

115TH CONGRESS 1ST SESSION

H. R. 566

To require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 13, 2017

Mr. Roskam (for himself, Mr. Sherman, and Mr. Zeldin) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Terror-Free Skies
- 5 Act".
- 6 SEC. 2. FINDINGS.
- 7 The Congress finds the following:

- (1) Iran is designated as the world's foremost state sponsor of terrorism and a direct threat to the national security of the United States and United States allies.
 - (2) Iran, through its Islamic Revolutionary Guard Corps (IRGC), provides material and financial support to Foreign Terrorist Organizations (FTO), including Hamas, Hezbollah, and Kata'ib Hezbollah, as well as to the Bashar al-Assad regime in Syria which is responsible for over 400,000 civilian deaths.
 - (3) Iran has systematically employed its national air carrier, Iran Air, as well as numerous private and publically owned Iranian and Syrian airliners, including Mahan Air, to ferry weapons, troops, and military equipment on behalf of the IRGC and Iran's Ministry of Defense and Armed Forces Logistics (MODAFL) to FTOs and rogue regimes around the world.
 - (4) On June 23, 2011, the U.S. Department of the Treasury designated Iran Air pursuant to Executive Order 13882 for providing material support and services to the IRGC, including shipping military-related equipment on behalf of the IRGC since 2006 and transporting rockets or missiles to Syria.

- 1 (5) On January 16, 2016, Iran Air was delisted 2 as a Specially Designated National (SDN) by the 3 U.S. Department of the Treasury even though Iran 4 Air had not ceased its illicit and sanctionable activ-5 ity.
 - (6) Iran Air remains owned and operated by the Iranian government and has, since January 16, 2016, flown numerous unscheduled flights on well-known weapons supply routes between Iran and Syria.
 - (7) In correspondence with U.S. Members of Congress, the U.S. Department of the Treasury has refused to confirm that Iran Air has ceased its illicit activity. In a November 23, 2016, letter to Rep. Peter Roskam, Thomas Patrick Maloney, Senior Advisor in the Office of Legislative Affairs of the U.S. Department of the Treasury wrote: "The United States retains the ability to designate any individual or entity that engages in sanctionable activities under our authorities targeting conduct outside the scope of the JCPOA, including Iran's support for terrorism, human rights abuses, ballistic missile program, and other destabilizing activities in the region.".

1	(8) Evidence supports that despite being re-
2	moved from the Specially Designated National
3	(SDN) on January 16, 2016, Iran Air has since con-
4	tinued its illicit and sanctionable activity in support
5	of the IRGC, MODAFL, Hezbollah, and the Bashar
6	al-Assad regime since January 16, 2016.
7	SEC. 3. REPORT ON USE BY THE GOVERNMENT OF IRAN OF
8	COMMERCIAL AIRCRAFT AND RELATED
9	SERVICES FOR ILLICIT MILITARY OR OTHER
10	ACTIVITIES.
11	(a) Report.—Not later than 180 days after the date
12	of the enactment of this Act, and every 180 days there-
13	after, the President, in consultation with the Secretary of
14	Defense, the Secretary of State, and the Director of Na-
15	tional Intelligence, shall submit to the Committee on
16	Armed Services, Committee on Foreign Affairs, and the
17	Permanent Select Committee on Intelligence of the House
18	of Representatives and the Committee on Armed Services,
19	Committee on Foreign Relations, and the Select Com-
20	mittee on Intelligence of the Senate a report on use by
21	the Government of Iran of commercial aircraft and related
22	services for illicit military or other activities on or after
23	the date that is the beginning of the 5-year period ending
24	on the date of the enactment of this Act.

- 1 (b) Elements of Report.—The report required
- 2 under subsection (a) shall include a description of the ex-
- 4 (1) the Government of Iran has used commer-
- 5 cial aircraft, including aircraft of Iran Air, or re-
- 6 lated services to transport illicit cargo to or from
- 7 Iran, including military goods, weapons, military
- 8 personnel, military-related electronic parts and me-
- 9 chanical equipment, or rocket or missile components;
- 10 (2) the commercial aviation sector of Iran, in-
- 11 cluding Iran Air, has provided financial, material, or
- technological support to the IRGC, MODAFL, the
- 13 Bashar al Assad Regime, Hezbollah, Hamas, Kata'ib
- Hezbollah, or any other FTOs or entities designated
- on the SDN list; and

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tent to which—

- 16 (3) foreign governments and persons have fa-
- cilitated the activities described in paragraph (1), in-
- 18 cluding allowing the use of airports, services, or
- other resources.
- 20 (c) Effect of Determination.—If, in a report
- 21 submitted under this section, the President determines
- 22 that Iran Air or any other Iranian commercial airliner has
- 23 used or has been using commercial aircraft for illicit mili-
- 24 tary purposes on or after January 16, 2016, the President
- 25 shall, within 90 days of making such determination, des-

- 1 ignate such airline as a specially designated national and
- 2 blocked person on the list maintained by the Office of For-
- 3 eign Assets Control of the Department of the Treasury.
- 4 SEC. 4. SUNSET.
- 5 This Act shall cease to be effective on the date that
- 6 is 30 days after the date on which the President certifies
- 7 to Congress that the Government of Iran has ceased pro-
- 8 viding support for acts of international terrorism.

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