8 als and blocked persons maintained by the Office of
9 Foreign Assets Control of the Department of the
10 Treasury, that is owned, directly or indirectly, by a
11 25 percent or greater interest—

12 “(A) by Iran’s Revolutionary Guard Corps
13 or an agent or affiliate of Iran’s Revolutionary
14 Guard Corps; or

15 “(B) collectively by a group of individuals
16 that are members of Iran’s Revolutionary
17 Guard Corps or an agent or affiliate of Iran’s
18 Revolutionary Guard Corps, even if none of
19 such individuals hold a 25 percent or greater
20 interest in the entity;

21 “(2) a person that controls, manages, or directs
22 an entity described in paragraph (1);

23 “(3) an individual who is on the board of direc-
24 tors of an entity described in paragraph (1); or

1 “(4) a person on the IRGC Watch List required
2 by section 104 of the Nonnuclear Iran Sanctions Act
3 of 2016.

4 “(d) INVESTMENT OR BUSINESS ACTIVITIES DE-
5 SCRIBED.—A person engages in investment or business ac-
6 tivities with Iran’s Revolutionary Guard Corps or a person
7 described in subsection (c) if the person—

8 “(1) has a financial investment in Iran’s Revo-
9 lutionary Guard Corps or such a person;

10 “(2) owns, in whole or in part, such a person;
11 or

12 “(3) is a financial institution that extends cred-
13 it or financing to another person, for 45 days or
14 more, if that person will use the credit or financing
15 for investment in a person described in subsection
16 (c).

17 “(e) REQUIREMENTS.—Any measure taken by a
18 State or local government under subsection (b) shall meet
19 the following requirements:

20 “(1) NOTICE.—The State or local government
21 shall provide written notice to each person to which
22 a measure is to be applied.

23 “(2) TIMING.—The measure shall apply to a
24 person not earlier than the date that is 90 days

1 after the date on which written notice is provided to
2 the person under paragraph (1).

3 “(3) OPPORTUNITY FOR HEARING.—The State
4 or local government shall provide an opportunity to
5 comment in writing to each person to which a meas-
6 ure is to be applied. If the person demonstrates to
7 the State or local government that the person does
8 not engage in investment or business activities de-
9 scribed in subsection (d) with Iran’s Revolutionary
10 Guard Corps or a person described in subsection (c),
11 the measure shall not apply to the person.

12 “(4) SENSE OF CONGRESS ON AVOIDING ERRO-
13 NEOUS TARGETING.—It is the sense of Congress
14 that a State or local government should not adopt
15 a measure under subsection (b) with respect to a
16 person unless the State or local government has
17 made every effort to avoid erroneously targeting the
18 person and has verified that the person engages in
19 investment or business activities described in sub-
20 section (d) with Iran’s Revolutionary Guard Corps
21 or a person described in subsection (c).

22 “(f) NOTICE TO DEPARTMENT OF JUSTICE.—Not
23 later than 30 days after adopting a measure pursuant to
24 subsection (b), a State or local government shall submit

1 written notice to the Attorney General describing the
2 measure.

3 “(g) NONPREEMPTION.—A measure of a State or
4 local government authorized under subsection (b) or (i)
5 is not preempted by any Federal law or regulation.

6 “(h) EFFECTIVE DATE.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (2) or subsection (i), this section applies to
9 measures adopted by a State or local government be-
10 fore, on, or after the date of the enactment of the
11 Nonnuclear Iran Sanctions Act of 2016.

12 “(2) NOTICE REQUIREMENTS.—Except as pro-
13 vided in subsection (i), subsections (e) and (f) apply
14 to measures adopted by a State or local government
15 on or after the date of the enactment of the Non-
16 nuclear Iran Sanctions Act of 2016.

17 “(i) AUTHORIZATION FOR PRIOR ENACTED MEAS-
18 URES.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of this section or any other provision of
21 law, a State or local government may enforce a
22 measure (without regard to the requirements of sub-
23 section (e), except as provided in paragraph (2))
24 adopted by the State or local government before the
25 date of the enactment of the Nonnuclear Iran Sanc-

1 tions Act of 2016 that provides for the divestment
2 of assets of the State or local government from, or
3 prohibits the investment of the assets of the State
4 or local government in, any person that the State or
5 local government determines, using credible informa-
6 tion available to the public, engages in investment or
7 business activities with Iran’s Revolutionary Guard
8 Corps or a person described in subsection (c) (deter-
9 mined without regard to subsection (d)) or other
10 business or investment activities that are identified
11 in the measure.

12 “(2) APPLICATION OF NOTICE REQUIRE-
13 MENTS.—A measure described in paragraph (1)
14 shall be subject to the requirements of paragraphs
15 (1) and (2) and the first sentence of paragraph (3)
16 of subsection (e) on and after the date that is 2
17 years after the date of the enactment of the Non-
18 nuclear Iran Sanctions Act of 2016.

19 “(j) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion or any other provision of law authorizing sanctions
21 with respect to Iran shall be construed to abridge the au-
22 thority of a State to issue and enforce rules governing the
23 safety, soundness, and solvency of a financial institution
24 subject to its jurisdiction or the business of insurance pur-

1 suant to the Act of March 9, 1945 (15 U.S.C. 1011 et
2 seq.) (commonly known as the ‘McCarran-Ferguson Act’).

3 “(k) DEFINITIONS.—In this section:

4 “(1) ASSETS.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), the term ‘assets’ refers to
7 public monies and includes any pension, retire-
8 ment, annuity, or endowment fund, or similar
9 instrument, that is controlled by a State or
10 local government.

11 “(B) EXCEPTION.—The term ‘assets’ does
12 not include employee benefit plans covered by
13 title I of the Employee Retirement Income Se-
14 curity Act of 1974 (29 U.S.C. 1001 et seq.).

15 “(2) INVESTMENT.—The ‘investment’ in-
16 cludes—

17 “(A) a commitment or contribution of
18 funds or property;

19 “(B) a loan or other extension of credit;
20 and

21 “(C) the entry into or renewal of a con-
22 tract for goods or services.”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 for the Iran Threat Reduction and Syria Human Rights

1 Act of 2012 is amended by adding after the item relating
 2 to section 312 the following:

“Sec. 313. Authority of States and local governments to divest from persons
 that engage in investment or business activities with Iran’s
 Revolutionary Guard Corps.”.

3 **SEC. 112. SAFE HARBOR FOR CHANGES IN INVESTMENT**
 4 **POLICIES BY ASSET MANAGERS.**

5 Section 13(c)(1) of the Investment Company Act of
 6 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

7 (1) in subparagraph (A), by striking “; or” and
 8 inserting a semicolon;

9 (2) in subparagraph (B), by striking the period
 10 at the end and inserting “; or”; and

11 (3) by adding at the end the following:

12 “(C) engage in investment or business ac-
 13 tivities described in subsection (d) of section
 14 313 of the Iran Threat Reduction and Syria
 15 Human Rights Act of 2012 with Iran’s Revolu-
 16 tionary Guard Corps or a person described in
 17 subsection (c) of that section.”.

18 **Subtitle C—Termination**

19 **SEC. 121. TERMINATION.**

20 This title and the amendments made by this title
 21 shall terminate on the date that is 30 days after the date
 22 on which the President makes the certification described
 23 in section 401(a) of the Comprehensive Iran Sanctions,

1 Accountability, and Divestment Act of 2010 (22 U.S.C.
2 8551(a)).

3 **TITLE II—SANCTIONS RELATING**
4 **TO HUMAN RIGHTS ABUSES**
5 **IN IRAN**

6 **SEC. 201. FINDINGS.**

7 Congress makes the following findings:

8 (1) According to Freedom House, none of the
9 elections held in Iran after the Islamic revolution in
10 1979 have been regarded as free or fair.

11 (2) According to the October 2015 report by
12 the United Nations Special Rapporteur on the situa-
13 tion of human rights in the Islamic Republic of Iran,
14 Iran continues to execute more individuals per cap-
15 ita than any other country in the world. Executions
16 have been rising at an exponential rate since 2005
17 and peaked in 2015, when human rights groups re-
18 ported a shocking 830 executions between January
19 and November 2015, and as many as 1,084 execu-
20 tions during the entire year.

21 (3) According to an October 2015 United Na-
22 tions report on human rights in Iran, “Some 150
23 Sunni Muslims are in prison on charges related to
24 their beliefs and religion activities. More than 30 are

1 on death row after having been convicted of ‘enmity
2 against God’ in unfair judicial proceedings.”.

3 (4) In 2015, Iran was rated as “not free” in a
4 report on the freedom of the press by Freedom
5 House for a lack of flow of independent information
6 and the inability of news outlets, whether through
7 print, broadcast, or the Internet, to operate freely
8 and without fear of repercussions.

9 (5) Journalists, social media activists, writers,
10 and human rights activists are routinely arrested
11 and interrogated by Iran’s Revolutionary Guard
12 Corps, the Ministry of Intelligence, and cyber-polic-
13 ing units.

14 (6) According to the Committee to Protect
15 Journalists—

16 (A) from the 2015 prison census, Iran is
17 one of the leading jailers of journalists, with 19
18 behind bars;

19 (B) Iran ranks as first among countries
20 from which journalists have fled into exile be-
21 tween 2009 and 2015; and

22 (C) in 2015, Iran ranked number 7 among
23 the top 10 most censored countries in the
24 world.

1 (7) According to the United Nations Special
2 Rapporteur on the situation of human rights in the
3 Islamic Republic of Iran, as of January 2014, there
4 were 895 political prisoners and prisoners of con-
5 science unjustly detained in Iran.

6 (8) On February 22, 2016, 80-year-old Baquer
7 Namazi, a United States citizen and the father of
8 imprisoned dual United States-Iran citizen Siamak
9 Namazi, was arrested while visiting family in Tehran
10 and taken to Evin Prison without charge. Baquer
11 Namazi suffers from a serious heart condition that
12 requires special medical attention.

13 (9) On January 12, 2016, Iran's Revolutionary
14 Guard Corps unjustly detained 10 United States
15 sailors whose vessel had misnavigated into Iranian
16 territorial waters but had a right to innocent pas-
17 sage under international law. While the United
18 States sailors were released after 16 hours, Iran's
19 Revolutionary Guard Corps released humiliating vid-
20 eos of the capture of the sailors at gunpoint and
21 their detention for propagandistic purposes.

22 (10) On October 15, 2015, Siamak Namazi was
23 arrested while visiting Tehran and detained in Evin
24 Prison, where he remains held by Iranian officials
25 without charge.

1 (11) In July 2014, Jason Rezaian, a reporter
2 from the United States working for the Washington
3 Post, was unjustly arrested and held in Iran while
4 his health deteriorated until his release on January
5 16, 2016.

6 (12) On January 27, 2013, Saeed Abedini, a
7 pastor from the United States, was sentenced to an
8 8-year prison term in Iran based on charges relating
9 to his Christian faith and had been unjustly incar-
10 cerated since September 26, 2012, despite serious
11 health issues until his release on January 16, 2016.

12 (13) In August 2011, Amir Hekmati, a veteran
13 of the Armed Forces of the United States, was un-
14 justly detained while visiting his family in Iran and
15 remained in a prison in Iran on false espionage
16 charges until his release on January 16, 2016.

17 (14) In March 2007, Robert Levinson, a former
18 agent of the Federal Bureau of Investigation, dis-
19 appeared in Iran during a business trip and Iran
20 has refused to cooperate in the investigation into his
21 disappearance. Mr. Levinson is the longest unjustly
22 held United States citizens in history.

23 (15) The principal leaders of the Green Revolu-
24 tion in Iran, Mir Hussein Moussavi and Mehdi

1 Karroubi, have been under house arrest since Feb-
2 ruary 2011.

3 (16) The United States has designated Iran as
4 a country of particular concern for religious freedom
5 pursuant to section 402(b)(1) of the International
6 Religious Freedom Act of 1998 (22 U.S.C.
7 6442(b)(1)) for severe violations of religious freedom
8 in every year from 1999 through 2015.

9 (17) In 2015, the United States Commission on
10 International Religious Freedom found in its annual
11 report that the Government of Iran “continues to
12 engage in systematic, ongoing, and egregious viola-
13 tions of religious freedom, including prolonged de-
14 tention, torture, and executions based primarily or
15 entirely upon the religion of the accused”.

16 (18) The Government of Iran continues to
17 propagate anti-Semitism and target members of the
18 Jewish community, and reinstated, in 2014, a Holo-
19 caust denial conference, which had been cancelled
20 the previous year.

21 (19) On January 27, 2016, as the world
22 marked International Holocaust Remembrance Day,
23 Iranian Supreme Leader Ali Khamenei published a
24 video denying the Holocaust on his official website.

1 (20) Members of the Baha'i Faith in Iran, esti-
2 mated to number between 300,000 and 350,000, are
3 not recognized as a religious minority under the
4 Constitution of Iran, enjoy virtually no rights under
5 the law, and are banned from practicing their faith.
6 Throughout 2014 and 2015, Iranian authorities
7 shut down numerous Baha'i-owned businesses across
8 the country.

9 (21) More than 100 Baha'is are being held in
10 prison solely because of their religious beliefs, in-
11 cluding the Baha'i leaders Fariba Kamalabadi,
12 Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie,
13 Mahvash Sabet, Behrouz Tavakkoli, and Vahid
14 Tizfahm.

15 (22) Christians, particularly converts and un-
16 derground house church leaders, face sustained per-
17 secution, arrests, legal harassment, and long-term
18 prison sentences. Since 2010, more than 500 Chris-
19 tians have been arrested or detained.

20 (23) Officials of the United States have stated
21 that the human rights record of Iran is "abysmal"
22 and the Department of State has reported that there
23 has been "little meaningful improvement in human
24 rights in Iran under the new government, including

1 torture, political imprisonment, and harassment of
2 religious and ethnic minorities”.

3 (24) According to the Country Reports on
4 Human Rights Practices for 2014 of the Depart-
5 ment of State, Iranian law states that same-sex sex-
6 ual activity is punishable by death, flogging, or other
7 punishments. Iranian authorities “harassed, ar-
8 rested, and detained individuals they suspected of
9 being gay”. While detained, lesbian, gay, bisexual,
10 and transgender individuals have reported physical
11 abuse and torture by security officers, including sex-
12 ual assault and rape.

13 (25) The Government of Iran continues to com-
14 mit egregious human rights abuses against its own
15 citizens in violation of its international obligations
16 under the Universal Declaration of Human Rights,
17 the International Covenant on Economic, Social and
18 Cultural Rights, the International Covenant on Civil
19 and Political Rights, and the International Conven-
20 tion on the Elimination of All Forms of Racial Dis-
21 crimination.

1 **SEC. 202. EXPANSION OF LIST OF PERSONS INVOLVED IN**
2 **HUMAN RIGHTS ABUSES IN IRAN.**

3 (a) IN GENERAL.—Section 105 of the Comprehensive
4 Iran Sanctions, Accountability, and Divestment Act of
5 2010 (22 U.S.C. 8514) is amended—

6 (1) in the section heading, by striking “**CER-**
7 **TAIN PERSONS WHO ARE RESPONSIBLE FOR**
8 **OR COMPLICIT**” and inserting “**PERSONS IN-**
9 **INVOLVED**”;

10 (2) in subsection (b)—

11 (A) in the subsection heading, by striking
12 “**WHO ARE RESPONSIBLE FOR OR COMPLICIT**”
13 and inserting “**INVOLVED**”;

14 (B) by striking paragraph (1) and insert-
15 ing the following:

16 “(1) IN GENERAL.—Not later than 90 days
17 after the date of the enactment of the Nonnuclear
18 Iran Sanctions Act of 2016, the President shall sub-
19 mit to the appropriate congressional committees a
20 list of persons the President determines have com-
21 mitted or facilitated, directly or indirectly, human
22 rights abuses or other acts of violence, intimidation,
23 or harassment, on behalf of the Government of Iran
24 on or after June 12, 2009, regardless of whether
25 such abuses or acts occurred in Iran.”; and

1 (C) in paragraph (2)(A), by striking “this
 2 Act” and inserting “the Nonnuclear Iran Sanc-
 3 tions Act of 2016”; and
 4 (3) by adding at the end the following:

5 “(e) INCLUSION OF ACTIONS THAT VIOLATE UNI-
 6 VERSAL DECLARATION OF HUMAN RIGHTS.—For pur-
 7 poses of subsection (b)(1), the term ‘human rights abuses’
 8 includes actions that violate the rights listed in the United
 9 Nations Universal Declaration of Human Rights, adopted
 10 at Paris December 10, 1948.”.

11 (b) CLERICAL AMENDMENT.—The table of contents
 12 for the Comprehensive Iran Sanctions, Accountability, and
 13 Divestment Act of 2010 is amended by striking the item
 14 relating to section 105 and inserting the following:

“Sec. 105. Imposition of sanctions on persons involved in human rights abuses
 committed against citizens of Iran or their family members
 after the June 12, 2009, elections in Iran.”.

15 **SEC. 203. IDENTIFICATION OF, AND IMPOSITION OF SANC-**
 16 **TIONS WITH RESPECT TO, CERTAIN IRANIAN**
 17 **INDIVIDUALS.**

18 (a) IN GENERAL.—Section 221 of the Iran Threat
 19 Reduction and Syria Human Rights Act of 2012 (22
 20 U.S.C. 8727) is amended to read as follows:

1 **“SEC. 221. IDENTIFICATION OF, AND IMPOSITION OF SANC-**
2 **TIONS WITH RESPECT TO, CERTAIN IRANIAN**
3 **INDIVIDUALS.**

4 “(a) IDENTIFICATION OF INDIVIDUALS.—Not later
5 than 90 days after the date of the enactment of the Non-
6 nuclear Iran Sanctions Act of 2016, and every 180 days
7 thereafter, the President shall submit to the appropriate
8 congressional committees and publish in the Federal Reg-
9 ister a list of all individuals the President determines are
10 described in subsection (b).

11 “(b) INDIVIDUALS DESCRIBED.—An individual de-
12 scribed in this subsection is—

13 “(1) the Supreme Leader of Iran;

14 “(2) the President of Iran;

15 “(3) a current or former key official, manager,
16 or director of an entity that is owned or controlled
17 after November 14, 1979, by—

18 “(A) the Supreme Leader of Iran;

19 “(B) the Office of the Supreme Leader of
20 Iran;

21 “(C) the President of Iran;

22 “(D) the Office of the President of Iran;

23 “(E) Iran’s Revolutionary Guard Corps;

24 “(F) the Basij-e Motaz’afin;

25 “(G) the Guardian Council;

1 “(H) the Ministry of Intelligence and Se-
2 curity of Iran;

3 “(I) the Atomic Energy Organization of
4 Iran;

5 “(J) the Islamic Consultative Assembly of
6 Iran;

7 “(K) the Assembly of Experts of Iran;

8 “(L) the Ministry of Defense and Armed
9 Forces Logistics of Iran;

10 “(M) the Ministry of Justice of Iran;

11 “(N) the Ministry of Interior of Iran;

12 “(O) the prison system of Iran;

13 “(P) the judicial system of Iran, including
14 the Islamic Revolutionary Courts; or

15 “(Q) any citizen of Iran included on the
16 list of specially designated nationals and
17 blocked persons maintained by the Office of
18 Foreign Assets Control of the Department of
19 the Treasury;

20 “(4) a citizen of Iran indicted in a foreign coun-
21 try for, or otherwise suspected of, participation in a
22 terrorist attack;

23 “(5) an individual involved in the kidnapping or
24 unjust detention of a United States citizen, includ-

1 ing a United States citizen who is also a citizen of
2 another country; or

3 “(6) a politically exposed individual associated
4 with an individual described in any of paragraphs
5 (1) through (5) who is not a United States person.

6 “(c) EXCLUSION FROM UNITED STATES.—Except as
7 provided in subsection (f), the Secretary of State shall
8 deny a visa to, and the Secretary of Homeland Security
9 shall exclude from the United States, any alien who is on
10 the list required by subsection (a).

11 “(d) BLOCKING OF PROPERTY.—Except as provided
12 in subsection (f), the President shall block and prohibit
13 all transactions in all property and interests in property
14 of any individual who is on the list required by subsection
15 (a) if such property and interests in property are in the
16 United States, come within the United States, or are or
17 come within the possession or control of a United States
18 person.

19 “(e) REPORT.—

20 “(1) IN GENERAL.—Not later than 90 days
21 after the date of the enactment of the Nonnuclear
22 Iran Sanctions Act of 2016, and every 90 days
23 thereafter, the President shall submit to the appro-
24 priate congressional committees a report that de-
25 scribes the efforts the President has taken during

1 the 90 days preceding the submission of the report
 2 to locate and block all property and interests in
 3 property of any individual who is on the list required
 4 by subsection (a).

5 “(2) FORM OF REPORT.—Each report required
 6 by paragraph (1) shall be submitted in unclassified
 7 form, but may include a classified annex if nec-
 8 essary.

9 “(f) EXCEPTIONS.—

10 “(1) IN GENERAL.—The President may not in-
 11 clude an individual on the list required by subsection
 12 (a) if the President determines that, during the 10-
 13 year period preceding the determination, the indi-
 14 vidual has not in any way engaged in, facilitated, or
 15 otherwise supported—

16 “(A) human rights abuses;

17 “(B) acts of international terrorism; or

18 “(C) the proliferation of weapons of mass
 19 destruction.

20 “(2) COMPLIANCE WITH UNITED NATIONS
 21 HEADQUARTERS AGREEMENT.—Subsection (c) shall
 22 not apply to the head of state of Iran, or necessary
 23 staff of that head of state, if admission to the
 24 United States is necessary to permit the United
 25 States to comply with the Agreement regarding the

1 Headquarters of the United Nations, signed at Lake
2 Success June 26, 1947, and entered into force No-
3 vember 21, 1947, between the United Nations and
4 the United States.

5 “(g) WAIVER.—

6 “(1) IN GENERAL.—The President may waive
7 the application of subsection (c) or (d) with respect
8 to an individual for a period of 180 days, and may
9 renew that waiver for additional periods of 180 days,
10 if the President—

11 “(A) determines that the waiver is vital to
12 the national security of the United States; and

13 “(B) not less than 7 days before the waiv-
14 er or the renewal of the waiver, as the case may
15 be, takes effect, submits a report to the appro-
16 priate congressional committees on the waiver
17 and the reason for the waiver.

18 “(2) LIMITATION ON WAIVER AUTHORITY.—The
19 President may not exercise the waiver authority pro-
20 vided under paragraph (1) to implement any inter-
21 national agreement with Iran unless, before exer-
22 cising the waiver authority, the agreement is ap-
23 proved through the enactment of a joint resolution
24 or the Senate provides its advice and consent with

1 respect to the agreement pursuant to section 2 of ar-
 2 ticle II of the Constitution of the United States.

3 “(3) FORM OF REPORT.—Each report sub-
 4 mitted under paragraph (1)(B) shall be submitted in
 5 unclassified form, but may include a classified annex
 6 if necessary.

7 “(h) DEFINITIONS.—In this section:

8 “(1) OWN OR CONTROL.—The term ‘own or
 9 control’ means, with respect to an entity—

10 “(A) to hold more than 25 percent of the
 11 equity interest by vote or value in the entity;

12 “(B) to hold any seats on the board of di-
 13 rectors of the entity; or

14 “(C) to otherwise control the actions, poli-
 15 cies, or personnel decisions of the entity.

16 “(2) POLITICALLY EXPOSED INDIVIDUAL.—

17 “(A) IN GENERAL.—The term ‘politically
 18 exposed individual’ includes a current or former
 19 senior political figure, the immediate family of
 20 such a figure, and close associates of such a fig-
 21 ure.

22 “(B) ADDITIONAL DEFINITIONS.—For
 23 purposes of subparagraph (A):

1 “(i) CLOSE ASSOCIATE.—The term
2 ‘close associate’, with respect to a senior
3 political figure—

4 “(I) means an individual who is
5 widely and publicly known to maintain
6 an unusually close relationship with
7 the senior political figure; and

8 “(II) includes an individual who
9 is in a position to conduct substantial
10 domestic and international financial
11 transactions on behalf of the senior
12 political figure.

13 “(ii) IMMEDIATE FAMILY.—The term
14 ‘immediate family’, with respect to a senior
15 foreign political figure, means the parents,
16 siblings, spouse, children, and in-laws of
17 the senior political figure.

18 “(iii) SENIOR POLITICAL FIGURE.—
19 The term ‘senior political figure’ means a
20 senior official in the executive, legislative,
21 administrative, military, or judicial
22 branches of the Government of Iran
23 (whether elected or not), a senior official of
24 a major political party in Iran, or a senior

1 executive of an entity owned or controlled
 2 by the Government of Iran.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
 4 for the Iran Threat Reduction and Syria Human Rights
 5 Act of 2012 (22 U.S.C. 8701 et seq.) is amended by strik-
 6 ing the item relating to section 221 and inserting the fol-
 7 lowing:

“Sec. 221. Identification of, and imposition of sanctions with respect to, certain
 Iranian individuals.”.

8 **SEC. 204. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 9 **PERSONS WHO CONDUCT TRANSACTIONS**
 10 **WITH OR ON BEHALF OF CERTAIN IRANIAN**
 11 **INDIVIDUALS.**

12 (a) IN GENERAL.—Subtitle B of title II of the Iran
 13 Threat Reduction and Syria Human Rights Act of 2012
 14 (22 U.S.C. 8721 et seq.) is amended by inserting after
 15 section 221 the following:

16 **“SEC. 221A. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 17 **PERSONS WHO CONDUCT TRANSACTIONS**
 18 **WITH OR ON BEHALF OF CERTAIN IRANIAN**
 19 **INDIVIDUALS.**

20 “(a) SALE, SUPPLY, OR TRANSFER OF GOODS AND
 21 SERVICES.—The President shall impose five or more of
 22 the sanctions described in section 6(a) of the Iran Sanc-
 23 tions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701
 24 note) with respect to a person that knowingly, on or after

1 the date that is 120 days after the date of the enactment
2 of the Nonnuclear Iran Sanctions Act of 2016, sells, sup-
3 plies, or transfers goods or services to an individual who
4 is on the list required by section 221(a).

5 “(b) FACILITATION OF CERTAIN TRANSACTIONS.—
6 The President shall prohibit the opening, and prohibit or
7 impose strict conditions on the maintaining, in the United
8 States of a correspondent account or a payable-through
9 account by any foreign financial institution that has know-
10 ingly conducted or facilitated a significant financial trans-
11 action on behalf of an individual who is on the list required
12 by section 221(a).

13 “(c) WAIVER.—

14 “(1) IN GENERAL.—The President may waive
15 the application of subsection (a) or (b) with respect
16 to a person for a period of 180 days, and may renew
17 that waiver for additional periods of 180 days, if the
18 President—

19 “(A) determines that the waiver is vital to
20 the national security of the United States; and

21 “(B) not less than 7 days before the waiv-
22 er or the renewal of the waiver, as the case may
23 be, takes effect, submits a report to the appro-
24 priate congressional committees on the waiver
25 and the reason for the waiver.

1 “(2) LIMITATION ON WAIVER AUTHORITY.—The
 2 President may not exercise the waiver authority pro-
 3 vided under paragraph (1) to implement any inter-
 4 national agreement with Iran unless, before exer-
 5 cising the waiver authority, the agreement is ap-
 6 proved through the enactment of a joint resolution
 7 or the Senate provides its advice and consent with
 8 respect to the agreement pursuant to section 2 of ar-
 9 ticle II of the Constitution of the United States.

10 “(3) FORM OF REPORT.—Each report sub-
 11 mitted under paragraph (1)(B) shall be submitted in
 12 unclassified form, but may include a classified annex
 13 if necessary.

14 “(d) APPLICATION OF CERTAIN PROVISIONS OF THE
 15 IRAN SANCTIONS ACT OF 1996.—The following provisions
 16 of the Iran Sanctions Act of 1996 (Public Law 104–172;
 17 50 U.S.C. 1701 note) shall apply with respect to the im-
 18 position of sanctions under subsection (a) to the same extent
 19 that such provisions apply with respect to the imposition
 20 of sanctions under section 5(a) of the Iran Sanctions Act
 21 of 1996:

22 “(1) Subsections (c), (d), and (f) of section 5.

23 “(2) Section 8.

24 “(3) Section 11.

25 “(4) Section 12.

1 “(5) Section 13(b).

2 “(e) DEFINITIONS.—In this Act:

3 “(1) ACCOUNT; CORRESPONDENT ACCOUNT;
4 PAYABLE-THROUGH ACCOUNT.—The terms ‘ac-
5 count’, ‘correspondent account’, and ‘payable-
6 through account’ have the meanings given those
7 terms in section 5318A of title 31, United States
8 Code.

9 “(2) FOREIGN FINANCIAL INSTITUTION.—The
10 term ‘foreign financial institution’ has the meaning
11 given that term in section 561.308 of title 31, Code
12 of Federal Regulations (or any corresponding similar
13 regulation or ruling).”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 for the Iran Threat Reduction and Syria Human Rights
16 Act of 2012 (22 U.S.C. 8701 et seq.) is amended by in-
17 serting after the item relating to section 221 the following:

“Sec. 221A. Imposition of sanctions with respect to persons who conduct trans-
actions with or on behalf of certain Iranian individuals.”.

1 **SEC. 205. MANDATORY SANCTIONS WITH RESPECT TO FI-**
 2 **NANCIAL INSTITUTIONS THAT ENGAGE IN**
 3 **CERTAIN TRANSACTIONS ON BEHALF OF**
 4 **PERSONS INVOLVED IN HUMAN RIGHTS**
 5 **ABUSES OR THAT EXPORT SENSITIVE TECH-**
 6 **NOLOGY TO IRAN.**

7 (a) IN GENERAL.—Section 104(c)(2) of the Com-
 8 prehensive Iran Sanctions, Accountability, and Divestment
 9 Act of 2010 (22 U.S.C. 8513(c)(2)) is amended—

10 (1) in subparagraph (D), by striking “or” at
 11 the end;

12 (2) in subparagraph (E), by striking the period
 13 at the end and inserting “; or”; and

14 (3) by adding at the end the following:

15 “(F) facilitates a significant transaction or
 16 transactions or provides significant financial
 17 services for—

18 “(i) a person that is subject to sanc-
 19 tions under section 105(c), 105A(c),
 20 105B(c), or 105C(a); or

21 “(ii) a person that exports sensitive
 22 technology to Iran and is subject to the
 23 prohibition on procurement contracts as
 24 described in section 106.”.

25 (b) EFFECTIVE DATE.—The amendments made by
 26 subsection (a) take effect on the date of the enactment

1 of this Act and apply with respect to any activity described
 2 in subparagraph (F) of section 104(c)(2) of the Com-
 3 prehensive Iran Sanctions, Accountability, and Divestment
 4 Act of 2010, as added by subsection (a)(3), initiated on
 5 or after the date that is 90 days after such date of enact-
 6 ment.

7 (c) REGULATIONS.—Not later than 90 days after the
 8 date of the enactment of this Act, the Secretary of the
 9 Treasury shall prescribe regulations to carry out the
 10 amendments made by subsection (a).

11 **SEC. 206. UNITED STATES SUPPORT FOR THE PEOPLE OF**
 12 **IRAN.**

13 (a) IN GENERAL.—Subtitle B of title IV of the Iran
 14 Threat Reduction and Syria Human Rights Act of 2012
 15 (22 U.S.C. 8751 et seq.) is amended by adding at the end
 16 the following:

17 **“SEC. 416. UNITED STATES SUPPORT FOR THE PEOPLE OF**
 18 **IRAN.**

19 “(a) POLICY OF THE UNITED STATES.—It is the pol-
 20 icy of the United States—

21 “(1) to support the efforts of the people of Iran
 22 to promote the establishment of basic freedoms in
 23 Iran;

24 “(2) to lay the foundation for the emergence of
 25 a freely elected, open, and democratic political sys-

1 tem in Iran that is not a threat to its neighbors or
2 to the United States and to work with all citizens of
3 Iran who seek to establish such a political system;

4 “(3) to support the emergence of a government
5 in Iran that does not oppress the people of Iran and
6 does not persecute, intimidate, arrest, imprison, or
7 execute dissidents or minorities;

8 “(4) to advocate on behalf of those in Iran per-
9 secuted for their religion or belief;

10 “(5) to assist the people of Iran to produce, ac-
11 cess, and share information freely and safely
12 through the Internet and other media; and

13 “(6) to defeat all attempts by the Government
14 of Iran to jam or otherwise obstruct international
15 satellite broadcast signals.

16 “(b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 “(1) the United States should support citizens
19 of Iran that actively work to advance political, eco-
20 nomic, and social reforms, including freedom of the
21 press, freedom of assembly, freedom of religion, and
22 representative government;

23 “(2) the President should use all available non-
24 violent means to support citizens of Iran that advo-

1 cate for pluralistic, prosperous, and participatory so-
 2 cieties;

3 “(3) programs of the Department of State to
 4 support reform in Iran have not resulted in a more
 5 democratic Iran;

6 “(4) the Government of Iran continues to play
 7 a pernicious role in the Middle East, undermining
 8 democratic consolidation in Iraq, supporting inter-
 9 national terrorism through Hezbollah, and aiding
 10 the autocratic regime of Bashar al-Assad in Syria;

11 “(5) the Secretary of State should make every
 12 effort to deliver support directly to people working
 13 in Iran to implement programs carried out using as-
 14 sistance provided by the Department of State when
 15 possible and all possible means of delivering such as-
 16 sistance should be used; and

17 “(6) oversight, management, and implementa-
 18 tion of programs of the Department of State to sup-
 19 port reform in Iran should be under the direction of
 20 the Special Coordinator on Human Rights and De-
 21 mocracy in Iran established under section 207 of the
 22 Nonnuclear Iran Sanctions Act of 2016, in consulta-
 23 tion with the Assistant Secretary of State for De-
 24 mocracy, Human Rights, and Labor.

25 “(c) ASSISTANCE TO SUPPORT REFORM IN IRAN.—

1 “(1) ASSISTANCE AUTHORIZED.—Notwithstand-
2 ing any other provision of law, the Secretary of
3 State may provide assistance (including through the
4 award of grants) to individuals and entities working
5 in Iran for the purpose of supporting and promoting
6 the rule of law, good governance, civil society, and
7 economic opportunity in Iran.

8 “(2) ELIGIBILITY FOR ASSISTANCE.—Assist-
9 ance authorized under this subsection should be pro-
10 vided only to an individual or entity that—

11 “(A) officially opposes the use of violence
12 and terrorism and has not been designated as
13 a foreign terrorist organization under section
14 219 of the Immigration and Nationality Act (8
15 U.S.C. 1189) at any time during the 4-year pe-
16 riod ending on the date of the enactment of the
17 Nonnuclear Iran Sanctions Act of 2016;

18 “(B) advocates the adherence by Iran to
19 nonproliferation regimes for nuclear, chemical,
20 and biological weapons and materiel, and bal-
21 listic missiles;

22 “(C) is dedicated to democratic values and
23 supports the adoption of a democratic form of
24 government in Iran;

1 “(D) is dedicated to respect for human
2 rights, including the fundamental equality of
3 women; and

4 “(E) supports freedom of the press, free-
5 dom of speech, freedom of association, and free-
6 dom of religion.

7 “(3) NOTIFICATION REQUIREMENT.—Not later
8 than 15 days before each obligation of assistance
9 under this subsection, the Secretary of State shall
10 notify the Committee on Foreign Relations and the
11 Committee on Appropriations of the Senate and the
12 Committee on Foreign Affairs and the Committee on
13 Appropriations of the House of Representatives in
14 accordance with the procedures applicable to re-
15 programming notifications under section 634A of
16 the Foreign Assistance Act of 1961 (22 U.S.C.
17 2394–1).

18 “(4) AUTHORIZATION OF APPROPRIATIONS.—Of
19 the amounts made available to carry out chapter 4
20 of part II of the Foreign Assistance Act of 1961 (22
21 U.S.C. 2346 et seq.; relating to the Economic Sup-
22 port Fund) for fiscal year 2015, not less than
23 \$32,000,000 shall be made available to the Sec-
24 retary of State to carry out this subsection.

1 “(5) TERMINATION.—The authority to provide
2 assistance under this subsection shall expire on De-
3 cember 31, 2020.

4 “(d) REPORTS.—

5 “(1) IN GENERAL.—Not later than 60 days
6 after the date of the enactment of the Nonnuclear
7 Iran Sanctions Act of 2016, and every 180 days
8 thereafter, the Secretary of State shall submit to the
9 appropriate congressional committees a report on
10 the implementation of this section that includes the
11 following:

12 “(A) An identification of the actions the
13 President has taken during the 180-day period
14 immediately preceding the submission of the re-
15 port to advance each of the policies described in
16 subsection (a).

17 “(B) A clear strategy for advancing polit-
18 ical, economic, and social reform in Iran that
19 includes benchmarks for success that lead to a
20 set of identified discrete goals and objectives.

21 “(C) A plan to monitor and evaluate the
22 effectiveness of the provision of assistance au-
23 thorized under subsection (c), including meas-
24 ures of effectiveness.

1 “(D) The status of the programming of as-
2 sistance under subsection (c).

3 “(E) An analysis of any past programming
4 of assistance under subsection (c) and its effec-
5 tiveness with respect to supporting and pro-
6 moting the rule of law, good governance, civil
7 society, and economic opportunity in Iran.

8 “(2) FORM OF REPORT.—Each report required
9 by paragraph (1) shall be submitted in unclassified
10 form, but may include a classified annex if nec-
11 essary.”.

12 (b) CLERICAL AMENDMENT.—The table of contents
13 for the Iran Threat Reduction and Syria Human Rights
14 Act of 2012 is amended by inserting after the item relat-
15 ing to section 415 the following:

“Sec. 416. United States support for the people of Iran.”.

16 **SEC. 207. UNITED STATES SPECIAL COORDINATOR ON**
17 **HUMAN RIGHTS AND DEMOCRACY IN IRAN.**

18 (a) DESIGNATION.—The President shall designate
19 within the Department of State a Special Coordinator on
20 Human Rights and Democracy in Iran (in this section re-
21 ferred to as the “Special Coordinator”).

22 (b) CONSULTATION AND QUALIFICATIONS.—Before
23 the President designates a Special Coordinator under sub-
24 section (a), the Secretary of State shall consult with the
25 chairmen and ranking members of the appropriate con-

1 gressional committees. The role of Special Coordinator
2 should be filled by an official of the Department of State
3 appointed by and serving at the pleasure of the President
4 in a position not lower than Under Secretary on the day
5 before the date of the enactment of this Act.

6 (c) DUTIES.—The Special Coordinator shall carry out
7 the following duties:

8 (1) Coordinate the activities of the United
9 States Government that promote human rights, de-
10 mocracy, political freedom, and religious freedom in-
11 side Iran.

12 (2) Coordinate the activities of the United
13 States Government that promote human rights, po-
14 litical freedom, and religious freedom for Iranian
15 refugees and asylees living outside Iran.

16 (3) Ensure the comprehensive investigation and
17 designation of Iranian human rights abusers in ac-
18 cordance with section 105 of the Comprehensive
19 Iran Sanctions, Accountability, and Divestment Act
20 of 2010 (22 U.S.C. 8514).

21 (4) Coordinate the documentation and publi-
22 cizing of political dissidents and cases of human
23 rights abuse inside Iran.

24 (5) Coordinate multilateral efforts to build
25 international support for the promotion of human

1 rights, democracy, political freedom, and religious
2 freedom in Iran, including broadcasting, Internet ac-
3 cess, and dissemination of information.

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

8 (7) Encourage foreign governments to down-
9 grade or sever diplomatic relations with the Govern-
10 ment of Iran, enact economic sanctions, and assist
11 Iranian dissidents in response to the continued viola-
12 tions of human rights by the Government of Iran.

13 (8) Encourage foreign governments to expel
14 Iran from international fora and organizations with
15 a human rights component, including the United
16 Nations Commission on the Status of Women, the
17 United Nations Educational, Scientific and Cultural
18 Organization, the United Nations Children's Fund,
19 and the International Labour Organization.

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

23 (d) AUTHORITY.—

24 (1) COORDINATION OF ACTIVITIES.—The Spe-
25 cial Coordinator shall coordinate all activities related

1 to Iran carried out by the Bureau of Near Eastern
2 Affairs, the Bureau of Democracy, Human Rights
3 and Labor, and the Bureau of Population, Refugees
4 and Migration of the Department of State, the Am-
5 bassador-at-Large for International Religious Free-
6 dom, the Special Envoy to Monitor and Combat
7 Anti-Semitism, the United States Commission on
8 International Religious Freedom, the National En-
9 dowment for Democracy, and the Broadcasting
10 Board of Governors.

11 (2) COORDINATION OF USE OF FUNDS.—The
12 Special Coordinator shall coordinate and oversee the
13 obligation and expenditure of funds related to
14 human rights, democracy, Internet freedom, and
15 broadcasting activities in Iran, including funds made
16 available for such purposes to the Middle East Part-
17 nership Initiative, the United States Commission on
18 International Religious Freedom, the Broader Mid-
19 dle East and North Africa Initiative, the Human
20 Rights and Democracy Fund, and the Near Eastern
21 Regional Democracy Fund.

22 (e) DIPLOMATIC REPRESENTATION.—Subject to the
23 direction of the President and the Secretary of State, the
24 Special Coordinator shall represent the United States in
25 matters and cases relevant to the promotion of human

1 rights, democracy, political freedom, and religious freedom
2 in Iran in—

3 (1) contacts with foreign governments, intergov-
4 ernmental organizations, and specialized agencies of
5 the United Nations, the Organization for Security
6 and Co-operation in Europe, and other international
7 organizations of which the United States is a mem-
8 ber; and

9 (2) multilateral conferences and meetings rel-
10 evant to the promotion of human rights, democracy,
11 political freedom, and religious freedom in Iran.

12 (f) CONSULTATIONS.—The Special Coordinator shall
13 consult with Congress, domestic and international non-
14 governmental organizations, labor organizations, and mul-
15 tilateral organizations and institutions as the Special Co-
16 ordinator considers appropriate to fulfill the purposes of
17 this section.

18 (g) FUNDING.—From amounts made available for
19 the Department of State for Near East Affairs in fiscal
20 years before fiscal year 2016, the Secretary of State shall
21 provide to the Special Coordinator such sums as may be
22 necessary for fiscal year 2016 for the hiring of staff, for
23 the conduct of investigations, and for necessary travel to
24 carry out this section.

1 (h) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Foreign Relations and
5 the Committee on Appropriations of the Senate; and

6 (2) the Committee on Foreign Affairs and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 **SEC. 208. BROADCASTING TO IRAN.**

10 (a) IN GENERAL.—Radio Free Europe/Radio Liberty
11 and the Voice of America services broadcasting to Iran
12 shall—

13 (1) provide news and information that is acces-
14 sible, credible, comprehensive, and accurate;

15 (2) emphasize investigative and analytical jour-
16 nalism provided by Iranian or pro-Iranian media
17 outlets; and

18 (3) strengthen civil society by promoting demo-
19 cratic processes, respect for human rights, and free-
20 dom of the press and expression.

21 (b) PROGRAMMING SURGE.—Radio Free Europe/
22 Radio Liberty and Voice of America programming to Iran
23 shall—

24 (1) provide programming content 24 hours a
25 day and 7 days a week to target populations using

1 all available and effective distribution outlets, includ-
2 ing at least 12 hours a day of original television and
3 video content, not including live video streaming of
4 breaking news;

5 (2) create mobile platforms with an embedded
6 proxy to offer the people of Iran the opportunity to
7 securely listen to programming;

8 (3) increase number of staffers based in the re-
9 gion to allow for more direct contact with the people
10 of Iran;

11 (4) expand the use, audience, and audience en-
12 gagement of mobile news and multimedia platforms
13 by the Voice of America and the Radio Farda serv-
14 ice of Radio Free Europe/Radio Liberty, including
15 through Internet-based social networking platforms;
16 and

17 (5) establish fellowships for Iranian journalists
18 who have fled the country to learn about free, com-
19 petitive media and be trained in surrogate reporting.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated for fiscal year 2017, in
22 addition to funds otherwise made available for such pur-
23 poses, \$10,000,000 to carry out Iran-focused program-
24 ming by Radio Free Europe/Radio Liberty and the Voice
25 of America, for the purpose of bolstering existing United

1 States programming to the people of Iran and increasing
2 programming capacity and jamming circumvention tech-
3 nology to overcome any disruptions to service.

4 **SEC. 209. REPORT ON UNITED STATES CITIZENS DETAINED**
5 **BY IRAN.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, and every 180 days
8 thereafter, the President shall submit to the appropriate
9 congressional committees a report on United States citi-
10 zens, including dual citizens, detained by Iran or groups
11 supported by Iran that includes—

12 (1) information regarding any officials of the
13 Government of Iran involved in any way in the de-
14 tentions; and

15 (2) a summary of efforts the United States
16 Government has taken to secure the swift release of
17 those United States citizens, including United States
18 citizens who are also citizens of other countries.

19 (b) FORM OF REPORT.—The report required by sub-
20 section (a) shall be submitted in unclassified form, but
21 may include a classified annex if necessary.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term “appropriate congres-
24 sional committees” has the meaning given that term in

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

3 **SEC. 210. SENSE OF CONGRESS ON ESTABLISHMENT OF**
4 **MULTILATERAL MECHANISM TO PROMOTE**
5 **HUMAN RIGHTS IN IRAN.**

6 It is the sense of Congress that the United States
7 should work with the European Union and other countries
8 with a common commitment to fundamental rights and
9 freedoms to explore the possibility of establishing a formal
10 multilateral mechanism to advocate for the promotion of
11 human rights, democracy, political freedom, and religious
12 freedom in Iran.

13 **SEC. 211. SENSE OF CONGRESS ON ROLE OF THE UNITED**
14 **NATIONS IN PROMOTING HUMAN RIGHTS IN**
15 **IRAN.**

16 It is the sense of Congress that—

17 (1) the United Nations has a significant role to
18 play in promoting and improving human rights in
19 Iran;

20 (2) the United States should continue to sup-
21 port the work of the United Nations Special
22 Rapporteur on the situation of human rights in the
23 Islamic Republic of Iran; and

24 (3) the egregious human rights violations in
25 Iran warrant country-specific attention and contin-

1 ued reporting by the Special Rapporteur on the situ-
 2 ation of human rights in the Islamic Republic of
 3 Iran, the Special Rapporteur on torture and other
 4 cruel, inhuman, or degrading treatment or punish-
 5 ment, the Working Group on Arbitrary Detention,
 6 the Special Rapporteur on extrajudicial, summary,
 7 or arbitrary executions, the Special Rapporteur on
 8 the promotion and protection of the right to freedom
 9 of opinion and expression, the Special Rapporteur on
 10 freedom of religion or belief, and the Special
 11 Rapporteur on violence against women, its causes,
 12 and consequences, of the United Nations.

13 **TITLE III—SANCTIONS WITH RE-**
 14 **SPECT TO THE BALLISTIC**
 15 **MISSILE PROGRAM OF IRAN**

16 **SEC. 301. FINDINGS.**

17 Congress finds the following:

18 (1) On April 2, 2015, President Barack Obama
 19 said, “Other American sanctions on Iran for its sup-
 20 port of terrorism, its human rights abuses, its bal-
 21 listic missile program, will continue to be fully en-
 22 forced.”.

23 (2) On July 7, 2015, General Martin Dempsey,
 24 then-Chairman of the Joint Chiefs of Staff, said,
 25 “Under no circumstances should we relieve the pres-

1 sure on Iran relative to ballistic missile capabili-
2 ties.”.

3 (3) On July 29, 2015, in his role as the top
4 military officer in the United States and advisor to
5 the President, General Dempsey confirmed that his
6 military recommendation was that sanctions relating
7 to the ballistic missile program of Iran not be lifted.

8 (4) The Government of Iran and Iran’s Revolu-
9 tionary Guard Corps have been responsible for the
10 repeated testing of illegal ballistic missiles capable of
11 carrying a nuclear device, including observed tests in
12 October and November 2015 and March 2016, vio-
13 lating United Nations Security Council resolutions.

14 (5) On October 14, 2015, Samantha Power,
15 United States Ambassador to the United Nations,
16 said, “One of the really important features in imple-
17 mentation of the recent Iran deal to dismantle Iran’s
18 nuclear program is going to have to be enforcement
19 of the resolutions and the standards that remain on
20 the books.”.

21 (6) On December 11, 2015, the United Nations
22 Panel of Experts concluded that the missile launch
23 on October 10, 2015, “was a violation by Iran of
24 paragraph 9 of Security Council resolution 1929
25 (2010)”.

1 (7) On January 17, 2016, Adam Szubin, Acting
2 Under Secretary for Terrorism and Financial Intel-
3 ligence, stated, “Iran’s ballistic missile program
4 poses a significant threat to regional and global se-
5 curity, and it will continue to be subject to inter-
6 national sanctions. We have consistently made clear
7 that the United States will vigorously press sanc-
8 tions against Iranian activities outside of the Joint
9 Comprehensive Plan of Action—including those re-
10 lated to Iran’s support for terrorism, regional destabi-
11 lization, human rights abuses, and ballistic missile
12 program.”.

13 (8) On February 9, 2016, James Clapper, Di-
14 rector of National Intelligence, testified that, “We
15 judge that Tehran would choose ballistic missiles as
16 its preferred method of delivering nuclear weapons,
17 if it builds them. Iran’s ballistic missiles are inher-
18 ently capable of delivering WMD, and Tehran al-
19 ready has the largest inventory of ballistic missiles
20 in the Middle East. Iran’s progress on space launch
21 vehicles—along with its desire to deter the United
22 States and its allies—provides Tehran with the
23 means and motivation to develop longer-range mis-
24 siles, including ICBMs.”.

1 (9) On March 9, 2016, Iran reportedly fired
2 two Qadr ballistic missiles with a range of more
3 than 1,000 miles and according to public reports,
4 the missiles were marked with a statement in He-
5 brew reading, “Israel must be wiped off the arena
6 of time.”.

7 (10) On March 11, 2016, Ambassador Power
8 called the recent ballistic missile launches by Iran
9 “provocative and destabilizing” and called on the
10 international community to “degrade Iran’s missile
11 program”.

12 (11) On March 14, 2016, Ambassador Power
13 said that the recent ballistic missile launches by Iran
14 were “in defiance of provisions of UN Security
15 Council Resolution 2231”.

16 (12) Iran has demonstrated the ability to
17 launch multiple rockets from fortified underground
18 facilities and mobile launch sites not previously
19 known.

20 (13) The ongoing procurement by Iran of tech-
21 nologies needed to boost the range, accuracy, and
22 payloads of its diverse ballistic missile arsenal rep-
23 resents a threat to deployed personnel of the United
24 States and allies of the United States in Europe and
25 the Middle East, including Israel.

1 (14) Ashton Carter, Secretary of Defense, testi-
2 fied in a hearing before the Armed Services Com-
3 mittee of the Senate on July 7, 2015, that, “[T]he
4 reason that we want to stop Iran from having an
5 ICBM program is that the I in ICBM stands for
6 intercontinental, which means having the capability
7 to fly from Iran to the United States, and we don’t
8 want that. That’s why we oppose ICBMs.”.

9 (15) Through recent ballistic missile launch
10 tests the Government of Iran has shown blatant dis-
11 regard for international laws and its intention to
12 continue tests of that nature throughout the imple-
13 mentation of the Joint Comprehensive Plan of Ac-
14 tion.

15 (16) The banking sector of Iran has facilitated
16 the financing of the ballistic missile programs in
17 Iran and evidence has not been provided that enti-
18 ties in that sector have ceased facilitating the financ-
19 ing of those programs.

20 (17) Iran has been able to amass a large arse-
21 nal of ballistic missiles through its illicit smuggling
22 networks and domestic manufacturing capabilities
23 that have been supported and maintained by Iran’s
24 Revolutionary Guard Corps and specific sectors of
25 the economy of Iran.

1 (18) Penetration by Iran's Revolutionary Guard
2 Corps into the economy of Iran is well documented
3 including investments in the construction, auto-
4 motive, telecommunications, electronics, mining,
5 metallurgy, and petrochemical sectors of the econ-
6 omy of Iran.

7 (19) Items procured through sectors of Iran
8 specified in paragraph (18) have dual use applica-
9 tions that are currently being used to create ballistic
10 missiles in Iran and will continue to be a source of
11 materials for the creation of future weapons.

12 (20) In order to curb future illicit activity by
13 Iran, the Government of the United States and the
14 international community must take action against
15 persons that facilitate and profit from the illegal ac-
16 quisition of ballistic missile parts and technology in
17 support of the missile programs of Iran.

18 **SEC. 302. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) the ballistic missile program of Iran rep-
21 resents a serious threat to allies of the United States
22 in the Middle East and Europe, members of the
23 Armed Forces deployed in the those regions, and ul-
24 timately the United States;

1 (2) the testing and production by Iran of bal-
 2 listic missiles capable of carrying a nuclear device is
 3 a clear violation of United Nations Security Council
 4 Resolution 2231 (2015), which was unanimously
 5 adopted by the international community;

6 (3) Iran is using its space launch program to
 7 develop the capabilities necessary to deploy an inter-
 8 continental ballistic missile that could threaten the
 9 United States, and the Director of National Intel-
 10 ligence has assessed that Iran would use ballistic
 11 missiles as its “preferred method of delivering nu-
 12 clear weapons”; and

13 (4) the Government of the United States should
 14 impose tough primary and secondary sanctions
 15 against any sector of the economy of Iran or any
 16 Iranian person that directly or indirectly supports
 17 the ballistic missile program of Iran as well as any
 18 foreign person or financial institution that engages
 19 in transactions or trade that support that program.

20 **SEC. 303. EXPANSION OF SANCTIONS WITH RESPECT TO EF-**
 21 **FORTS BY IRAN TO ACQUIRE BALLISTIC MIS-**
 22 **SILE AND RELATED TECHNOLOGY.**

23 (a) CERTAIN PERSONS.—Section 1604(a) of the
 24 Iran-Iraq Arms Non-Proliferation Act of 1992 (Public
 25 Law 102–484; 50 U.S.C. 1701 note) is amended, in the

1 matter preceding paragraph (1), by inserting “, to acquire
 2 ballistic missile or related technology,” after “nuclear
 3 weapons”.

4 (b) FOREIGN COUNTRIES.—Section 1605(a) of the
 5 Iran-Iraq Arms Non-Proliferation Act of 1992 (Public
 6 Law 102–484; 50 U.S.C. 1701 note) is amended, in the
 7 matter preceding paragraph (1), by inserting “, to acquire
 8 ballistic missile or related technology,” after “nuclear
 9 weapons”.

10 **SEC. 304. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 11 **BALLISTIC MISSILE PROGRAM OF IRAN.**

12 (a) IN GENERAL.—Title II of the Iran Threat Reduc-
 13 tion and Syria Human Rights Act of 2012 (22 U.S.C.
 14 8721 et seq.) is amended by adding at the end the fol-
 15 lowing:

16 **“Subtitle C—Measures Relating to**
 17 **Ballistic Missile Program of Iran**

18 **“SEC. 231. DEFINITIONS.**

19 “(a) IN GENERAL.—In this subtitle:

20 “(1) AGRICULTURAL COMMODITY.—The term
 21 ‘agricultural commodity’ has the meaning given that
 22 term in section 102 of the Agricultural Trade Act of
 23 1978 (7 U.S.C. 5602).

1 “(2) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term ‘appropriate committees of Con-
3 gress’ means—

4 “(A) the committees specified in section
5 14(2) of the Iran Sanctions Act of 1996 (Public
6 Law 104–172; 50 U.S.C. 1701 note); and

7 “(B) the congressional defense committees,
8 as defined in section 101 of title 10, United
9 States Code.

10 “(3) CORRESPONDENT ACCOUNT; PAYABLE-
11 THROUGH ACCOUNT.—The terms ‘correspondent ac-
12 count’ and ‘payable-through account’ have the mean-
13 ings given those terms in section 5318A of title 31,
14 United States Code.

15 “(4) FOREIGN FINANCIAL INSTITUTION.—The
16 term ‘foreign financial institution’ has the meaning
17 of that term as determined by the Secretary of the
18 Treasury pursuant to section 104(i) of the Com-
19 prehensive Iran Sanctions, Accountability, and Di-
20 vestment Act of 2010 (22 U.S.C. 8513(i)).

21 “(5) GOOD.—The term ‘good’ has the meaning
22 given that term in section 16 of the Export Adminis-
23 tration Act of 1979 (50 U.S.C. 4618) (as continued
24 in effect pursuant to the International Emergency
25 Economic Powers Act (50 U.S.C. 1701 et seq.)).

1 “(6) GOVERNMENT.—The term ‘Government’,
 2 with respect to a foreign country, includes any agen-
 3 cies or instrumentalities of that Government and any
 4 entities controlled by that Government.

5 “(7) MEDICAL DEVICE.—The term ‘medical de-
 6 vice’ has the meaning given the term ‘device’ in sec-
 7 tion 201 of the Federal Food, Drug, and Cosmetic
 8 Act (21 U.S.C. 321).

9 “(8) MEDICINE.—The term ‘medicine’ has the
 10 meaning given the term ‘drug’ in section 201 of the
 11 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
 12 321).

13 “(b) DETERMINATIONS OF SIGNIFICANCE.—For pur-
 14 poses of this subtitle, in determining if financial trans-
 15 actions or financial services are significant, the President
 16 may consider the totality of the facts and circumstances,
 17 including factors similar to the factors set forth in section
 18 561.404 of title 31, Code of Federal Regulations (or any
 19 corresponding similar regulation or ruling).

20 **“SEC. 232. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 21 **PERSONS THAT SUPPORT THE BALLISTIC**
 22 **MISSILE PROGRAM OF IRAN.**

23 “(a) IDENTIFICATION OF PERSONS.—

24 “(1) IN GENERAL.—Not later than 120 days
 25 after the date of the enactment of the Nonnuclear

1 Iran Sanctions Act of 2016, and not less frequently
2 than once every 180 days thereafter, the President
3 shall, in coordination with the Secretary of Defense,
4 the Director of National Intelligence, the Secretary
5 of the Treasury, and the Secretary of State, submit
6 to the appropriate committees of Congress a report
7 identifying persons that have knowingly aided the
8 Government of Iran in the development of the bal-
9 listic missile program of Iran.

10 “(2) ELEMENTS.—Each report required by
11 paragraph (1) shall include the following:

12 “(A) An identification of persons
13 (disaggregated by Iranian and non-Iranian per-
14 sons) that have knowingly aided the Govern-
15 ment of Iran in the development of the ballistic
16 missile program of Iran, including persons that
17 have—

18 “(i) knowingly engaged in the direct
19 or indirect provision of material support to
20 such program;

21 “(ii) knowingly facilitated, supported,
22 or engaged in activities to further the de-
23 velopment of such program;

1 “(iii) knowingly transmitted informa-
2 tion relating to ballistic missiles to the
3 Government of Iran; or

4 “(iv) otherwise knowingly aided such
5 program.

6 “(B) A description of the character and
7 significance of the cooperation of each person
8 identified under subparagraph (A) with the
9 Government of Iran with respect to such pro-
10 gram.

11 “(C) An assessment of the cooperation of
12 the Government of the Democratic People’s Re-
13 public of Korea with the Government of Iran
14 with respect to such program.

15 “(3) CLASSIFIED ANNEX.—Each report re-
16 quired by paragraph (1) shall be submitted in un-
17 classified form, but may contain a classified annex.

18 “(b) BLOCKING OF PROPERTY.—

19 “(1) IN GENERAL.—Not later than 15 days
20 after submitting a report required by subsection
21 (a)(1), the President shall, in accordance with the
22 International Emergency Economic Powers Act (50
23 U.S.C. 1701 et seq.), block and prohibit all trans-
24 actions in all property and interests in property of
25 any person specified in such report if such property

1 and interests in property are in the United States,
2 come within the United States, or are or come with-
3 in the possession or control of a United States per-
4 son.

5 “(2) INAPPLICABILITY OF NATIONAL EMER-
6 GENCY REQUIREMENT.—The requirements under
7 section 202 of the International Emergency Eco-
8 nomic Powers Act (50 U.S.C. 1701) shall not apply
9 for purposes of this subsection.

10 “(c) EXCLUSION FROM UNITED STATES.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), the Secretary of State shall deny a visa
13 to, and the Secretary of Homeland Security shall ex-
14 clude from the United States, any alien subject to
15 blocking of property and interests in property under
16 subsection (b).

17 “(2) COMPLIANCE WITH UNITED NATIONS
18 HEADQUARTERS AGREEMENT.—Paragraph (1) shall
19 not apply to the head of state of Iran, or necessary
20 staff of that head of state, if admission to the
21 United States is necessary to permit the United
22 States to comply with the Agreement regarding the
23 Headquarters of the United Nations, signed at Lake
24 Success June 26, 1947, and entered into force No-

1 vember 21, 1947, between the United Nations and
2 the United States.

3 “(d) FACILITATION OF CERTAIN TRANSACTIONS.—
4 The President shall prohibit the opening, and prohibit or
5 impose strict conditions on the maintaining, in the United
6 States of a correspondent account or a payable-through
7 account by a foreign financial institution that the Presi-
8 dent determines knowingly, on or after the date that is
9 180 days after the date of the enactment of the Non-
10 nuclear Iran Sanctions Act of 2016, conducts or facilitates
11 a significant financial transaction for a person subject to
12 blocking of property and interests in property under sub-
13 section (b).

14 **“SEC. 233. BLOCKING OF PROPERTY OF PERSONS AFFILI-**
15 **ATED WITH CERTAIN IRANIAN ENTITIES.**

16 “(a) BLOCKING OF PROPERTY.—

17 “(1) IN GENERAL.—The President shall, in ac-
18 cordance with the International Emergency Eco-
19 nomic Powers Act (50 U.S.C. 1701 et seq.), block
20 and prohibit all transactions in all property and in-
21 terests in property of any person described in para-
22 graph (3) if such property and interests in property
23 are in the United States, come within the United
24 States, or are or come within the possession or con-
25 trol of a United States person.

1 “(2) INAPPLICABILITY OF NATIONAL EMER-
 2 GENCY REQUIREMENT.—The requirements under
 3 section 202 of the International Emergency Eco-
 4 nomic Powers Act (50 U.S.C. 1701) shall not apply
 5 for purposes of this subsection.

6 “(3) PERSONS DESCRIBED.—A person de-
 7 scribed in this paragraph is—

8 “(A) an entity that is owned, directly or
 9 indirectly, by a 25 percent or greater interest—

10 “(i) by the Aerospace Industries Or-
 11 ganization, the Shahid Hemmat Industrial
 12 Group, the Shahid Bakeri Industrial
 13 Group, or any agent or affiliate of such or-
 14 ganization or group; or

15 “(ii) collectively by a group of individ-
 16 uals that hold an interest in the Aerospace
 17 Industries Organization, the Shahid
 18 Hemmat Industrial Group, the Shahid
 19 Bakeri Industrial Group, or any agent or
 20 affiliate of such organization or group,
 21 even if none of those individuals hold a 25
 22 percent or greater interest in the entity;

23 “(B) a person that controls, manages, or
 24 directs an entity described in subparagraph (A);
 25 or

1 “(C) an individual who is on the board of
2 directors of an entity described in subparagraph
3 (A).

4 “(b) FACILITATION OF CERTAIN TRANSACTIONS.—
5 The President shall prohibit the opening, and prohibit or
6 impose strict conditions on the maintaining, in the United
7 States of a correspondent account or a payable-through
8 account by a foreign financial institution that the Presi-
9 dent determines knowingly, on or after the date that is
10 180 days after the date of the enactment of the Non-
11 nuclear Iran Sanctions Act of 2016, conducts or facilitates
12 a significant financial transaction for a person subject to
13 blocking of property and interests in property under sub-
14 section (a).

15 “(c) IRAN MISSILE PROLIFERATION WATCH LIST.—

16 “(1) IN GENERAL.—Not later than 90 days
17 after the date of the enactment of the Nonnuclear
18 Iran Sanctions Act of 2016, and not less frequently
19 than annually thereafter, the Secretary of the Treas-
20 ury shall submit to the appropriate committees of
21 Congress and publish in the Federal Register a list
22 of—

23 “(A) each entity in which the Aerospace
24 Industries Organization, the Shahid Hemmat
25 Industrial Group, the Shahid Bakeri Industrial

1 Group, or any agent or affiliate of such organi-
 2 zation or group has an ownership interest of
 3 more than 0 percent and less than 25 percent;

4 “(B) each entity in which the Aerospace
 5 Industries Organization, the Shahid Hemmat
 6 Industrial Group, the Shahid Bakeri Industrial
 7 Group, or any agent or affiliate of such organi-
 8 zation or group does not have an ownership in-
 9 terest but maintains a presence on the board of
 10 directors of the entity or otherwise influences
 11 the actions, policies, or personnel decisions of
 12 the entity; and

13 “(C) each person that controls, manages,
 14 or directs an entity described in subparagraph
 15 (A) or (B).

16 “(2) REFERENCE.—The list required by para-
 17 graph (1) may be referred to as the ‘Iran Missile
 18 Proliferation Watch List’.

19 “(d) COMPTROLLER GENERAL REPORT.—

20 “(1) IN GENERAL.—The Comptroller General of
 21 the United States shall—

22 “(A) conduct a review of each list required
 23 by subsection (c)(1); and

24 “(B) not later than 60 days after each
 25 such list is submitted to the appropriate com-

mittees of Congress under that subsection, submit to the appropriate committees of Congress a report on the review conducted under subparagraph (A) that includes a list of persons not included in that list that qualify for inclusion in that list, as determined by the Comptroller General.

“(2) CONSULTATIONS.—In preparing the report required by paragraph (1)(B), the Comptroller General shall consult with nongovernmental organizations.

**“SEC. 234. IMPOSITION OF SANCTIONS WITH RESPECT TO
CERTAIN PERSONS INVOLVED IN BALLISTIC
MISSILE ACTIVITIES.**

“(a) CERTIFICATION.—Not later than 120 days after the date of the enactment of the Nonnuclear Iran Sanctions Act of 2016, and not less frequently than once every 180 days thereafter, the President shall submit to the appropriate committees of Congress a certification that each person listed in an annex of United Nations Security Council Resolution 1737 (2006), 1747 (2007), or 1929 (2010) is not directly or indirectly facilitating, supporting, or involved with the development of or transfer to Iran of ballistic missiles or technology, parts, components, or technology information relating to ballistic missiles.

1 “(b) BLOCKING OF PROPERTY.—

2 “(1) IN GENERAL.—If the President is unable
3 to make a certification under subsection (a) with re-
4 spect to a person and the person is not currently
5 subject to sanctions with respect to Iran under any
6 other provision of law, the President shall, not later
7 than 15 days after that certification would have been
8 required under that subsection—

9 “(A) in accordance with the International
10 Emergency Economic Powers Act (50 U.S.C.
11 1701 et seq.), block and prohibit all trans-
12 actions in all property and interests in property
13 of that person if such property and interests in
14 property are in the United States, come within
15 the United States, or are or come within the
16 possession or control of a United States person;
17 and

18 “(B) publish in the Federal Register a re-
19 port describing the reason why the President
20 was unable to make a certification with respect
21 to that person.

22 “(2) INAPPLICABILITY OF NATIONAL EMER-
23 GENCY REQUIREMENT.—The requirements under
24 section 202 of the International Emergency Eco-

1 nomic Powers Act (50 U.S.C. 1701) shall not apply
2 for purposes of this subsection.

3 “(c) EXCLUSION FROM UNITED STATES.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), the Secretary of State shall deny a visa
6 to, and the Secretary of Homeland Security shall ex-
7 clude from the United States, any alien subject to
8 blocking of property and interests in property under
9 subsection (b).

10 “(2) COMPLIANCE WITH UNITED NATIONS
11 HEADQUARTERS AGREEMENT.—Paragraph (1) shall
12 not apply to the head of state of Iran, or necessary
13 staff of that head of state, if admission to the
14 United States is necessary to permit the United
15 States to comply with the Agreement regarding the
16 Headquarters of the United Nations, signed at Lake
17 Success June 26, 1947, and entered into force No-
18 vember 21, 1947, between the United Nations and
19 the United States.

20 “(d) FACILITATION OF CERTAIN TRANSACTIONS.—

21 The President shall prohibit the opening, and prohibit or
22 impose strict conditions on the maintaining, in the United
23 States of a correspondent account or a payable-through
24 account by a foreign financial institution that the Presi-
25 dent determines knowingly, on or after the date that is

1 180 days after the date of the enactment of the Non-
 2 nuclear Iran Sanctions Act of 2016, conducts or facilitates
 3 a significant financial transaction for a person subject to
 4 blocking of property and interests in property under sub-
 5 section (b).

6 **“SEC. 235. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 7 **CERTAIN SECTORS OF IRAN THAT SUPPORT**
 8 **THE BALLISTIC MISSILE PROGRAM OF IRAN.**

9 “(a) LIST OF SECTORS.—

10 “(1) IN GENERAL.—Not later than 120 days
 11 after the date of the enactment of the Nonnuclear
 12 Iran Sanctions Act of 2016, and not less frequently
 13 than once every 180 days thereafter, the President
 14 shall submit to the appropriate committees of Con-
 15 gress and publish in the Federal Register a list of
 16 the sectors of the economy of Iran that are directly
 17 or indirectly facilitating, supporting, or involved with
 18 the development of or transfer to Iran of ballistic
 19 missiles or technology, parts, components, or tech-
 20 nology information relating to ballistic missiles.

21 “(2) CERTAIN SECTORS.—

22 “(A) IN GENERAL.—Not later than 120
 23 days after the date of enactment of the Non-
 24 nuclear Iran Sanctions Act of 2016, the Presi-
 25 dent shall submit to the appropriate committees

of Congress a determination as to whether each of the automotive, chemical, computer science, construction, electronic, energy, metallurgy, mining, petrochemical, research (including universities and research institutions), and telecommunications sectors of Iran meet the criteria specified in paragraph (1).

“(B) INCLUSION IN INITIAL LIST.—If the President determines under subparagraph (A) that the sectors of the economy of Iran specified in such subparagraph meet the criteria specified in paragraph (1), that sector shall be included in the initial list submitted and published under that paragraph.

“(b) SANCTIONS WITH RESPECT TO SPECIFIED SECTORS OF IRAN.—

“(1) BLOCKING OF PROPERTY.—

“(A) IN GENERAL.—The President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any person described in paragraph (4) if such property and interests in property are in the United States, come within the United States, or are or come

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

3 “(B) INAPPLICABILITY OF NATIONAL
4 EMERGENCY REQUIREMENT.—The requirements
5 under section 202 of the International Emer-
6 gency Economic Powers Act (50 U.S.C. 1701)
7 shall not apply for purposes of this paragraph.

8 “(2) EXCLUSION FROM UNITED STATES.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), the Secretary of State shall
11 deny a visa to, and the Secretary of Homeland
12 Security shall exclude from the United States,
13 any alien that is a person described in para-
14 graph (4).

15 “(B) COMPLIANCE WITH UNITED NATIONS
16 HEADQUARTERS AGREEMENT.—Subparagraph
17 (A) shall not apply to the head of state of Iran,
18 or necessary staff of that head of state, if ad-
19 mission to the United States is necessary to
20 permit the United States to comply with the
21 Agreement regarding the Headquarters of the
22 United Nations, signed at Lake Success June
23 26, 1947, and entered into force November 21,
24 1947, between the United Nations and the
25 United States.

1 “(3) FACILITATION OF CERTAIN TRANS-
 2 ACTIONS.—Except as provided in this section, the
 3 President shall prohibit the opening, and prohibit or
 4 impose strict conditions on the maintaining, in the
 5 United States of a correspondent account or a pay-
 6 able-through account by a foreign financial institu-
 7 tion that the President determines knowingly, on or
 8 after the date that is 180 days after the date of the
 9 enactment of the Nonnuclear Iran Sanctions Act of
 10 2016, conducts or facilitates a significant financial
 11 transaction for a person described in paragraph (4).

12 “(4) PERSONS DESCRIBED.—A person is de-
 13 scribed in this paragraph if the President determines
 14 that the person, on or after the date that is 180
 15 days after the date of the enactment of the Non-
 16 nuclear Iran Sanctions Act of 2016—

17 “(A) operates in a sector of the economy
 18 of Iran included in the most recent list pub-
 19 lished by the President under subsection (a);

20 “(B) knowingly provides significant finan-
 21 cial, material, technological, or other support to,
 22 or goods or services in support of, any activity
 23 or transaction on behalf of or for the benefit of
 24 a person described in subparagraph (A); or

1 “(C) is owned or controlled by a person de-
2 scribed in subparagraph (A).

3 “(c) HUMANITARIAN EXCEPTION.—The President
4 may not impose sanctions under this section with respect
5 to any person for conducting or facilitating a transaction
6 for the sale of agricultural commodities, food, medicine,
7 or medical devices to Iran or for the provision of humani-
8 tarian assistance to the people of Iran.

9 **“SEC. 236. IDENTIFICATION OF FOREIGN PERSONS THAT**
10 **SUPPORT THE BALLISTIC MISSILE PROGRAM**
11 **OF IRAN IN CERTAIN SECTORS OF IRAN.**

12 “(a) IN GENERAL.—Not later than 120 days after
13 the date of the enactment of the Nonnuclear Iran Sanc-
14 tions Act of 2016, and not less frequently than annually
15 thereafter, the President shall submit to the appropriate
16 committees of Congress and publish in the Federal Reg-
17 ister a list of all foreign persons that have, based on cred-
18 ible information, directly or indirectly facilitated, sup-
19 ported, or been involved with the development of ballistic
20 missiles or technology, parts, components, or technology
21 information related to ballistic missiles in the following
22 sectors of the economy of Iran during the period specified
23 in subsection (b):

24 “(1) Automotive.

25 “(2) Chemical.

1 “(3) Computer Science.

2 “(4) Construction.

3 “(5) Electronic.

4 “(6) Energy.

5 “(7) Metallurgy.

6 “(8) Mining.

7 “(9) Petrochemical.

8 “(10) Research (including universities and re-
9 search institutions).

10 “(11) Telecommunications.

11 “(12) Any other sector of the economy of Iran
12 identified under section 235(a).

13 “(b) PERIOD SPECIFIED.—The period specified in
14 this subsection is—

15 “(1) with respect to the first list submitted
16 under subsection (a), the period beginning on the
17 date of the enactment of the Nonnuclear Iran Sanc-
18 tions Act of 2016 and ending on the date that is
19 120 days after such date of enactment; and

20 “(2) with respect to each subsequent list sub-
21 mitted under such subsection, the one-year period
22 preceding the submission of the list.

23 “(c) COMPTROLLER GENERAL REPORT.—

24 “(1) IN GENERAL.—With respect to each list
25 submitted under subsection (a), not later than 120

1 days after the list is submitted under that sub-
 2 section, the Comptroller General of the United
 3 States shall submit to the appropriate committees of
 4 Congress—

5 “(A) an assessment of the processes fol-
 6 lowed by the President in preparing the list;

7 “(B) an assessment of the foreign persons
 8 included in the list; and

9 “(C) a list of persons not included in the
 10 list that qualify for inclusion in the list, as de-
 11 termined by the Comptroller General.

12 “(2) CONSULTATIONS.—In preparing the report
 13 required by paragraph (1), the Comptroller General
 14 shall consult with nongovernmental organizations.

15 “(d) CREDIBLE INFORMATION DEFINED.—In this
 16 section, the term ‘credible information’ has the meaning
 17 given that term in section 14 of the Iran Sanctions Act
 18 of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).”.

19 (b) CLERICAL AMENDMENT.—The table of contents
 20 for the Iran Threat Reduction and Syria Human Rights
 21 Act of 2012 is amended by inserting after the item relat-
 22 ing to section 224 the following:

“Subtitle C—Measures Relating to Ballistic Missile Program of Iran

“Sec. 231. Definitions.

“Sec. 232. Imposition of sanctions with respect to persons that support the bal-
 listic missile program of Iran.

“Sec. 233. Blocking of property of persons affiliated with certain Iranian enti-
 ties.

“Sec. 234. Imposition of sanctions with respect to certain persons involved in ballistic missile activities.

“Sec. 235. Imposition of sanctions with respect to certain sectors of Iran that support the ballistic missile program of Iran.

“Sec. 236. Identification of foreign persons that support the ballistic missile program of Iran in certain sectors of Iran.”.

1 **SEC. 305. EXPANSION OF MANDATORY SANCTIONS WITH**
 2 **RESPECT TO FINANCIAL INSTITUTIONS THAT**
 3 **ENGAGE IN CERTAIN TRANSACTIONS RELAT-**
 4 **ING TO BALLISTIC MISSILE CAPABILITIES OF**
 5 **IRAN.**

6 Section 104 of the Comprehensive Iran Sanctions,
 7 Accountability, and Divestment Act of 2010 (22 U.S.C.
 8 8513) is amended—

9 (1) in subsection (c)(2)—

10 (A) in subparagraph (A)—

11 (i) in clause (i), by striking “; or” and
 12 inserting a semicolon;

13 (ii) by redesignating clause (ii) as
 14 clause (iii); and

15 (iii) by inserting after clause (i) the
 16 following:

17 “(ii) to acquire or develop ballistic
 18 missiles and capabilities and launch tech-
 19 nology relating to ballistic missiles; or”;
 20 and

21 (B) in subparagraph (E)(ii)—

- 1 (i) in subclause (I), by striking “; or”
 2 and inserting a semicolon;
 3 (ii) by redesignating subclause (II) as
 4 subclause (III); and
 5 (iii) by inserting after subclause (I)
 6 the following:

7 “(II) Iran’s development of bal-
 8 listic missiles and capabilities and
 9 launch technology relating to ballistic
 10 missiles; or”; and

11 (2) in subsection (f)—

12 (A) by redesignating paragraphs (1) and
 13 (2) as subparagraphs (A) and (B), respectively,
 14 and moving those subparagraphs, as so redesign-
 15 nated, two ems to the right;

16 (B) by striking “WAIVER.—The” and in-
 17 serting “WAIVER.—

18 “(1) IN GENERAL.—Except as provided in para-
 19 graph (2), the”; and

20 (C) by adding at the end the following:

21 “(2) EXCEPTION.—The Secretary of the Treas-
 22 ury may not waive under paragraph (1) the applica-
 23 tion of a prohibition or condition imposed with re-
 24 spect to an activity described in subparagraph
 25 (A)(ii) or (E)(ii)(II) of subsection (c)(2).”.

1 **SEC. 306. DISCLOSURE TO THE SECURITIES AND EX-**
2 **CHANGE COMMISSION OF ACTIVITIES WITH**
3 **CERTAIN SECTORS OF IRAN THAT SUPPORT**
4 **THE BALLISTIC MISSILE PROGRAM OF IRAN.**

5 (a) IN GENERAL.—Section 13(r)(1) of the Securities
6 Exchange Act of 1934 (15 U.S.C. 78m(r)(1)) is amend-
7 ed—

8 (1) in subparagraph (C), by striking “; or” and
9 inserting a semicolon;

10 (2) by redesignating subparagraph (D) as sub-
11 paragraph (E); and

12 (3) by inserting after subparagraph (C) the fol-
13 lowing:

14 “(D) knowingly engaged in any activity for
15 which sanctions may be imposed under section
16 235 of the Iran Threat Reduction and Syria
17 Human Rights Act of 2012;”.

18 (b) INVESTIGATIONS.—Section 13(r)(5)(A) of the Se-
19 curities Exchange Act of 1934 is amended by striking “an
20 Executive order specified in clause (i) or (ii) of paragraph
21 (1)(D)” and inserting “section 235 of the Iran Threat Re-
22 duction and Syria Human Rights Act of 2012, an Execu-
23 tive order specified in clause (i) or (ii) of paragraph
24 (1)(E)”.

25 (c) CONFORMING AMENDMENT.—Section 13(r)(5) of
26 the Securities Exchange Act of 1934 is amended, in the

1 matter preceding subparagraph (A), by striking “subpara-
 2 graph (D)(iii)” and inserting “subparagraph (E)(iii)”.

3 (d) **EFFECTIVE DATE.**—The amendments made by
 4 this section shall take effect with respect to reports re-
 5 quired to be filed with the Securities and Exchange Com-
 6 mission after the date that is 180 days after the date of
 7 the enactment of this Act.

8 **SEC. 307. REGULATIONS.**

9 Not later than 90 days after the date of the enact-
 10 ment of this Act, the President shall prescribe regulations
 11 to carry out this title and the amendments made by this
 12 title.

13 **TITLE IV—SANCTIONS WITH RE-**
 14 **SPECT TO CERTAIN IRANIAN**
 15 **TRANSACTIONS**

16 **Subtitle A—Sanctions Relating to**
 17 **Iran’s Support of Terrorism**

18 **SEC. 401. FINDINGS.**

19 Congress makes the following findings:

20 (1) The Financial Action Task Force, an inter-
 21 governmental body the purpose of which is to de-
 22 velop and promote national and international policies
 23 to combat money laundering and terrorist financ-
 24 ing—

1 (A) has noted it is concerned about Iran's
2 failure to address the risk of terrorist financing
3 and serious threat that failure poses to the in-
4 tegrity of the international financial system;

5 (B) since February 25, 2009, has called on
6 its members and urged all jurisdictions to apply
7 countermeasures against Iran to protect finan-
8 cial sectors from money laundering and financ-
9 ing of terrorism risks emanating from Iran; and

10 (C) states that it "urges jurisdictions to
11 protect against correspondent relationships
12 being used to bypass or evade countermeasures
13 and risk mitigation practices and to take into
14 account [money laundering and terrorist financ-
15 ing (ML/FT)] risks when considering requests
16 by Iranian financial institutions to open
17 branches and subsidiaries in their jurisdiction.
18 Due to the continuing terrorist financing threat
19 emanating from Iran, jurisdictions should con-
20 sider the steps already taken and possible addi-
21 tional safeguards or strengthen existing ones."

22 (2) The Financial Action Task Force renewed
23 its call for countermeasures on February 19, 2016,
24 and called on Iran to address its deficiencies with re-

spect to measures countering money laundering and terrorist financing.

(3) The Financial Crimes Enforcement Network of the Department of the Treasury on November 25, 2011, issued a notice of finding that Iran is a jurisdiction of primary money laundering concern pursuant to section 5318A of title 31, United States Code.

(4) The Financial Crimes Enforcement Network on November 28, 2011, issued a notice of proposed rulemaking that stated the intent to impose special measures against Iran under that section.

(5) Section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a) designated the financial sector of Iran as a primary money laundering concern, but did not impose special measures pursuant to that designation.

SEC. 402. SPECIAL MEASURES WITH RESPECT TO IRAN RELATING TO ITS DESIGNATION AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.

(a) PROHIBITION ON DIRECT USE OF CORRESPONDENT ACCOUNTS.—A covered financial institution shall terminate any correspondent account that—

1 (1) is established, maintained, administered, or
2 managed in the United States for, or on behalf of,
3 an Iranian banking institution; and

4 (2) is not blocked under any Executive order
5 issued pursuant to the International Emergency
6 Economic Powers Act (50 U.S.C. 1701 et seq.).

7 (b) SPECIAL DUE DILIGENCE MEASURES FOR COR-
8 RESPONDENT ACCOUNTS.—

9 (1) IN GENERAL.—A covered financial institu-
10 tion shall apply special due diligence measures to
11 correspondent accounts of the financial institution
12 that are reasonably designed to guard against the
13 improper indirect use of such accounts by Iranian
14 banking institutions.

15 (2) REQUIREMENTS.—The special due diligence
16 measures a covered financial institution is required
17 to apply to correspondent accounts under paragraph
18 (1) shall include, at a minimum—

19 (A) notifying the holders of such accounts
20 that the covered financial institution knows or
21 has reason to know provide services to Iranian
22 banking institutions, that such holders generally
23 may not provide Iranian banking institutions
24 with access to such accounts; and

1 (B) taking reasonable steps to identify any
2 indirect use of such accounts by Iranian bank-
3 ing institutions, to the extent that such indirect
4 use can be determined from transactional
5 records maintained by the covered financial in-
6 stitution in the normal course of business.

7 (3) RISK-BASED APPROACH.—A covered finan-
8 cial institution shall take a risk-based approach
9 when deciding what, if any, other due diligence
10 measures the financial institution should adopt to
11 guard against the improper indirect use of its cor-
12 respondent accounts by Iranian banking institutions.

13 (4) RESPONSE TO INDIRECT ACCESS BY IRA-
14 NIAN BANKING INSTITUTIONS.—A covered financial
15 institution that obtains credible information that a
16 correspondent account is being used by a foreign
17 bank to provide indirect access to an Iranian bank-
18 ing institution, shall—

19 (A) take all appropriate steps to prevent
20 such indirect access, including notifying the
21 holder of the account under paragraph (1)(A);
22 and

23 (B) where necessary, terminate the ac-
24 count.

25 (c) RECORDKEEPING AND REPORTING.—

1 (1) IN GENERAL.—A covered financial institu-
 2 tion shall document its compliance with the notice
 3 requirement set forth in subsection (b)(2)(A).

4 (2) RULE OF CONSTRUCTION.—Nothing in this
 5 section shall require a covered financial institution
 6 to report any information not otherwise required to
 7 be reported by law or regulation.

8 (d) TERMINATION.—This section shall terminate on
 9 the date that is 30 days after the date on which the Presi-
 10 dent submits to Congress—

11 (1) the certification described in section 401(a)
 12 of the Comprehensive Iran Sanctions, Account-
 13 ability, and Divestment Act of 2010 (22 U.S.C.
 14 8551(a)); and

15 (2) a certification that the Financial Action
 16 Task Force has lifted its call for countermeasures
 17 against Iran and Iran has become a member of a re-
 18 gional body of the Financial Action Task Force.

19 (e) DEFINITIONS.—In this section:

20 (1) CORRESPONDENT ACCOUNT.—The term
 21 “correspondent account” has the meaning given that
 22 term in section 1010.605 of title 31, Code of Fed-
 23 eral Regulations (as in effect on the day before the
 24 date of the enactment of this Act).

1 (2) COVERED FINANCIAL INSTITUTION.—The
2 term “covered financial institution” has the meaning
3 given that term under paragraphs (1) and (2) of
4 section 1010.605(e) of title 31, Code of Federal
5 Regulations (as in effect on the day before the date
6 of the enactment of this Act).

7 (3) FOREIGN BANK.—The term “foreign bank”
8 has the meaning given that term in section
9 1010.100(u) of title 31, Code of Federal Regulations
10 (as in effect on the day before the date of the enact-
11 ment of this Act).

12 (4) IRANIAN BANKING INSTITUTION.—The term
13 “Iranian banking institution” means—

14 (A) any foreign bank chartered by Iran, in-
15 cluding—

16 (i) any branches, offices, or subsidi-
17 aries of such a bank operating in any juris-
18 diction; and

19 (ii) any branch or office within Iran of
20 any foreign bank licensed by Iran;

21 (B) the Central Bank of Iran; and

22 (C) any foreign bank of which more than
23 50 percent of the voting stock or analogous in-
24 terest is owned by two or more foreign banks
25 chartered by Iran.

1 **Subtitle B—Prohibition on and**
2 **Other Sanctions Relating to**
3 **Transactions With Iran**

4 **SEC. 411. PROHIBITION ON FACILITATION OF CERTAIN**
5 **TRANSACTIONS INVOLVING THE GOVERN-**
6 **MENT OF IRAN OR IRANIAN PERSONS.**

7 (a) IN GENERAL.—The President shall not issue any
8 license under the International Emergency Economic Pow-
9 ers Act (50 U.S.C. 1701 et seq.) that permits a person—

10 (1) to conduct an offshore United States dollar
11 clearing system for transactions involving the Gov-
12 ernment of Iran or an Iranian person; or

13 (2) to provide United States dollars for any off-
14 shore United States dollar clearing system conducted
15 or overseen by a foreign government or a foreign fi-
16 nancial institution for transactions involving the
17 Government of Iran or an Iranian person.

18 (b) FOREIGN FINANCIAL INSTITUTION DEFINED.—
19 In this section, the term “foreign financial institution” has
20 the meaning of that term as determined by the Secretary
21 of the Treasury pursuant to section 104(i) of the Com-
22 prehensive Iran Sanctions, Accountability, and Divestment
23 Act of 2010 (22 U.S.C. 8513(i)).

1 **SEC. 412. REPORTS ON, AND AUTHORIZATION OF IMPOSI-**
2 **TION OF SANCTIONS WITH RESPECT TO, OFF-**
3 **SHORE UNITED STATES DOLLAR CLEARING**
4 **FOR TRANSACTIONS INVOLVING THE GOV-**
5 **ERNMENT OF IRAN OR IRANIAN PERSONS.**

6 (a) REPORTS REQUIRED.—

7 (1) IN GENERAL.—Not later than 60 days after
8 the date of the enactment of this Act, and not less
9 frequently than once every 90 days thereafter, the
10 Secretary of the Treasury shall submit to the appro-
11 priate congressional committees and publish in the
12 Federal Register a report that contains—

13 (A) a list of any financial institutions that
14 the Secretary has identified as—

15 (i) operating an offshore United
16 States dollar clearing system that conducts
17 transactions involving the Government of
18 Iran or an Iranian person; or

19 (ii) participating in a transaction de-
20 scribed in clause (i) through a system de-
21 scribed in that clause; and

22 (B) a detailed assessment of the status of
23 efforts by the Secretary to prevent the conduct
24 of transactions described in subparagraph
25 (A)(i) through systems described in that sub-
26 paragraph.

1 (2) FORM OF REPORT.—Each report submitted
2 under paragraph (1) shall be submitted in unclassi-
3 fied form but may contain a classified annex.

4 (b) IMPOSITION OF SANCTIONS.—

5 (1) IN GENERAL.—The President shall, in ac-
6 cordance with the International Emergency Eco-
7 nomic Powers Act (50 U.S.C. 1701 et seq.), block
8 and prohibit all transactions in all property and in-
9 terests in property of any financial institution speci-
10 fied in the most recent list submitted under sub-
11 section (a)(1)(A) if such property and interests in
12 property are in the United States, come within the
13 United States, or are or come within the possession
14 or control of a United States person.

15 (2) ADDITIONAL SANCTIONS.—The President
16 may impose additional sanctions under the Inter-
17 national Emergency Economic Powers Act (50
18 U.S.C. 1701 et seq.) with respect to a financial in-
19 stitution that is subject to sanctions under para-
20 graph (1).

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
22 FINED.—In this section, the term “appropriate congres-
23 sional committees” has the meaning given that term in
24 section 14 of the Iran Sanctions Act of 1996 (Public Law
25 104–172; 50 U.S.C. 1701 note).

1 **SEC. 413. CLARIFICATION THAT FREEZING OF ASSETS OF**
2 **IRANIAN FINANCIAL INSTITUTIONS IN-**
3 **CLUDES ASSETS IN POSSESSION OR CON-**
4 **TROL OF A UNITED STATES PERSON PURSU-**
5 **ANT TO A U-TURN TRANSACTION.**

6 Section 1245(c) of the National Defense Authoriza-
7 tion Act for Fiscal Year 2012 (22 U.S.C. 8513a(c)) is
8 amended—

9 (1) by striking “The President” and inserting
10 “(1) IN GENERAL.—The President”; and

11 (2) by adding at the end the following:

12 “(2) TREATMENT OF CERTAIN TRANS-
13 ACTIONS.—

14 “(A) U-TURN TRANSACTIONS.—Property
15 that comes within the possession or control of
16 a United States person pursuant to a transfer
17 of funds that arises from, and is ordinarily inci-
18 dent and necessary to give effect to, an under-
19 lying transaction shall be considered to come
20 within the possession or control of that person
21 for purposes of paragraph (1).

22 “(B) BOOK TRANSFERS.—A transfer of
23 funds or other property for the benefit of an
24 Iranian financial institution that is made be-
25 tween accounts of the same financial institution
26 shall be considered property or interests in

1 property of that Iranian financial institution for
 2 purposes of paragraph (1) even if that Iranian
 3 financial institution is not the direct recipient
 4 of the transfer.”.

5 **TITLE V—MISCELLANEOUS**

6 **SEC. 501. MODIFICATION OF REQUIREMENTS RELATING TO** 7 **STATE SPONSORS OF TERRORISM.**

8 (a) REQUIREMENT TO COMPLY WITH ALL PROVI-
 9 SIONS OF LAW RELATING TO STATE SPONSORS OF TER-
 10 RORISM.—In making a determination to rescind the des-
 11 ignation of a country as a state sponsor of terrorism, the
 12 President shall comply with all requirements under this
 13 Act, section 620A of the Foreign Assistance Act of 1961
 14 (22 U.S.C. 2371), section 40 of the Arms Export Control
 15 Act (22 U.S.C. 2780), section 6(j) of the Export Adminis-
 16 tration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pur-
 17 suant to the International Emergency Economic Powers
 18 Act (50 U.S.C. 1701 et seq.)), and any other provision
 19 of law relating to countries the governments of which pro-
 20 vide support for acts of international terrorism, with re-
 21 spect to the rescission.

22 (b) ADDITIONAL REQUIREMENTS FOR REMOVAL.—

23 (1) IN GENERAL.—Not later than 15 days be-
 24 fore the President submits to Congress a report
 25 under section 620A(c) of the Foreign Assistance Act

1 of 1961 (22 U.S.C. 2371(c)), section 40(f) of the
2 Arms Export Control Act (22 U.S.C. 2780(f)), or
3 section 6(j) of the Export Administration Act of
4 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to
5 the International Emergency Economic Powers Act
6 (50 U.S.C. 1701 et seq.)) relating to the rescission
7 of the designation of a country as a state sponsor
8 of terrorism, the President shall submit to the
9 Speaker of the House of Representatives, the minor-
10 ity leader of the House, the majority leader of the
11 Senate, the minority leader of the Senate, and the
12 appropriate congressional committees a report certi-
13 fying that—

14 (A) the government of the country does
15 not provide safe haven or assistance of any kind
16 to terrorists or other violent fugitives from
17 other countries;

18 (B) the Secretary of State and the Direc-
19 tor of National Intelligence agree that the gov-
20 ernment of the country has ceased all support,
21 directly or indirectly, to any terrorist or ter-
22 rorist organization, including public statements
23 of support for any such terrorist or terrorist or-
24 ganization during the 36-month period imme-
25 diately preceding the submission of the report;

1 (C) the government of the country has not
 2 provided direct or indirect support to another
 3 country on the state sponsor of terrorism list
 4 during that 36-month period;

5 (D) the government of the country has not
 6 unjustly detained during that 36-month period,
 7 and is not unjustly detaining on the date of the
 8 report, United States citizens, including dual
 9 citizens; and

10 (E) there has been a fundamental change
 11 in the leadership and policies of the government
 12 of the country.

13 (2) FORM OF REPORT.—Each report described
 14 in paragraph (1) shall be submitted in unclassified
 15 form, but may include a classified annex if nec-
 16 essary.

17 (c) EXTENDED PERIOD BEFORE REMOVAL FROM
 18 LIST TAKES EFFECT.—

19 (1) FOREIGN ASSISTANCE ACT OF 1961.—Sec-
 20 tion 620A(c)(2) of the Foreign Assistance Act of
 21 1961 (22 U.S.C. 2371(c)(2)) is amended in the mat-
 22 ter preceding subparagraph (A) by striking “45
 23 days” and inserting “180 days”.

24 (2) ARMS EXPORT CONTROL ACT.—Section
 25 40(f)(1)(B) of the Arms Export Control Act (22

1 U.S.C. 2780(f)(1)(B)) is amended in the matter pre-
2 ceding clause (i) by striking “45 days” and inserting
3 “180 days”.

4 (3) EXPORT ADMINISTRATION ACT OF 1979.—
5 Section 6(j)(4)(B) of the Export Administration Act
6 of 1979 (50 U.S.C. 4605(j)(4)(B)) (as in effect pur-
7 suant to the International Emergency Economic
8 Powers Act (50 U.S.C. 1701 et seq.)) shall be ap-
9 plied and administered by substituting “180 days”
10 for “45 days”.

11 (d) RESOLUTION OF DISAPPROVAL.—

12 (1) IN GENERAL.—The rescission of the des-
13 ignation of a country as a state sponsor of terrorism
14 shall not become effective if, during the 180-day pe-
15 riod following the submission of a report under sec-
16 tion 620A(c) of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2371(c)), section 40(f) of the Arms Ex-
18 port Control Act (22 U.S.C. 2780(f)), or section 6(j)
19 of the Export Administration Act of 1979 (50
20 U.S.C. 4605(j)) (as in effect pursuant to the Inter-
21 national Emergency Economic Powers Act (50
22 U.S.C. 1701 et seq.)) relating to the rescission, Con-
23 gress enacts a joint resolution stating in substance
24 that the Congress disapproves the rescission.

1 (2) PROCEDURES IN THE SENATE.—Any joint
 2 resolution described paragraph (1) shall be consid-
 3 ered in the Senate under the procedures set forth in
 4 section 601 of the International Security Assistance
 5 and Arms Export Control Act of 1976 (Public Law
 6 94–329; 90 Stat. 765) for consideration of joint res-
 7 olutions.

8 (3) RULES OF SENATE.—Paragraph (2) is en-
 9 acted by Congress—

10 (A) as an exercise of the rulemaking power
 11 of the Senate and as such is deemed a part of
 12 the rules of the Senate, but applicable only with
 13 the respect to the procedure to be followed in
 14 the Senate in the case of a joint resolution de-
 15 scribed in paragraph (1), and supersedes other
 16 rules only to the extent that it is inconsistent
 17 with such rules; and

18 (B) with full recognition of the constitu-
 19 tional right of the Senate to change the rules
 20 at any time, in the same manner and to the
 21 same extent as in the case of any other rule of
 22 the Senate.

23 (e) RE-DESIGNATION OF COUNTRIES PREVIOUSLY
 24 DESIGNATED AS STATE SPONSORS OF TERRORISM.—
 25 During the 5-year period beginning on the date on which

1 the designation of the country as a state sponsor of ter-
2 rorism is rescinded, the President shall redesignate the
3 country as a state sponsor of terrorism upon the assess-
4 ment of the Director of National Intelligence that the gov-
5 ernment of the country has—

6 (1) directly or indirectly supported acts of inter-
7 national terrorism;

8 (2) given direct or indirect support to a ter-
9 rorist or terrorist organization, including providing
10 safe haven or assistance to a terrorist or terrorist
11 organization;

12 (3) given direct or indirect support to another
13 country designated as a state sponsor of terrorism;
14 or

15 (4) provided direct or indirect support, training,
16 materials, or advice on nuclear, biological, or chem-
17 ical weapons or ballistic missile programs to another
18 country designated as a state sponsor of terrorism.

19 (f) REPORT.—

20 (1) IN GENERAL.—The Director of National In-
21 telligence assessment referred to in subsection (e)
22 shall be submitted in a report to the President and
23 the appropriate congressional committees.

24 (2) FORM OF REPORT.—The report required by
25 paragraph (1) shall be submitted in unclassified

1 form, but may include a classified annex if nec-
2 essary.

3 (g) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES DEFINED.—The term “appropriate congres-
6 sional committees” means—

7 (A) the committees specified in section
8 14(2) of the Iran Sanctions Act of 1996 (Public
9 Law 104–172; 50 U.S.C. 1701 note);

10 (B) the Committee on Armed Services and
11 the Select Committee on Intelligence of the
12 Senate; and

13 (C) the Committee on Armed Services and
14 the Permanent Select Committee on Intelligence
15 of the House of Representatives.

16 (2) STATE SPONSOR OF TERRORISM.—The term
17 “state sponsor of terrorism” means any foreign
18 country if the Secretary of State has determined
19 that the government of the country has repeatedly
20 provided support for acts of international terrorism
21 pursuant to—

22 (A) section 6(j)(1)(A) of the Export Ad-
23 ministration Act of 1979 (50 U.S.C.
24 4605(j)(1)(A)) (as in effect pursuant to the

1 International Emergency Economic Powers Act
2 (50 U.S.C. 1701 et seq.);

3 (B) section 40(d) of the Arms Export Con-
4 trol Act (22 U.S.C. 2780(d));

5 (C) section 620A(a) of the Foreign Assist-
6 ance Act of 1961 (22 U.S.C. 2371(a)); or

7 (D) any other provision of law.

○