

115TH CONGRESS
2D SESSION

H. R. 4821

To impose sanctions against entities owned or controlled by the Armed Forces of Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2018

Mr. ROSKAM (for himself, Ms. CHENEY, Ms. GRANGER, Mr. GALLAGHER, Mrs. WALORSKI, Mr. BISHOP of Michigan, Mr. LAMBORN, Mr. RODNEY DAVIS of Illinois, Mr. FERGUSON, Ms. STEFANIK, Mr. LAMALFA, Mrs. HANDEL, Mr. PITTENGER, Mr. CRAMER, Mr. KING of New York, Mr. ROKITA, Mr. DESANTIS, Mr. ROTHFUS, Mr. LANCE, and Mr. LAHOOD) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions against entities owned or controlled by the Armed Forces of Iran, and for other purposes.

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

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Iran Freedom Policy and Sanctions Act”.

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

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

TITLE I—IMPOSITION OF SANCTIONS AGAINST ENTITIES OWNED
 OR CONTROLLED BY THE ARMED FORCES OF IRAN

Sec. 101. Imposition of sanctions against entities owned or controlled by the
 Armed Forces of Iran.
 Sec. 102. Watch List and report.

TITLE II—REINSTATEMENT OF SANCTIONS IMPOSED WITH RE-
 SPECT TO IRAN THAT WERE WAIVED, SUSPENDED, REDUCED,
 OR OTHERWISE RELIEVED PURSUANT TO THE JOINT COM-
 PREHENSIVE PLAN OF ACTION

Sec. 201. Reinstatement of sanctions imposed with respect to Iran that were
 waived, suspended, reduced, or otherwise relieved pursuant to
 the Joint Comprehensive Plan of Action.

TITLE III—IRAN BALLISTIC MISSILE SANCTIONS ACT OF 2018

Sec. 301. Short title.
 Sec. 302. Sense of Congress.
 Sec. 303. Expansion of sanctions with respect to efforts by Iran to acquire bal-
 listic missile and related technology.
 Sec. 304. Extension of Iran Sanctions Act of 1996 and expansion of sanctions
 with respect to persons that acquire or develop ballistic mis-
 siles.
 Sec. 305. Imposition of sanctions with respect to ballistic missile program of
 Iran.
 Sec. 306. Expansion of mandatory sanctions with respect to financial institu-
 tions that engage in certain transactions relating to ballistic
 missile capabilities of Iran.
 Sec. 307. Regulations.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

- 5 (1) A nuclear-capable Iran threatens United
 6 States national security and global stability.
 7 (2) Since the 1980s, Iran has engaged in a sus-
 8 tained and well-documented pattern of illicit and de-

1 ceptive activities to acquire a nuclear weapons capa-
2 bility.

3 (3) It is the policy of the United States to pre-
4 vent Iran from acquiring a nuclear weapons capa-
5 bility.

6 (4) Iran is developing an arsenal of advanced
7 long-range ballistic missiles, including some already
8 capable of reaching India, North Africa, western
9 China, and parts of eastern Europe.

10 (5) The Department of State has designated
11 Iran as a state sponsor of terrorism since 1984 and
12 has characterized Iran as the “most active state
13 sponsor of terrorism” in the world.

14 (6) Iran is a world leader in human rights vio-
15 lations, including the persecution of religious minori-
16 ties and imprisonment of United States citizens.

17 (7) Beginning on December 28, 2017, Iranians
18 from all social sectors have participated in protests
19 against the Iranian regime’s oppressive domestic
20 policies and destructive foreign policy, in which over
21 1,000 protestors have been arrested and 21 have
22 been killed.

23 (8) The Joint Comprehensive Plan of Action
24 fails to permanently prevent Iran from obtaining a
25 nuclear weapons capability and fails to provide the

1 international community a legitimate inspections re-
2 gime to monitor Iran's nuclear program.

3 (9) The Joint Comprehensive Plan of Action al-
4 lows key restraints on Iran's nuclear program to ex-
5 pire within 10 to 15 years, including those on Iran's
6 domestic uranium enrichment program and heavy-
7 water reactor at Arak.

8 (10) United Nations Security Council Resolu-
9 tion 2231 (2015), which endorses the Joint Com-
10 prehensive Plan of Action, allows for lifting inter-
11 national restrictions on Iran with regards to conven-
12 tional military arms and ballistic missiles.

13 (11) The Joint Comprehensive Plan of Action
14 fails to address Iran's egregious human rights
15 record, Iran's role as the world's leading state-spon-
16 sor of international terrorism, and Iran's unjust im-
17 prisonment of innocent United States citizens.

18 (12) On numerous occasions, Iran has violated
19 both the letter and the spirit of the Joint Com-
20 prehensive Plan of Action and its related agreements
21 by exceeding the limits of heavy water production,
22 testing ballistic missiles, seeking to acquire poten-
23 tially illicit materials outside the mandatory procure-
24 ment channel, and sending arms to terrorist groups
25 around the Middle East.

1 (13) The current Joint Comprehensive Plan of
2 Action framework is insufficient in blocking Iran
3 from developing a nuclear weapons capability, and it
4 is in the United States national security interest to
5 renegotiate this agreement to strengthen its terms or
6 to abrogate the agreement and use all necessary
7 measures to prevent Iran from developing a nuclear
8 weapon.

9 **SEC. 3. STATEMENT OF POLICY.**

10 It is the policy of the United States that the United
11 States should—

12 (1) deny the Government of Iran the ability to
13 continue to oppress the people of Iran and to use vi-
14 olence and executions against pro-democracy protest-
15 ors and regime opponents;

16 (2) fully and publicly support efforts made by
17 the people of Iran to promote the establishment of
18 basic freedoms that build the foundation for the
19 emergence of a freely elected, open, and democratic
20 political system;

21 (3) help the people of Iran produce, access, and
22 share information freely and safely via the Internet
23 and through other media;

24 (4) defeat all attempts by the Government of
25 Iran to jam or otherwise obstruct international sat-

1 elite broadcast signals, internet access, or social
2 media access for the people of Iran;

3 (5) ensure Iran is permanently prevented from
4 obtaining a nuclear weapons capability;

5 (6) extend indefinitely upon Iran restrictions on
6 nuclear-related activities to prevent both the ura-
7 nium and plutonium pathways to nuclear weaponiza-
8 tion; and

9 (7) seek a United Nations Security Council res-
10 olution permanently extending prohibitions on Iran's
11 ballistic missile and arms embargo as found in para-
12 graphs 3 and 4 of Annex B of United Nations Secu-
13 rity Council Resolution 2231 (2015).

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” has the meaning given that term in section
19 14 of the Iran Sanctions Act of 1996 (Public Law
20 104–172; 50 U.S.C. 1701 note).

21 (2) ENTITY.—The term “entity” means any
22 corporation, business association, partnership, trust,
23 society, or any other entity.

24 (3) IRGC.—The term “IRGC” means Iran's
25 Revolutionary Guard Corps.

1 (4) JOINT COMPREHENSIVE PLAN OF ACTION.—

2 The term “Joint Comprehensive Plan of Action”
3 means the Joint Comprehensive Plan of Action,
4 agreed to at Vienna on July 14, 2015, by Iran and
5 by the People’s Republic of China, France, Ger-
6 many, the Russian Federation, the United Kingdom
7 and the United States, with the High Representative
8 of the European Union for Foreign Affairs and Se-
9 curity Policy, and all implementing materials and
10 agreements related to the Joint Comprehensive Plan
11 of Action.

12 (5) NPT SAFEGUARDS AGREEMENT.—The term
13 “NPT Safeguards Agreement” means the Agree-
14 ment between Iran and the International Atomic
15 Energy Agency for the Application of Safeguards in
16 Connection with the Treaty on the Non-Proliferation
17 of Nuclear Weapons, which entered into force on
18 May 15, 1974.

19 (6) PERSON.—The term “person” means an in-
20 dividual or entity.

1 **TITLE I—IMPOSITION OF SANC-**
2 **TIONS AGAINST ENTITIES**
3 **OWNED OR CONTROLLED BY**
4 **THE ARMED FORCES OF IRAN**

5 **SEC. 101. IMPOSITION OF SANCTIONS AGAINST ENTITIES**
6 **OWNED OR CONTROLLED BY THE ARMED**
7 **FORCES OF IRAN.**

8 (a) IN GENERAL.—The President shall impose the
9 sanctions described in subsection (c) with respect to any
10 entity described in subsection (b).

11 (b) ENTITY DESCRIBED.—

12 (1) IN GENERAL.—An entity described in this
13 subsection is an entity, including an entity listed on
14 the Tehran Stock Exchange, that is owned or con-
15 trolled by the Armed Forces of Iran regardless of
16 whether the entity itself is included on the list of
17 specially designated nationals and blocked persons
18 maintained by the Office of Foreign Assets Control
19 of the Department of the Treasury.

20 (2) DEFINITION.—In this subsection, the term
21 “Armed Forces of Iran” includes—

22 (A) Iran’s Revolutionary Guard Corps;

23 (B) the Basij paramilitary;

24 (C) the regular military;

1 (D) the Ministry of Defense and Armed
2 Forces Logistics (MODAFL);
3 (E) the police; and
4 (F) the General Staff of the Armed
5 Forces.

6 (c) SANCTIONS DESCRIBED.—

7 (1) IN GENERAL.—The blocking, in accordance
8 with the International Emergency Economic Powers
9 Act (50 U.S.C. 1701 et seq.), of all transactions in
10 all property and interests in property of an entity if
11 such property and interests in property are in the
12 United States, come within the United States, or are
13 or come within the possession or control of a United
14 States person.

15 (2) INAPPLICABILITY OF NATIONAL EMER-
16 GENCY REQUIREMENT.—The requirements of section
17 202 of the International Emergency Economic Pow-
18 ers Act (50 U.S.C. 1701) shall not apply for pur-
19 poses of this section.

20 (d) DEFINITIONS.—In this section:

21 (1) UNITED STATES PERSON.—The term
22 “United States person” means—

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

1 (B) an entity organized under the laws of
2 the United States or of any jurisdiction within
3 the United States, including a foreign branch of
4 such an entity.

5 (2) OWN OR CONTROL.—The term “own or con-
6 trol” means, with respect to an entity—

7 (A) to hold more than 20 percent of the
8 equity interest by vote or value in the entity;

9 (B) to hold a majority of seats on the
10 board of directors of the entity; or

11 (C) to otherwise control the actions, poli-
12 cies, or personnel decisions of the entity.

13 **SEC. 102. WATCH LIST AND REPORT.**

14 (a) IN GENERAL.—The Secretary of the Treasury
15 shall establish, maintain, and publish in the Federal Reg-
16 ister a list of each entity with respect to which the Armed
17 Forces of Iran (as defined in section 101(b)(2))—

18 (1) holds less than 20 percent of the equity in-
19 terest by vote or value in the entity; or

20 (2) does not own any interest in the entity but
21 maintains a presence on the board of directors of the
22 entity or otherwise influences the actions, policies, or
23 personnel decisions of the entity.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of the Act, and annually thereafter, the

1 Secretary of the Treasury shall submit to Congress a re-
2 port on any changes to the list required by subsection (a).

3 (c) REFERENCE.—The list required by subsection (a)
4 shall be known as the “IRGC Watch List”.

5 **TITLE II—REINSTATEMENT OF**
6 **SANCTIONS IMPOSED WITH**
7 **RESPECT TO IRAN THAT**
8 **WERE WAIVED, SUSPENDED,**
9 **REDUCED, OR OTHERWISE**
10 **RELIEVED PURSUANT TO THE**
11 **JOINT COMPREHENSIVE**
12 **PLAN OF ACTION**

13 **SEC. 201. REINSTATEMENT OF SANCTIONS IMPOSED WITH**
14 **RESPECT TO IRAN THAT WERE WAIVED, SUS-**
15 **PENDED, REDUCED, OR OTHERWISE RE-**
16 **LIEVED PURSUANT TO THE JOINT COM-**
17 **PREHENSIVE PLAN OF ACTION.**

18 (a) IN GENERAL.—The reinstatement of sanctions
19 imposed with respect to Iran pursuant to subsection (d)
20 shall not take effect with respect to the 90-day period be-
21 ginning on the date of the enactment of this Act or any
22 90-day period thereafter for which a certification described
23 in subsection (b) is in effect.

24 (b) CERTIFICATION.—A certification described in this
25 subsection is a certification submitted by the President to

1 the appropriate congressional committees with respect to
2 a 90-day period described in subsection (a) that contains
3 a determination of the President that—

4 (1) the Government of Iran has not—

5 (A) undertaken any activity related to bal-
6 listic missiles designed to be capable of deliv-
7 ering nuclear weapons, including launches using
8 ballistic missile technology;

9 (B) undertaken any activity to—

10 (i) produce sufficient weapons-grade
11 uranium or plutonium for a nuclear weap-
12 on in under 12 months;

13 (ii) maintain an excess of over 300
14 kilograms of Low Enriched Uranium; and

15 (iii) maintain an excess of 130 metric
16 tons of heavy water;

17 (C) undertaken any activity to—

18 (i) increase uranium enrichment levels
19 beyond 3.67 percent;

20 (ii) develop, produce, or install ad-
21 vanced centrifuges; and

22 (iii) build new heavy water facilities or
23 restore currently established facilities to
24 operating capacity; and

1 (D) denied the international community
2 unfettered, unannounced, and indefinite access
3 to Iran’s nuclear program, including “any-
4 where, anytime” access and inspections of
5 places, personnel, and paperwork, including
6 physical access by the International Atomic En-
7 ergy Agency to all suspicious sites, including
8 military facilities, to monitor both overt and
9 covert attempts by Iran develop a nuclear weap-
10 on; and

11 (2) the Government of Iran has—

12 (A) ratified and implemented the Addi-
13 tional Protocol to the NPT Safeguards Agree-
14 ment; and

15 (B) provided complete and full disclosure
16 of the extent of Iran’s nuclear activities, includ-
17 ing a report on any possible military dimensions
18 of Iran’s nuclear program based on full access
19 to suspected sites and all scientists involved in
20 military dimensions of such program.

21 (c) CERTIFICATION NOT SUBMITTED.—In the event
22 the President does not submit a certification described in
23 subsection (b) to the appropriate congressional committees
24 pursuant to subsection (b) with respect to a 90-day period
25 described in subsection (a), the requirement to reinstate

1 sanctions imposed with respect to Iran pursuant to sub-
2 section (d) shall take effect.

3 (d) REINSTATEMENT OF SANCTIONS.—

4 (1) STATUTORY SANCTIONS.—Any statutory
5 sanctions imposed with respect to Iran pursuant to
6 the provisions of law described in subsection (e) that
7 were waived, suspended, reduced, or otherwise re-
8 lieved pursuant to the Joint Comprehensive Plan of
9 Action, submitted pursuant to section 135(a) of the
10 Atomic Energy Act of 1954, are hereby reinstated
11 and any action by the United States Government to
12 facilitate the release of funds or assets to Iran pur-
13 suant to the Joint Comprehensive Plan of Action, or
14 provide any further waiver, suspension, reduction, or
15 other relief pursuant to the Joint Comprehensive
16 Plan of Action is hereby prohibited.

17 (2) SANCTIONS PURSUANT TO EXECUTIVE OR-
18 DERS.—Any sanctions imposed with respect to Iran
19 pursuant to the Executive orders described in sub-
20 section (f) that were revoked pursuant to sections 1
21 and 2(a) of Executive Order 13716 of January 16,
22 2016 (Revocation of Executive Orders 13574,
23 13590, 13622, and 13645 With Respect to Iran,
24 Amendment of Executive Order 13628 With Respect
25 to Iran, and Provision of Implementation Authorities

1 for Aspects of Certain Statutory Sanctions Outside
2 the Scope of U.S. Commitments Under the Joint
3 Comprehensive Plan of Action of July 14, 2015) are
4 hereby reinstated.

5 (e) PROVISIONS OF LAW DESCRIBED.—The provi-
6 sions of law described in this subsection are the following:

7 (1) The Iran Sanctions Act of 1996 (Public
8 Law 104–172; 50 U.S.C. 1701 note).

9 (2) Section 1245(d)(5) of the National Defense
10 Authorization Act for Fiscal Year 2012 (22 U.S.C.
11 8513a(d)(5)).

12 (3) Sections 212(d)(1) and 213(b)(1) of the
13 Iran Threat Reduction and Syrian Human Rights
14 Act of 2012 (22 U.S.C. 8722(d)(1) and 8723(b)(1)).

15 (4) Sections 1244(i), 1245(g), and 1247(f) of
16 the Iran Freedom and Counter-Proliferation Act of
17 2012 (22 U.S.C. 8803(i), 8804(g), and 8806(f)).

18 (f) EXECUTIVE ORDERS DESCRIBED.—The Execu-
19 tive orders described in this subsection are the following:

20 (1) Executive Order 13574 of May 23, 2011
21 (Authorizing the Implementation of Certain Sanc-
22 tions Set Forth in the Iran Sanctions Act of 1996);

23 (2) Executive Order 13590 of November 20,
24 2011 (Authorizing the Imposition of Certain Sanc-
25 tions With Respect to the Provision of Goods, Serv-

1 ices, Technology, or Support for Iran’s Energy and
2 Petrochemical Sectors).

3 (3) Executive Order 13622 of July 30, 2012
4 (Authorizing Additional Sanctions With Respect to
5 Iran).

6 (4) Executive Order 13645 of June 3, 2013
7 (Authorizing the Implementation of Certain Sanc-
8 tions Set Forth in the Iran Freedom and Counter-
9 Proliferation Act of 2012 and Additional Sanctions
10 With Respect To Iran).

11 (5) Sections 5 through 7 of Executive Order
12 13628 of October 9, 2012 (Authorizing the Imple-
13 mentation of Certain Sanctions Set Forth in the
14 Iran Threat Reduction and Syria Human Rights Act
15 of 2012 and Additional Sanctions with Respect to
16 Iran).

17 **TITLE III—IRAN BALLISTIC** 18 **MISSILE SANCTIONS ACT OF 2018**

19 **SEC. 301. SHORT TITLE.**

20 This title may be cited as the “Iran Ballistic Missile
21 Sanctions Act of 2018”.

22 **SEC. 302. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) the ballistic missile program of Iran rep-
25 resents a serious threat to allies of the United States

1 in the Middle East and Europe, members of the
2 Armed Forces deployed in the those regions, and ul-
3 timately the United States;

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

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

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

1 **SEC. 303. EXPANSION OF SANCTIONS WITH RESPECT TO EF-**
2 **FORTS BY IRAN TO ACQUIRE BALLISTIC MIS-**
3 **SILE AND RELATED TECHNOLOGY.**

4 (a) CERTAIN PERSONS.—Section 1604(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 (b) FOREIGN COUNTRIES.—Section 1605(a) of the
11 Iran-Iraq Arms Non-Proliferation Act of 1992 (Public
12 Law 102–484; 50 U.S.C. 1701 note) is amended, in the
13 matter preceding paragraph (1), by inserting “, to acquire
14 ballistic missile or related technology,” after “nuclear
15 weapons”.

16 **SEC. 304. EXTENSION OF IRAN SANCTIONS ACT OF 1996 AND**
17 **EXPANSION OF SANCTIONS WITH RESPECT**
18 **TO PERSONS THAT ACQUIRE OR DEVELOP**
19 **BALLISTIC MISSILES.**

20 (a) EXPANSION OF MANDATORY SANCTIONS.—Sec-
21 tion 5(b)(1)(B) of the Iran Sanctions Act of 1996 (Public
22 Law 104–172; 50 U.S.C. 1701 note) is amended—

23 (1) in clause (i), by striking “would likely” and
24 inserting “may”; and

25 (2) in clause (ii)—

1 (A) in subclause (I), by striking “; or” and
2 inserting a semicolon;

3 (B) by redesignating subclause (II) as sub-
4 clause (III); and

5 (C) by inserting after subclause (I) the fol-
6 lowing:

7 “(II) acquire or develop ballistic
8 missiles and the capability to launch
9 ballistic missiles; or”.

10 (b) EXTENSION OF IRAN SANCTIONS ACT OF 1996.—
11 Section 13(b) of the Iran Sanctions Act of 1996 (Public
12 Law 104–172; 50 U.S.C. 1701 note) is amended by strik-
13 ing “December 31, 2026” and inserting “December 31,
14 2031”.

15 **SEC. 305. IMPOSITION OF SANCTIONS WITH RESPECT TO**
16 **BALLISTIC MISSILE PROGRAM OF IRAN.**

17 (a) IN GENERAL.—Title II of the Iran Threat Reduc-
18 tion and Syria Human Rights Act of 2012 (22 U.S.C.
19 8721 et seq.) is amended by adding at the end the fol-
20 lowing:

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

23 **“SEC. 231. DEFINITIONS.**

24 “(a) IN GENERAL.—In this subtitle:

1 “(1) AGRICULTURAL COMMODITY.—The term
2 ‘agricultural commodity’ has the meaning given that
3 term in section 102 of the Agricultural Trade Act of
4 1978 (7 U.S.C. 5602).

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

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

11 “(B) the congressional defense committees,
12 as defined in section 101 of title 10, United
13 States Code.

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

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

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

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

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

14 “(8) MEDICINE.—The term ‘medicine’ has the
15 meaning given the term ‘drug’ in section 201 of the
16 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
17 321).

18 “(b) DETERMINATIONS OF SIGNIFICANCE.—For pur-
19 poses of this subtitle, in determining if financial trans-
20 actions or financial services are significant, the President
21 may consider the totality of the facts and circumstances,
22 including factors similar to the factors set forth in section
23 561.404 of title 31, Code of Federal Regulations (or any
24 corresponding similar regulation or ruling).

1 **“SEC. 232. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **PERSONS THAT SUPPORT THE BALLISTIC**
3 **MISSILE PROGRAM OF IRAN.**

4 “(a) IDENTIFICATION OF PERSONS.—

5 “(1) IN GENERAL.—Not later than 120 days
6 after the date of the enactment of the Iran Ballistic
7 Missile Sanctions Act of 2018, and not less fre-
8 quently than once every 180 days thereafter, the
9 President shall, in coordination with the Secretary of
10 Defense, the Director of National Intelligence, the
11 Secretary of the Treasury, and the Secretary of
12 State, submit to the appropriate committees of Con-
13 gress a report identifying persons that have know-
14 ingly aided the Government of Iran in the develop-
15 ment of the ballistic missile program of Iran.

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

18 “(A) An identification of persons
19 (disaggregated by Iranian and non-Iranian per-
20 sons) that have knowingly aided the Govern-
21 ment of Iran in the development of the ballistic
22 missile program of Iran, including persons that
23 have—

24 “(i) knowingly engaged in the direct
25 or indirect provision of material support to
26 such program;

1 “(ii) knowingly facilitated, supported,
2 or engaged in activities to further the de-
3 velopment of such program;

4 “(iii) knowingly transmitted informa-
5 tion relating to ballistic missiles to the
6 Government of Iran; or

7 “(iv) otherwise knowingly aided such
8 program.

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

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

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

21 “(b) BLOCKING OF PROPERTY.—

22 “(1) IN GENERAL.—Not later than 15 days
23 after submitting a report required by subsection
24 (a)(1), the President shall, in accordance with the
25 International Emergency Economic Powers Act (50

1 U.S.C. 1701 et seq.), block and prohibit all trans-
2 actions in all property and interests in property of
3 any person specified in such report if such property
4 and interests in property are in the United States,
5 come within the United States, or are or come with-
6 in the possession or control of a United States per-
7 son.

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

13 “(c) EXCLUSION FROM UNITED STATES.—

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

20 “(2) COMPLIANCE WITH UNITED NATIONS
21 HEADQUARTERS AGREEMENT.—Paragraph (1) 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 “(d) 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 a foreign financial institution that the Presi-
10 dent determines knowingly, on or after the date that is
11 180 days after the date of the enactment of the Iran Bal-
12 listic Missile Sanctions Act of 2018, conducts or facilitates
13 a significant financial transaction for a person subject to
14 blocking of property and interests in property under sub-
15 section (b).

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

18 “(a) BLOCKING OF PROPERTY.—

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

1 States, or are or come within the possession or con-
2 trol of a United States person.

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

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

10 “(A) an entity that is owned, directly or
11 indirectly, by a 20 percent or greater interest—

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

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

1 “(B) a person that controls, manages, or
2 directs an entity described in subparagraph (A);

3 or

4 “(C) an individual who is on the board of
5 directors of an entity described in subparagraph
6 (A).

7 “(b) FACILITATION OF CERTAIN TRANSACTIONS.—

8 The President shall prohibit the opening, and prohibit or
9 impose strict conditions on the maintaining, in the United
10 States of a correspondent account or a payable-through
11 account by a foreign financial institution that the Presi-
12 dent determines knowingly, on or after the date that is
13 180 days after the date of the enactment of the Iran Bal-
14 listic Missile Sanctions Act of 2018, conducts or facilitates
15 a significant financial transaction for a person subject to
16 blocking of property and interests in property under sub-
17 section (a).

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

19 “(1) IN GENERAL.—Not later than 90 days
20 after the date of the enactment of the Iran Ballistic
21 Missile Sanctions Act of 2018, and not less fre-
22 quently than annually thereafter, the Secretary of
23 the Treasury shall submit to the appropriate com-
24 mittees of Congress and publish in the Federal Reg-
25 ister a list of—

1 “(A) each entity in which the Aerospace
2 Industries Organization, the Shahid Hemmat
3 Industrial Group, the Shahid Bakeri Industrial
4 Group, or any agent or affiliate of such organi-
5 zation or group has an ownership interest of
6 more than 0 percent and less than 20 percent;

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

16 “(C) each person that controls, manages,
17 or directs an entity described in subparagraph
18 (A) or (B).

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

22 “(d) COMPTROLLER GENERAL REPORT.—

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

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

3 “(B) not later than 60 days after each
4 such list is submitted to the appropriate com-
5 mittees of Congress under that subsection, sub-
6 mit to the appropriate committees of Congress
7 a report on the review conducted under sub-
8 paragraph (A) that includes a list of persons
9 not included in that list that qualify for inclu-
10 sion in that list, as determined by the Comp-
11 troller General.

12 “(2) CONSULTATIONS.—In preparing the report
13 required by paragraph (1)(B), the Comptroller Gen-
14 eral shall consult with nongovernmental organiza-
15 tions.

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

19 “(a) CERTIFICATION.—Not later than 120 days after
20 the date of the enactment of the Iran Ballistic Missile
21 Sanctions Act of 2018, and not less frequently than once
22 every 180 days thereafter, the President shall submit to
23 the appropriate committees of Congress a certification
24 that each person listed in an annex of United Nations Se-
25 curity Council Resolution 1737 (2006), 1747 (2007), or

1 1929 (2010) is not directly or indirectly facilitating, sup-
2 porting, or involved with the development of or transfer
3 to Iran of ballistic missiles or technology, parts, compo-
4 nents, or technology information relating to ballistic mis-
5 siles.

6 “(b) BLOCKING OF PROPERTY.—

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

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

23 “(B) publish in the Federal Register a re-
24 port describing the reason why the President

1 was unable to make a certification with respect
2 to that person.

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

8 “(c) EXCLUSION FROM UNITED STATES.—

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

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

1 “(d) FACILITATION OF CERTAIN TRANSACTIONS.—
 2 The President shall prohibit the opening, and prohibit or
 3 impose strict conditions on the maintaining, in the United
 4 States of a correspondent account or a payable-through
 5 account by a foreign financial institution that the Presi-
 6 dent determines knowingly, on or after the date that is
 7 180 days after the date of the enactment of the Iran Bal-
 8 listic Missile Sanctions Act of 2018, conducts or facilitates
 9 a significant financial transaction for a person subject to
 10 blocking of property and interests in property under sub-
 11 section (b).

12 **“SEC. 235. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 13 **CERTAIN SECTORS OF IRAN THAT SUPPORT**
 14 **THE BALLISTIC MISSILE PROGRAM OF IRAN.**

15 “(a) LIST OF SECTORS.—

16 “(1) IN GENERAL.—Not later than 120 days
 17 after the date of the enactment of the Iran Ballistic
 18 Missile Sanctions Act of 2018, and not less fre-
 19 quently than once every 180 days thereafter, the
 20 President shall submit to the appropriate commit-
 21 tees of Congress and publish in the Federal Register
 22 a list of the sectors of the economy of Iran that are
 23 directly or indirectly facilitating, supporting, or in-
 24 volved with the development of or transfer to Iran
 25 of ballistic missiles or technology, parts, components,

1 or technology information relating to ballistic mis-
2 siles.

3 “(2) CERTAIN SECTORS.—

4 “(A) IN GENERAL.—Not later than 120
5 days after the date of enactment of the Iran
6 Ballistic Missile Sanctions Act of 2018, the
7 President shall submit to the appropriate com-
8 mittees of Congress a determination as to
9 whether each of the automotive, chemical, com-
10 puter science, construction, electronic, energy,
11 metallurgy, mining, petrochemical, research (in-
12 cluding universities and research institutions),
13 and telecommunications sectors of Iran meet
14 the criteria specified in paragraph (1).

15 “(B) INCLUSION IN INITIAL LIST.—If the
16 President determines under subparagraph (A)
17 that the sectors of the economy of Iran speci-
18 fied in such subparagraph meet the criteria
19 specified in paragraph (1), that sector shall be
20 included in the initial list submitted and pub-
21 lished under that paragraph.

22 “(b) SANCTIONS WITH RESPECT TO SPECIFIED SEC-
23 TORS OF IRAN.—

24 “(1) BLOCKING OF PROPERTY.—

1 “(A) IN GENERAL.—The President shall,
2 in accordance with the International Emergency
3 Economic Powers Act (50 U.S.C. 1701 et seq.),
4 block and prohibit all transactions in all prop-
5 erty and interests in property of any person de-
6 scribed in paragraph (4) if such property and
7 interests in property are in the United States,
8 come within the United States, or are or come
9 within the possession or control of a United
10 States person.

11 “(B) INAPPLICABILITY OF NATIONAL
12 EMERGENCY REQUIREMENT.—The requirements
13 under section 202 of the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1701)
15 shall not apply for purposes of this paragraph.

16 “(2) EXCLUSION FROM UNITED STATES.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), the Secretary of State shall
19 deny a visa to, and the Secretary of Homeland
20 Security shall exclude from the United States,
21 any alien that is a person described in para-
22 graph (4).

23 “(B) COMPLIANCE WITH UNITED NATIONS
24 HEADQUARTERS AGREEMENT.—Subparagraph
25 (A) shall not apply to the head of state of Iran,

1 or necessary staff of that head of state, if ad-
2 mission to the United States is necessary to
3 permit the United States to comply with the
4 Agreement regarding the Headquarters of the
5 United Nations, signed at Lake Success June
6 26, 1947, and entered into force November 21,
7 1947, between the United Nations and the
8 United States.

9 “(3) FACILITATION OF CERTAIN TRANS-
10 ACTIONS.—Except as provided in this section, the
11 President shall prohibit the opening, and prohibit or
12 impose strict conditions on the maintaining, in the
13 United States of a correspondent account or a pay-
14 able-through account by a foreign financial institu-
15 tion that the President determines knowingly, on or
16 after the date that is 180 days after the date of the
17 enactment of the Iran Ballistic Missile Sanctions Act
18 of 2018, conducts or facilitates a significant finan-
19 cial transaction for a person described in paragraph
20 (4).

21 “(4) PERSONS DESCRIBED.—A person is de-
22 scribed in this paragraph if the President determines
23 that the person, on or after the date that is 180
24 days after the date of the enactment of the Iran
25 Ballistic Missile Sanctions Act of 2018—

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

4 “(B) knowingly provides significant finan-
5 cial, material, technological, or other support to,
6 or goods or services in support of, any activity
7 or transaction on behalf of or for the benefit of
8 a person described in subparagraph (A); or

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

11 “(c) HUMANITARIAN EXCEPTION.—The President
12 may not impose sanctions under this section with respect
13 to any person for conducting or facilitating a transaction
14 for the sale of agricultural commodities, food, medicine,
15 or medical devices to Iran or for the provision of humani-
16 tarian assistance to the people of Iran.

17 **“SEC. 236. IDENTIFICATION OF FOREIGN PERSONS THAT**
18 **SUPPORT THE BALLISTIC MISSILE PROGRAM**
19 **OF IRAN IN CERTAIN SECTORS OF IRAN.**

20 “(a) IN GENERAL.—Not later than 120 days after
21 the date of the enactment of the Iran Ballistic Missile
22 Sanctions Act of 2018, and not less frequently than annu-
23 ally thereafter, the President shall submit to the appro-
24 priate committees of Congress and publish in the Federal
25 Register a list of all foreign persons that have, based on

1 credible information, directly or indirectly facilitated, sup-
2 ported, or been involved with the development of ballistic
3 missiles or technology, parts, components, or technology
4 information related to ballistic missiles in the following
5 sectors of the economy of Iran during the period specified
6 in subsection (b):

7 “(1) Automotive.

8 “(2) Chemical.

9 “(3) Computer Science.

10 “(4) Construction.

11 “(5) Electronic.

12 “(6) Energy.

13 “(7) Metallurgy.

14 “(8) Mining.

15 “(9) Petrochemical.

16 “(10) Research (including universities and re-
17 search institutions).

18 “(11) Telecommunications.

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

21 “(b) PERIOD SPECIFIED.—The period specified in
22 this subsection is—

23 “(1) with respect to the first list submitted
24 under subsection (a), the period beginning on the
25 date of the enactment of the Iran Ballistic Missile

1 Sanctions Act of 2018 and ending on the date that
2 is 120 days after such date of enactment; and

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

6 “(c) COMPTROLLER GENERAL REPORT.—

7 “(1) IN GENERAL.—With respect to each list
8 submitted under subsection (a), not later than 120
9 days after the list is submitted under that sub-
10 section, the Comptroller General of the United
11 States shall submit to the appropriate committees of
12 Congress—

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

15 “(B) an assessment of the foreign persons
16 included in the list; and

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

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

23 “(d) CREDIBLE INFORMATION DEFINED.—In this
24 section, the term ‘credible information’ has the meaning

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

3 (b) CLERICAL AMENDMENT.—The table of contents
 4 for the Iran Threat Reduction and Syria Human Rights
 5 Act of 2012 is amended by inserting after the item relat-
 6 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.”.

7 **SEC. 306. EXPANSION OF MANDATORY SANCTIONS WITH**
 8 **RESPECT TO FINANCIAL INSTITUTIONS THAT**
 9 **ENGAGE IN CERTAIN TRANSACTIONS RELAT-**
 10 **ING TO BALLISTIC MISSILE CAPABILITIES OF**
 11 **IRAN.**

12 Section 104 of the Comprehensive Iran Sanctions,
 13 Accountability, and Divestment Act of 2010 (22 U.S.C.
 14 8513) is amended—

15 (1) in subsection (c)(2)—

16 (A) in subparagraph (A)—

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

1 (ii) by redesignating clause (ii) as
2 clause (iii); and

3 (iii) by inserting after clause (i) the
4 following:

5 “(ii) to acquire or develop ballistic
6 missiles and capabilities and launch tech-
7 nology relating to ballistic missiles; or”;
8 and

9 (B) in subparagraph (E)(ii)—

10 (i) in subclause (I), by striking “; or”
11 and inserting a semicolon;

12 (ii) by redesignating subclause (II) as
13 subclause (III); and

14 (iii) by inserting after subclause (I)
15 the following:

16 “(II) Iran’s development of bal-
17 listic missiles and capabilities and
18 launch technology relating to ballistic
19 missiles; or”; and

20 (2) in subsection (f)—

21 (A) by redesignating paragraphs (1) and
22 (2) as subparagraphs (A) and (B), respectively,
23 and moving those subparagraphs, as so redesign-
24 ated, two ems to the right;

1 (B) by striking “WAIVER.—The” and in-
2 serting “WAIVER.—

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

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

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

11 **SEC. 307. REGULATIONS.**

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

○