

115TH CONGRESS
2D SESSION

H. R. 4591

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2018

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

AN ACT

To impose sanctions with respect to Iranian persons that threaten the peace or stability of Iraq or the Government of Iraq.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preventing Destabiliza-
3 tion of Iraq Act of 2018”.

4 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
5 **EIGN PERSONS THREATENING PEACE OR**
6 **STABILITY IN IRAQ.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the Secretary of the Treasury and the Secretary
9 of State should continue to implement Executive Order
10 13438 (50 U.S.C. 1701 note; relating to blocking property
11 of certain persons who threaten stabilization efforts in
12 Iraq).

13 (b) IMPOSITION OF SANCTIONS.—The President shall
14 impose the sanctions described in subsection (c) with re-
15 spect to any foreign person that the President determines
16 knowingly commits a significant act of violence that has
17 the direct purpose or effect of—

18 (1) threatening the peace or stability of Iraq or
19 the Government of Iraq;

20 (2) undermining the democratic process in Iraq;
21 or

22 (3) undermining significantly efforts to promote
23 economic reconstruction and political reform in Iraq
24 or to provide humanitarian assistance to the Iraqi
25 people.

26 (c) SANCTIONS DESCRIBED.—

1 (1) IN GENERAL.—The sanctions described in
2 this subsection are the following:

3 (A) ASSET BLOCKING.—The exercise of all
4 powers granted to the President by the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1701 et seq.) to the extent necessary to
7 block and prohibit all transactions in all prop-
8 erty and interests in property of a foreign per-
9 son determined by the President to be subject
10 to subsection (b) if such property and interests
11 in property are in the United States, come
12 within the United States, or are or come within
13 the possession or control of a United States
14 person.

15 (B) ALIENS INELIGIBLE FOR VISAS, AD-
16 MISSION, OR PAROLE.—

17 (i) VISAS, ADMISSION, OR PAROLE.—

18 An alien who the Secretary of State or the
19 Secretary of Homeland Security (or a des-
20 ignee of one of such Secretaries) deter-
21 mines is subject to subsection (b) is—

22 (I) inadmissible to the United
23 States;

1 (II) ineligible to receive a visa or
2 other documentation to enter the
3 United States; and

4 (III) otherwise ineligible to be
5 admitted or paroled into the United
6 States or to receive any other benefit
7 under the Immigration and Nation-
8 ality Act (8 U.S.C. 1101 et seq.).

9 (ii) CURRENT VISAS REVOKED.—

10 (I) IN GENERAL.—Any visa or
11 other documentation issued to an
12 alien who is a foreign person that is
13 described in subsection (b) regardless
14 of when such visa or other docu-
15 mentation was issued, shall be re-
16 voked and such alien shall be denied
17 admission to the United States.

18 (II) EFFECT OF REVOCATION.—
19 A revocation under subclause (I) shall
20 take effect immediately and shall
21 automatically cancel any other valid
22 visa or entry documentation that is in
23 the alien's possession.

24 (2) PENALTIES.—A person that is subject to
25 sanctions described in paragraph (1)(A) shall be

1 subject to the penalties set forth in subsections (b)
2 and (c) of section 206 of the International Emer-
3 gency Economic Powers Act (50 U.S.C. 1705) to the
4 same extent as a person that commits an unlawful
5 act described in subsection (a) of that section.

6 (3) EXCEPTION TO COMPLY WITH UNITED NA-
7 TIONS HEADQUARTERS AGREEMENT.—Sanctions
8 under paragraph (1)(B) shall not apply to an alien
9 if admitting the alien into the United States is nec-
10 essary to permit the United States to comply with
11 the Agreement regarding the Headquarters of the
12 United Nations, signed at Lake Success June 26,
13 1947, and entered into force November 21, 1947,
14 between the United Nations and the United States,
15 or other applicable international obligations.

16 (d) WAIVER.—The President may, on a case-by-case
17 basis and for periods not to exceed 180 days, waive the
18 application of sanctions in this section with respect to a
19 foreign person if the President certifies to the appropriate
20 congressional committees at least 15 days before such
21 waiver is to take effect that such waiver is vital to the
22 national security interests of the United States.

23 (e) IMPLEMENTATION AUTHORITY.—The President
24 may exercise all authorities provided to the President
25 under sections 203 and 205 of the International Emer-

1 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
2 for purposes of carrying out this section.

3 (f) REGULATORY AUTHORITY.—

4 (1) IN GENERAL.—The President shall, not
5 later than 90 days after the date of the enactment
6 of this Act, promulgate regulations as necessary for
7 the implementation of this section.

8 (2) NOTIFICATION TO CONGRESS.—Not less
9 than 10 days before the promulgation of regulations
10 under paragraph (1), the President shall notify and
11 provide to the appropriate congressional committees
12 the proposed regulations and the provisions of this
13 section that the regulations are implementing.

14 (g) DEFINITIONS.—In this section—

15 (1) ADMITTED; ALIEN.—The terms “admitted”
16 and “alien” have the meanings given those terms in
17 section 101(3) of the Immigration and Nationality
18 Act (8 U.S.C. 1101(3)).

19 (2) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term “appropriate congressional com-
21 mittees” means—

22 (A) the Committee on Foreign Affairs, the
23 Committee on the Judiciary, the Committee on
24 Ways and Means, and the Committee on Finan-

1 cial Services of the House of Representatives;
2 and

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

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

9 (4) GOVERNMENT OF IRAQ.—The term “Gov-
10 ernment of Iraq” has the meaning given that term
11 in section 576.310 of title 31, Code of Federal Reg-
12 ulations, as in effect on June 22, 2016.

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

18 (6) PERSON.—The term “person” has the
19 meaning given that term in section 576.311 of title
20 31, Code of Federal Regulations, as in effect on
21 June 22, 2016.

22 (7) PROPERTY; PROPERTY INTEREST.—The
23 terms “property” and “property interest” have the
24 meanings given those terms in section 576.312 of

1 title 31, Code of Federal Regulations, as in effect on
2 June 22, 2016.

3 (8) UNITED STATES PERSON.—The term
4 “United States person” has the meaning given that
5 term in section 576.317 of title 31, Code of Federal
6 Regulations, as in effect on June 22, 2016.

7 (h) SUNSET.—This section shall cease to be effective
8 beginning on January 1, 2022.

9 **SEC. 3. DETERMINATION WITH RESPECT TO THE IMPOSI-**
10 **TION OF SANCTIONS.**

11 (a) DETERMINATION.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary of
13 State shall submit to the appropriate congressional com-
14 mittees a determination, including a detailed justification,
15 on whether Asa’ib Ahl al-Haq, Harakat Hizballah al-
16 Nujaba, Liwa Fatemiyoun, Liwa Zainebiyoun, and any
17 foreign person that is an official, agent, affiliate of, or
18 owned or controlled by Asa’ib Ahl al-Haq, Harakat
19 Hizballah al-Nujaba, Liwa Fatemiyoun, or Liwa
20 Zainebiyoun meets the criteria for—

21 (1) designation as a foreign terrorist organiza-
22 tion pursuant to section 219 of the Immigration and
23 Nationality Act (8 U.S.C. 1189);

24 (2) the application of sanctions pursuant to Ex-
25 ecutive Order 13224 (50 U.S.C. 1701 note; relating

1 to blocking property and prohibiting transactions
2 with persons who commit, threaten to commit, or
3 support terrorism); or

4 (3) the application of sanctions pursuant to sec-
5 tion 2 of this Act.

6 (b) ADDITIONAL DETERMINATION.—

7 (1) IN GENERAL.—The Secretary of State shall
8 include in the determination submitted under sub-
9 section (a) an additional determination, including a
10 detailed justification, on whether any of the individ-
11 uals described in paragraph (2) meets the criteria
12 for the application of sanctions described in para-
13 graph (2) or (3) of subsection (a).

14 (2) INDIVIDUALS DESCRIBED.—The individuals
15 described in this paragraph are the following:

16 (A) Qais al-Khazali.

17 (B) Laith al-Khazali.

18 (C) Akram Abbas al-Kaabi.

19 (D) Shibl al-Zaydi.

20 (E) Kazim al-Ta'i.

21 (F) Hamid al-Jazairi.

22 (G) Ali al-Yasiri.

23 (c) FORM.—The determination in subsection (a) and
24 the additional determination in subsection (b) shall be

1 submitted in unclassified form but may contain a classi-
2 fied annex.

3 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
4 DEFINED.—In this section, the term “appropriate con-
5 gressional committees” means—

6 (1) the Committee on Armed Services, the
7 Committee on Foreign Affairs, the Permanent Select
8 Committee on Intelligence, the Committee on Finan-
9 cial Services, and the Committee on the Judiciary of
10 the House of Representatives; and

11 (2) the Committee on Armed Services, the
12 Committee on Foreign Relations, the Select Com-
13 mittee on Intelligence, the Committee on Banking,
14 Housing, and Urban Affairs, and the Committee on
15 the Judiciary of the Senate.

16 **SEC. 4. WATCHLISTS.**

17 (a) IN GENERAL.—The Secretary of State shall an-
18 nually establish, maintain, and publish a list of armed
19 groups, militias, or proxy forces in Iraq receiving
20 logistical, military, or financial assistance from Iran’s Rev-
21 olutionary Guard Corps or over which Iran’s Revolu-
22 tionary Guard Corps exerts any form of control or influ-
23 ence.

24 (b) PUBLICATION.—The lists required under sub-
25 section (a) shall be published at the same time as the De-

1 partment of State's Annual Country Reports on Ter-
2 rorism, beginning with the first such Country Reports
3 published after the date of the enactment of this Act.

4 (c) FORM.—If the Secretary of State determines that
5 it is appropriate to do so, the Secretary may, not later
6 than 30 days after publication of the Annual Country Re-
7 ports on Terrorism referred to in subsection (b), submit
8 to the Committee on Foreign Affairs of the House of Rep-
9 resentatives and the Committee on Foreign Relations of
10 the Senate a classified annex.

Passed the House of Representatives November 27,
2018.

Attest:

KAREN L. HAAS,
Clerk.