

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 722

To impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Countering Iran’s Destabilizing Activities Act of 2017”.

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. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.

Sec. 4. Imposition of additional sanctions in response to Iran’s ballistic missile program.

Sec. 5. Imposition of terrorism-related sanctions with respect to the IRGC.

- Sec. 6. Imposition of additional sanctions with respect to persons responsible for human rights abuses.
- Sec. 7. Enforcement of arms embargos.
- Sec. 8. Review of applicability of sanctions relating to Iran's support for terrorism and its ballistic missile program.
- Sec. 9. Report on coordination of sanctions between the United States and the European Union.
- Sec. 10. Report on United States citizens detained by Iran.
- Sec. 11. Exceptions for national security and humanitarian assistance; rule of construction.
- Sec. 12. Presidential waiver authority.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ACT OF INTERNATIONAL TERRORISM.—The
4 term “act of international terrorism” has the mean-
5 ing given that term in section 14 of the Iran Sanc-
6 tions Act of 1996 (Public Law 104–172; 50 U.S.C.
7 1701 note).

8 (2) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” has the meaning given that term in section
11 14 of the Iran Sanctions Act of 1996 (Public Law
12 104–172; 50 U.S.C. 1701 note).

13 (3) FOREIGN PERSON.—The term “foreign per-
14 son” means a person that is not a United States
15 person.

16 (4) IRANIAN PERSON.—The term “Iranian per-
17 son” means—

18 (A) an individual who is a citizen or na-
19 tional of Iran; or

1 (B) an entity organized under the laws of
2 Iran or otherwise subject to the jurisdiction of
3 the Government of Iran.

4 (5) IRGC.—The term “IRGC” means Iran’s Is-
5 lamic Revolutionary Guard Corps.

6 (6) KNOWINGLY.—The term “knowingly” has
7 the meaning given that term in section 14 of the
8 Iran Sanctions Act of 1996 (Public Law 104–172;
9 50 U.S.C. 1701 note).

10 (7) UNITED STATES PERSON.—The term
11 “United States person” means—

12 (A) a United States citizen or an alien law-
13 fully admitted for permanent residence to the
14 United States; or

15 (B) an entity organized under the laws of
16 the United States or of any jurisdiction within
17 the United States, including a foreign branch of
18 such an entity.

19 **SEC. 3. REGIONAL STRATEGY FOR COUNTERING CONVEN-**
20 **TIONAL AND ASYMMETRIC IRANIAN THREATS**
21 **IN THE MIDDLE EAST AND NORTH AFRICA.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, and every 2 years there-
24 after, the Secretary of State, the Secretary of Defense,
25 the Secretary of the Treasury, and the Director of Na-

1 tional Intelligence shall jointly develop and submit to the
2 appropriate congressional committees a strategy for deter-
3 ring conventional and asymmetric Iranian activities and
4 threats that directly threaten the United States and key
5 allies in the Middle East, North Africa, and beyond.

6 (b) ELEMENTS.—The strategy required by subsection
7 (a) shall include at a minimum the following:

8 (1) A summary of the near- and long-term
9 United States objectives, plans, and means for coun-
10 tering Iran’s destabilizing activities, including identi-
11 fication of countries that share the objective of coun-
12 tering Iran’s destabilizing activities.

13 (2) A summary of the capabilities and contribu-
14 tions of individual countries to shared efforts to
15 counter Iran’s destabilizing activities, and a sum-
16 mary of additional actions or contributions that each
17 country could take to further contribute.

18 (3) An assessment of Iran’s conventional force
19 capabilities and an assessment of Iran’s plans to up-
20 grade its conventional force capabilities, including its
21 acquisition, development, and deployment of ballistic
22 and cruise missile capabilities, unmanned aerial vehi-
23 cles, and maritime offensive and anti-access or area
24 denial capabilities.

1 (4) An assessment of Iran’s chemical and bio-
2 logical weapons capabilities and an assessment of
3 Iranian plans to upgrade its chemical or biological
4 weapons capabilities.

5 (5) An assessment of Iran’s asymmetric activi-
6 ties in the region, including—

7 (A) the size, capabilities, and activities of
8 the IRGC, including the Quds Force;

9 (B) the size, capabilities, and activities of
10 Iran’s cyber operations;

11 (C) the types and amount of support, in-
12 cluding funding, lethal and nonlethal contribu-
13 tions, and training, provided to Hezbollah,
14 Hamas, special groups in Iraq, the regime of
15 Bashar al-Assad in Syria, Houthi fighters in
16 Yemen, and other violent groups across the
17 Middle East; and

18 (D) the scope and objectives of Iran’s in-
19 formation operations and use of propaganda.

20 (6) A summary of United States actions, unilat-
21 erally and in cooperation with foreign governments,
22 to counter destabilizing Iranian activities, includ-
23 ing—

24 (A) interdiction of Iranian lethal arms
25 bound for groups designated as foreign terrorist

1 organizations under section 219 of the Immi-
2 gration and Nationality Act (8 U.S.C. 1189);

3 (B) Iran's interference in international
4 commercial shipping lanes;

5 (C) attempts by Iran to undermine or sub-
6 vert internationally recognized governments in
7 the Middle East region; and

8 (D) Iran's support for the regime of
9 Bashar al-Assad in Syria, including—

10 (i) financial assistance, military equip-
11 ment and personnel, and other support
12 provided to that regime; and

13 (ii) support and direction to other
14 armed actors that are not Syrian or Ira-
15 nian and are acting on behalf of that re-
16 gime.

17 (c) FORM OF STRATEGY.—The strategy required by
18 subsection (a) shall be submitted in unclassified form but
19 may include a classified annex.

20 **SEC. 4. IMPOSITION OF ADDITIONAL SANCTIONS IN RE-**
21 **SPONSE TO IRAN'S BALLISTIC MISSILE PRO-**
22 **GRAM.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Secretary of the Treasury and the Secretary
25 of State should continue to implement Executive Order

1 13382 (50 U.S.C. 1701 note; relating to blocking property
2 of weapons of mass destruction delivery system
3 proliferators and their supporters).

4 (b) IMPOSITION OF SANCTIONS.—The President shall
5 impose the sanctions described in subsection (c) with re-
6 spect to any person that the President determines, on or
7 after the date of the enactment of this Act—

8 (1) knowingly engages in any activity that ma-
9 terially contributes to the activities of the Govern-
10 ment of Iran with respect to its ballistic missile pro-
11 gram, or any other program in Iran for developing,
12 deploying, or maintaining systems capable of deliv-
13 ering weapons of mass destruction, including any ef-
14 forts to manufacture, acquire, possess, develop,
15 transport, transfer, or use such capabilities;

16 (2) is a successor entity to a person referred to
17 in paragraph (1);

18 (3) owns or controls or is owned or controlled
19 by a person referred to in paragraph (1);

20 (4) forms an entity with the purpose of evading
21 sanctions that would otherwise be imposed pursuant
22 to paragraph (3);

23 (5) is acting for or on behalf of a person re-
24 ferred to in paragraph (1), (2), (3), or (4); or

1 (6) knowingly provides or attempts to provide
2 financial, material, technological, or other support
3 for, or goods or services in support of, a person re-
4 ferred to in paragraph (1), (2), (3), (4) or (5).

5 (c) SANCTIONS DESCRIBED.—The sanctions de-
6 scribed in this subsection are the following:

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

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

21 (d) PENALTIES.—A person that violates, attempts to
22 violate, conspires to violate, or causes a violation of sub-
23 section (c)(1) or any regulation, license, or order issued
24 to carry out that subsection shall be subject to the pen-
25 alties set forth in subsections (b) and (c) of section 206

1 of the International Emergency Economic Powers Act (50
2 U.S.C. 1705) to the same extent as a person that commits
3 an unlawful act described in subsection (a) of that section.

4 (e) REPORT ON CONTRIBUTIONS TO IRAN'S BAL-
5 LISTIC MISSILE PROGRAM.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, and
8 every 180 days thereafter, the President shall sub-
9 mit to the appropriate congressional committees a
10 report describing each person that—

11 (A) has, during the period specified in
12 paragraph (2), conducted any activity that has
13 materially contributed to the activities of the
14 Government of Iran with respect to its ballistic
15 missile program, or any other program in Iran
16 for developing, deploying, or maintaining sys-
17 tems capable of delivering weapons of mass de-
18 struction, including any efforts to manufacture,
19 acquire, possess, develop, transport, transfer, or
20 use such capabilities;

21 (B) is a successor entity to a person re-
22 ferred to in subparagraph (A);

23 (C) owns or controls or is owned or con-
24 trolled by a person referred to in subparagraph
25 (A);

1 (D) forms an entity with the purpose of
2 evading sanctions that could be imposed as a
3 result of a relationship described in subpara-
4 graph (C);

5 (E) is acting for or on behalf of a person
6 referred to in subparagraph (A), (B), (C), or
7 (D); or

8 (F) is known or believed to have provided,
9 or attempted to provide, during the period spec-
10 ified in paragraph (2), financial, material, tech-
11 nological, or other support for, or goods or serv-
12 ices in support of, any material contribution to
13 a program described in subparagraph (A) car-
14 ried out by a person described in subparagraph
15 (A), (B), (C), (D), or (E).

16 (2) PERIOD SPECIFIED.—The period specified
17 in this paragraph is—

18 (A) in the case of the first report sub-
19 mitted under paragraph (1), the period begin-
20 ning January 1, 2016, and ending on the date
21 the report is submitted; and

22 (B) in the case of a subsequent such re-
23 port, the 180-day period preceding the submis-
24 sion of the report.

1 (3) FORM OF REPORT.—Each report required
2 by paragraph (1) shall be submitted in unclassified
3 form but may include a classified annex.

4 **SEC. 5. IMPOSITION OF TERRORISM-RELATED SANCTIONS**
5 **WITH RESPECT TO THE IRGC.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) The IRGC is subject to sanctions pursuant
9 to Executive Order 13382 (50 U.S.C. 1701 note; re-
10 lating to blocking property of weapons of mass de-
11 struction delivery system proliferators and their sup-
12 porters), the Comprehensive Iran Sanctions, Ac-
13 countability, and Divestment Act of 2010 (22 U.S.C.
14 8501 et seq.), Executive Order 13553 (50 U.S.C.
15 1701 note; relating to blocking property of certain
16 persons with respect to serious human rights abuses
17 by the Government of Iran), and Executive Order
18 13606 (50 U.S.C. 1701 note; relating to blocking
19 the property and suspending entry into the United
20 States of certain persons with respect to grave
21 human rights abuses by the Governments of Iran
22 and Syria via information technology).

23 (2) The Iranian Revolutionary Guard Corps—
24 Quds Force (in this section referred to as the
25 “IRGC–QF”) is the primary arm of the Government

1 of Iran for executing its policy of supporting ter-
2 rorist and insurgent groups. The IRGC-QF provides
3 material, logistical assistance, training, and financial
4 support to militants and terrorist operatives
5 throughout the Middle East and South Asia and was
6 designated for the imposition of sanctions by the
7 Secretary of Treasury pursuant to Executive Order
8 13224 (50 U.S.C. 1701 note; relating to blocking
9 property and prohibiting transactions with persons
10 who commit, threaten to commit, or support ter-
11 rorism) in October 2007 for its support of terrorism.

12 (3) The IRGC, not just the IRGC-QF, is re-
13 sponsible for implementing Iran's international pro-
14 gram of destabilizing activities, support for acts of
15 international terrorism, and ballistic missile pro-
16 gram.

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

22 (c) SANCTIONS DESCRIBED.—The sanctions de-
23 scribed in this subsection are sanctions applicable with re-
24 spect to a foreign person pursuant to Executive Order
25 13224 (50 U.S.C. 1701 note; relating to blocking property

1 and prohibiting transactions with persons who commit,
2 threaten to commit, or support terrorism).

3 **SEC. 6. IMPOSITION OF ADDITIONAL SANCTIONS WITH RE-**
4 **SPECT TO PERSONS RESPONSIBLE FOR**
5 **HUMAN RIGHTS ABUSES.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, and annually thereafter,
8 the Secretary of State shall submit to the appropriate con-
9 gressional committees a list of each person the Secretary
10 determines, based on credible evidence, on or after the
11 date of the enactment of this Act—

12 (1) is responsible for extrajudicial killings, tor-
13 ture, or other gross violations of internationally rec-
14 ognized human rights committed against individuals
15 in Iran who seek—

16 (A) to expose illegal activity carried out by
17 officials of the Government of Iran; or

18 (B) to obtain, exercise, defend, or promote
19 internationally recognized human rights and
20 freedoms, such as the freedoms of religion, ex-
21 pression, association, and assembly, and the
22 rights to a fair trial and democratic elections;
23 or

1 (2) acts as an agent of or on behalf of a foreign
2 person in a matter relating to an activity described
3 in paragraph (1).

4 (b) SANCTIONS DESCRIBED.—

5 (1) IN GENERAL.—The President may, in ac-
6 cordance with the International Emergency Eco-
7 nomic Powers Act (50 U.S.C. 1701 et seq.), block
8 all transactions in all property and interests in prop-
9 erty of a person on the list required by subsection
10 (a) if such property and interests in property are in
11 the United States, come within the United States, or
12 are or come within the possession or control of a
13 United States person.

14 (2) PENALTIES.—A person that violates, at-
15 tempts to violate, conspires to violate, or causes a
16 violation of paragraph (1) or any regulation, license,
17 or order issued to carry out paragraph (1) shall be
18 subject to the penalties set forth in subsections (b)
19 and (c) of section 206 of the International Emer-
20 gency Economic Powers Act (50 U.S.C. 1705) to the
21 same extent as a person that commits an unlawful
22 act described in subsection (a) of that section.

23 **SEC. 7. ENFORCEMENT OF ARMS EMBARGOS.**

24 (a) IN GENERAL.—Except as provided in subsection
25 (d), the President shall impose the sanctions described in

1 subsection (b) with respect to any person that the Presi-
2 dent determines—

3 (1) knowingly engages in any activity that ma-
4 terially contributes to the supply, sale, or transfer
5 directly or indirectly to or from Iran, or for the use
6 in or benefit of Iran, of any battle tanks, armored
7 combat vehicles, large caliber artillery systems, com-
8 bat aircraft, attack helicopters, warships, missiles or
9 missile systems, as defined for the purpose of the
10 United Nations Register of Conventional Arms, or
11 related materiel, including spare parts; or

12 (2) knowingly provides to Iran any technical
13 training, financial resources or services, advice, other
14 services or assistance related to the supply, sale,
15 transfer, manufacture, maintenance, or use of arms
16 and related materiel described in paragraph (1).

17 (b) SANCTIONS DESCRIBED.—

18 (1) BLOCKING OF PROPERTY.—The President
19 shall block, in accordance with the International
20 Emergency Economic Powers Act (50 U.S.C. 1701
21 et seq.), all transactions in all property and interests
22 in property of any person subject to subsection (a)
23 if such property and interests in property are in the
24 United States, come within the United States, or are

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

3 (2) EXCLUSION FROM UNITED STATES.—The
4 Secretary of State shall deny a visa to, and the Sec-
5 retary of Homeland Security shall exclude from the
6 United States, any person subject to subsection (a)
7 that is an alien.

8 (c) PENALTIES.—A person that violates, attempts to
9 violate, conspires to violate, or causes a violation of sub-
10 section (b)(1) or any regulation, license, or order issued
11 to carry out that subsection shall be subject to the pen-
12 alties set forth in subsections (b) and (c) of section 206
13 of the International Emergency Economic Powers Act (50
14 U.S.C. 1705) to the same extent as a person that commits
15 an unlawful act described in subsection (a) of that section.

16 (d) EXCEPTION.—The President is not required to
17 impose sanctions under subsection (a) with respect to a
18 person for engaging in an activity described in that sub-
19 section if the President certifies to the appropriate con-
20 gressional committees that—

21 (1) permitting the activity is in the national se-
22 curity interest of the United States;

23 (2) Iran no longer presents a significant threat
24 to the national security of the United States and to
25 the allies of the United States; and

1 (3) the Government of Iran has ceased pro-
2 viding operational or financial support for acts of
3 international terrorism and no longer satisfies the
4 requirements for designation as a state sponsor of
5 terrorism.

6 (e) STATE SPONSOR OF TERRORISM DEFINED.—In
7 this section, the term “state sponsor of terrorism” means
8 a country the government of which the Secretary of State
9 has determined to be a government that has repeatedly
10 provided support for acts of international terrorism for
11 purposes of—

12 (1) section 6(j)(1)(A) of the Export Administra-
13 tion Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as con-
14 tinued in effect pursuant to the International Emer-
15 gency Economic Powers Act (50 U.S.C. 1701 et
16 seq.));

17 (2) section 620A(a) of the Foreign Assistance
18 Act of 1961 (22 U.S.C. 2371(a));

19 (3) section 40(d) of the Arms Export Control
20 Act (22 U.S.C. 2780(d)); or

21 (4) any other provision of law.

1 **SEC. 8. REVIEW OF APPLICABILITY OF SANCTIONS RELAT-**
2 **ING TO IRAN'S SUPPORT FOR TERRORISM**
3 **AND ITS BALLISTIC MISSILE PROGRAM.**

4 (a) IN GENERAL.—Not later than 5 years after the
5 date of the enactment of this Act, the President shall con-
6 duct a review of all persons on the list of specially des-
7 ignated nationals and blocked persons maintained by the
8 Office of Foreign Assets Control of the Department of the
9 Treasury for activities relating to Iran—

10 (1) to assess the conduct of such persons as
11 that conduct relates to—

12 (A) any activity that materially contributes
13 to the activities of the Government of Iran with
14 respect to its ballistic missile program; or

15 (B) support by the Government of Iran for
16 acts of international terrorism; and

17 (2) to determine the applicability of sanctions
18 with respect to such persons under—

19 (A) Executive Order 13382 (50 U.S.C.
20 1701 note; relating to blocking property of
21 weapons of mass destruction delivery system
22 proliferators and their supporters); or

23 (B) Executive Order 13224 (50 U.S.C.
24 1701 note; relating to blocking property and
25 prohibiting transactions with persons who com-
26 mit, threaten to commit, or support terrorism).

1 (b) IMPLEMENTATION OF SANCTIONS.—If the Presi-
2 dent determines under subsection (a) that sanctions under
3 an Executive Order specified in paragraph (2) of that sub-
4 section are applicable with respect to a person, the Presi-
5 dent shall—

6 (1) impose sanctions with respect to that person
7 pursuant to that Executive Order; or

8 (2) exercise the waiver authority provided under
9 section 12.

10 **SEC. 9. REPORT ON COORDINATION OF SANCTIONS BE-**
11 **TWEEN THE UNITED STATES AND THE EURO-**
12 **PEAN UNION.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, and every 180 days
15 thereafter, the President shall submit to the appropriate
16 congressional committees a report that includes the fol-
17 lowing:

18 (1) A description of each instance, during the
19 period specified in subsection (b)—

20 (A) in which the United States has im-
21 posed sanctions with respect to a person for ac-
22 tivity related to the proliferation of weapons of
23 mass destruction or delivery systems for such
24 weapons to or by Iran, support for acts of inter-
25 national terrorism by Iran, or human rights

1 abuses in Iran, but in which the European
2 Union has not imposed corresponding sanctions;
3 and

4 (B) in which the European Union has im-
5 posed sanctions with respect to a person for ac-
6 tivity related to the proliferation of weapons of
7 mass destruction or delivery systems for such
8 weapons to or by Iran, support for acts of inter-
9 national terrorism by Iran, or human rights
10 abuses in Iran, but in which the United States
11 has not imposed corresponding sanctions.

12 (2) An explanation for the reason for each dis-
13 crepancy between sanctions imposed by the Euro-
14 pean Union and sanctions imposed by the United
15 States described in subparagraphs (A) and (B) of
16 paragraph (1).

17 (b) PERIOD SPECIFIED.—The period specified in this
18 subsection is—

19 (1) in the case of the first report submitted
20 under subsection (a), the period beginning on the
21 date of the enactment of this Act and ending on the
22 date the report is submitted; and

23 (2) in the case of a subsequent such report, the
24 180-day period preceding the submission of the re-
25 port.

1 (c) FORM OF REPORT.—The report required by sub-
2 section (a) shall be submitted in unclassified form but may
3 include a classified annex.

4 **SEC. 10. 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 United States citizens who are also citizens
11 of other countries, detained by Iran or groups supported
12 by Iran that includes—

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

16 (2) a summary of efforts the United States
17 Government has taken to secure the swift release of
18 those United States citizens.

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.

1 **SEC. 11. EXCEPTIONS FOR NATIONAL SECURITY AND HU-**
2 **MANITARIAN ASSISTANCE; RULE OF CON-**
3 **STRUCTION.**

4 (a) IN GENERAL.—The following activities shall be
5 exempt from sanctions under sections 4, 5, 6, and 7:

6 (1) Any activity subject to the reporting re-
7 quirements under title V of the National Security
8 Act of 1947 (50 U.S.C. 3091 et seq.), or to any au-
9 thORIZED intelligence activities of the United States.

10 (2) The admission of an alien to the United
11 States if such admission is necessary to comply with
12 United States obligations under the Agreement be-
13 tween the United Nations and the United States of
14 America regarding the Headquarters of the United
15 Nations, signed at Lake Success June 26, 1947, and
16 entered into force November 21, 1947, or under the
17 Convention on Consular Relations, done at Vienna
18 April 24, 1963, and entered into force March 19,
19 1967, or other applicable international obligations of
20 the United States.

21 (3) The conduct or facilitation of a transaction
22 for the sale of agricultural commodities, food, medi-
23 cine, or medical devices to Iran or for the provision
24 of humanitarian assistance to the people of Iran, in-
25 cluding engaging in a financial transaction relating
26 to humanitarian assistance or for humanitarian pur-

1 poses or transporting goods or services that are nec-
2 essary to carry out operations relating to humani-
3 tarian assistance or humanitarian purposes.

4 (b) EXCEPTION RELATING TO IMPORTATION OF
5 GOODS.—A requirement or the authority to block and pro-
6 hibit all transactions in all property and interests in prop-
7 erty under section 4, 5, 6, 7, or 8 shall not include the
8 authority to impose sanctions with respect to the importa-
9 tion of goods.

10 (c) IMPLEMENTATION.—The President may exercise
11 all authorities provided under sections 203 and 205 of the
12 International Emergency Economic Powers Act (50
13 U.S.C. 1702 and 1704) to carry out this Act.

14 (d) RULE OF CONSTRUCTION.—Nothing in this Act
15 shall be construed to limit the authority of the President
16 under the International Emergency Economic Powers Act
17 (50 U.S.C. 1701 et seq.).

18 (e) DEFINITIONS.—In this section:

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

23 (2) GOOD.—The term “good” has the meaning
24 given that term in section 16 of the Export Adminis-
25 tration Act of 1979 (50 U.S.C. 4618) (as continued

1 in effect pursuant to the International Emergency
2 Economic Powers Act (50 U.S.C. 1701 et seq.)).

3 (3) **MEDICAL DEVICE.**—The term “medical de-
4 vice” has the meaning given the term “device” in
5 section 201 of the Federal Food, Drug, and Cos-
6 metic Act (21 U.S.C. 321).

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

11 **SEC. 12. PRESIDENTIAL WAIVER AUTHORITY.**

12 (a) **CASE-BY-CASE WAIVER AUTHORITY.**—

13 (1) **IN GENERAL.**—The President may waive,
14 on a case-by-case basis and for a period of not more
15 than 180 days, a requirement under section 4, 5, 6,
16 7, or 8 to impose or maintain sanctions with respect
17 to a person, and may waive the continued imposition
18 of such sanctions, not less than 30 days after the
19 President determines and reports to the appropriate
20 congressional committees that it is vital to the na-
21 tional security interests of the United States to
22 waive such sanctions.

23 (2) **RENEWAL OF WAIVERS.**—The President
24 may, on a case-by-case basis, renew a waiver under
25 paragraph (1) for an additional period of not more

1 than 180 days if, not later than 15 days before that
2 waiver expires, the President makes the determina-
3 tion and submits to the appropriate congressional
4 committees a report described in paragraph (1).

5 (3) SUCCESSIVE RENEWAL.—The renewal au-
6 thority provided under paragraph (2) may be exer-
7 cised for additional successive periods of not more
8 than 180 days if the President follows the proce-
9 dures set forth in paragraph (2), and submits the
10 report described in paragraph (1), for each such re-
11 newal.

12 (b) CONTENTS OF WAIVER REPORTS.—Each report
13 submitted under subsection (a) in connection with a waiv-
14 er of sanctions under section 4, 5, 6, 7, or 8 with respect
15 to a person, or the renewal of such a waiver, shall in-
16 clude—

17 (1) a specific and detailed rationale for the de-
18 termination that the waiver is vital to the national
19 security interests of the United States;

20 (2) a description of the activity that resulted in
21 the person being subject to sanctions;

22 (3) an explanation of any efforts made by the
23 United States, as applicable, to secure the coopera-
24 tion of the government with primary jurisdiction
25 over the person or the location where the activity de-

1 scribed in paragraph (2) occurred in terminating or,
2 as appropriate, penalizing the activity; and

3 (4) an assessment of the significance of the ac-
4 tivity described in paragraph (2) in contributing to
5 the ability of Iran to threaten the interests of the
6 United States or allies of the United States, develop
7 systems capable of delivering weapons of mass de-
8 struction, support acts of international terrorism, or
9 violate the human rights of any person in Iran.

10 (c) EFFECT OF REPORT ON WAIVER.—If the Presi-
11 dent submits a report under subsection (a) in connection
12 with a waiver of sanctions under section 4, 5, 6, 7, or
13 8 with respect to a person, or the renewal of such a waiver,
14 the President shall not be required to impose or maintain
15 sanctions under section 4, 5, 6, 7, or 8, as applicable, with
16 respect to the person described in the report during the
17 30-day period referred to in subsection (a).