

115TH CONGRESS  
1ST SESSION

# H. R. 1698

---

## AN ACT

To expand sanctions against Iran with respect to the ballistic missile program 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Iran Ballistic Missiles  
3 and International Sanctions Enforcement Act”.

4 **SEC. 2. SANCTIONS RELATING TO EFFORTS BY THE GOV-  
5 ERNMENT OF IRAN WITH RESPECT TO BAL-  
6 LISTIC MISSILE-RELATED GOODS, SERVICES,  
7 AND TECHNOLOGIES.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) United Nations Security Council Resolution  
10 2231 (2015)—

11 (A) calls upon Iran “not to undertake any  
12 activity related to ballistic missiles designed to  
13 be capable of delivering nuclear weapons, in-  
14 cluding launches using such ballistic missile  
15 technology”; and

16 (B) requires member states to “take the  
17 necessary measures to prevent, except as de-  
18 cided otherwise by the UN Security Council in  
19 advance on a case-by-case basis, the supply,  
20 sale, or transfer of arms or related materiel  
21 from Iran”.

22 (2) The United States maintains bilateral sanc-  
23 tions against Iran for its efforts to manufacture, ac-  
24 quire, possess, develop, transport, transfer or use  
25 ballistic missiles or ballistic missile launch tech-

1 nology, and its acquisition of destabilizing types and  
2 amounts of conventional weapons.

3 (3) According to the 2016 Worldwide Threat  
4 Assessment, the United States intelligence commu-  
5 nity judges “that Tehran would choose ballistic mis-  
6 siles as its preferred method of delivering nuclear  
7 weapons, if it builds them. Iran’s ballistic missiles  
8 are inherently capable of delivering [weapons of  
9 mass destruction], and Tehran already has the larg-  
10 est inventory of ballistic missiles in the Middle East.  
11 Iran’s progress on space launch vehicles—along with  
12 its desire to deter the United States and its allies—  
13 provides Tehran with the means and motivation to  
14 develop longer-range missiles, including ICBMs.”.

15 (4) Since the passage of United Nations Secu-  
16 rity Council 2231, Iran has conducted numerous  
17 tests of ballistic missiles designed to be capable of  
18 delivering nuclear weapons, and has acquired desta-  
19 bilizing types of conventional weapons.

20 (5) Iran has pursued the ability to indigenously  
21 produce ballistic missile and cruise missile goods,  
22 services, and technologies.

23 (b) STATEMENT OF POLICY.—It is the policy of the  
24 United States to prevent Iran from undertaking any activ-  
25 ity related to ballistic missiles designed to be capable of

1 delivering nuclear weapons, including launches using such  
2 ballistic missile technology.

3 (c) REPORT ON SUPPLY CHAIN OF IRAN'S BALLISTIC  
4 MISSILE PROGRAM.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, the  
7 President shall submit to the appropriate congress-  
8 sional committees a report that contains the fol-  
9 lowing:

10 (A) An analysis of the foreign supply chain  
11 and domestic supply chain in Iran that directly  
12 or indirectly significantly facilitates, supports,  
13 or otherwise aids the Government of Iran's bal-  
14 listic missile program.

15 (B) A description of the geographic dis-  
16 tribution of the foreign and domestic supply  
17 chain described in subparagraph (A).

18 (C) An assessment of the Government of  
19 Iran's ability to indigenously manufacture or  
20 otherwise produce the goods, services, or tech-  
21 nology necessary to support its ballistic missile  
22 program.

23 (D) An identification of foreign persons  
24 that have, based on credible information, di-  
25 rectly or indirectly facilitated or supported the

1 development of the Government of Iran’s bal-  
2 listic missile program, including the foreign and  
3 domestic supply chain described in subpara-  
4 graph (A).

5 (E) A determination with respect to each  
6 foreign person identified under subparagraph  
7 (D) as to whether the foreign person meets the  
8 criteria for designation under—

9 (i) paragraph (1) of section 5(b) of  
10 the Iran Sanctions Act of 1996 (Public  
11 Law 104–172; 50 U.S.C. 1701 note), as  
12 amended by this section;

13 (ii) section 104 of the Countering  
14 America’s Adversaries Through Sanctions  
15 Act (Public Law 115–44); or

16 (iii) Executive Order No. 13382  
17 (2005).

18 (2) FORM.—The report required under para-  
19 graph (1) shall be submitted in unclassified form,  
20 but may contain a classified annex.

21 (d) SANCTIONABLE ACTIVITIES WITH RESPECT TO  
22 WEAPONS OF MASS DESTRUCTION.—Paragraph (1) of  
23 section 5(b) of the Iran Sanctions Act of 1996 (Public  
24 Law 104–172; 50 U.S.C. 1701 note) is amended—

1           (1) in the heading, by striking “EXPORTS,  
2           TRANSFERS, AND TRANSSHIPMENTS” and inserting  
3           “WEAPONS OF MASS DESTRUCTION; BALLISTIC MIS-  
4           SILES; CONVENTIONAL WEAPONS”;

5           (2) by striking “Except as” and inserting the  
6           following:

7                     “(A) WEAPONS OF MASS DESTRUCTION.—  
8                     Except as”;

9           (3) by striking “(A) on or after the date of the  
10           enactment of the Iran Threat Reduction and Syria  
11           Human Rights Act of 2012” and inserting the fol-  
12           lowing:

13                     “(i)(I) on or after the date of the en-  
14                     actment of the Iran Ballistic Missiles and  
15                     International Sanctions Enforcement Act”;

16           (4) by striking “(B) knew” and inserting the  
17           following:

18                     “(II) knew”;

19           (5) by striking “(i) the export” and inserting  
20           the following:

21                     “(aa) the export”;

22           (6) by striking “would likely” and inserting  
23           “may”;

24           (7) by striking “(ii) the export” and inserting  
25           the following:

1 “(bb) the export”;

2 (8) by striking “(I) acquire” and inserting the  
3 following:

4 “(AA) acquire”;

5 (9) by striking “; or” at the end of subpara-  
6 graph (A)(ii)(II)(bb)(AA) (as so redesignated);

7 (10) by inserting after subparagraph  
8 (A)(ii)(II)(bb)(AA) (as so redesignated) the fol-  
9 lowing:

10 “(BB) acquire or develop  
11 ballistic missiles or ballistic mis-  
12 sile launch technologies; or”;

13 (11) by striking “(II) acquire” and inserting  
14 the following:

15 “(CC) acquire”;

16 (12) by striking the period at the end of sub-  
17 paragraph (A)(ii)(II)(bb)(CC) (as so redesignated)  
18 and inserting “; or”; and

19 (13) by adding at the end of subparagraph (A)  
20 the following:

21 “(ii) knowingly exports or transfers,  
22 or permits or otherwise facilitates the  
23 transshipment or re-export of, goods, serv-  
24 ices, technology, or other items to Iran  
25 that materially supports Iran’s efforts to—

1                   “(I) acquire or develop ballistic  
2                   missiles or ballistic missile launch  
3                   technologies; or

4                   “(II) acquire or develop desta-  
5                   bilizing numbers and types of ad-  
6                   vanced conventional weapons (as such  
7                   term is defined in paragraphs (1) and  
8                   (2) of section 1608 of the Iran-Iraq  
9                   Arms Non-Proliferation Act of  
10                   1992).”.

11           (e) SANCTIONABLE ACTIVITIES WITH RESPECT TO  
12 BALLISTIC MISSILES.—Paragraph (1) of section 5(b) of  
13 the Iran Sanctions Act of 1996 (Public Law 104–172; 50  
14 U.S.C. 1701 note), as amended by subsection (e), is fur-  
15 ther amended by adding at the end the following:

16                   “(B) ADDITIONAL BALLISTIC MISSILE-RE-  
17                   LATED GOODS, SERVICES, AND TECHNOLOGY.—

18                   “(i) ADDITIONAL AUTHORITY.—The  
19                   President shall impose the sanctions de-  
20                   scribed in paragraph (8), (10), or (12) of  
21                   section 6(a), as the case may be, with re-  
22                   spect to—

23                   “(I) an agency or instrumentality  
24                   of the Government of Iran if the  
25                   President determines that the agency



1 or instrumentality, on or after the  
2 date of the enactment of this subpara-  
3 graph, knowingly seeks to develop,  
4 procure, or acquire goods, services, or  
5 technology that materially supports  
6 efforts by the Government of Iran  
7 with respect to ballistic missile-related  
8 goods, services, and technologies as  
9 described in clause (iii);

10 “(II) a foreign person or an  
11 agency or instrumentality of a foreign  
12 state if the President determines that  
13 the person or agency or instrumen-  
14 tality knowingly, on or after the date  
15 of the enactment of this paragraph,  
16 provides significant material support  
17 to the Government of Iran that sup-  
18 ports efforts by the Government of  
19 Iran with respect to ballistic missile-  
20 related goods, services, and tech-  
21 nologies as described in clause (iii);  
22 and

23 “(III) a foreign person that the  
24 President determines knowingly en-  
25 gages in a significant transaction or

1 transactions with, or provides signifi-  
2 cant financial services for, a foreign  
3 person or an agency or instrumen-  
4 tality of a foreign state described in  
5 subclause (I) or (II) with respect to  
6 ballistic missile-related goods, services,  
7 and technologies as described in  
8 clause (iii).

9 “(ii) DETERMINATION AND REPORT  
10 ON BALLISTIC MISSILE TESTS.—

11 “(I) IN GENERAL.—Not later  
12 than 30 days after the date on which  
13 the President determines that the  
14 Government of Iran has conducted a  
15 test of a ballistic missile that fails to  
16 comply with, violates, or is in defiance  
17 of United Nations Security Council  
18 Resolution 2231 (2015), the President  
19 shall submit to the appropriate con-  
20 gressional committees a report that  
21 identifies each senior official of the  
22 Government of Iran that the Presi-  
23 dent determines is responsible for or-  
24 dering, controlling, or otherwise di-  
25 recting the missile test.

1                   “(II) MATTERS TO BE IN-  
2                   CLUDED.—The report required by  
3                   subclause (I) should include available  
4                   information on the ballistic missile or  
5                   the generic class of ballistic missile or  
6                   space rocket that was launched; the  
7                   trajectory, duration, range, and alti-  
8                   tude of the missile flight; the dura-  
9                   tion, range, and altitude of the flight  
10                  of each stage of the missile; the loca-  
11                  tion of the launch point and impact  
12                  point; the payload; and other technical  
13                  information that is available.

14                  “(III) FORM.—The report re-  
15                  quired by subclause (I) shall be sub-  
16                  mitted in unclassified form, but may  
17                  contain a classified annex.

18                  “(iii) EFFORTS BY THE GOVERNMENT  
19                  OF IRAN WITH RESPECT TO BALLISTIC  
20                  MISSILE-RELATED GOODS, SERVICES, AND  
21                  TECHNOLOGIES DESCRIBED.—

22                  “(I) IN GENERAL.—For purposes  
23                  of subclauses (I), (II), and (III) of  
24                  clause (i), and except as provided in  
25                  subclause (II) of this clause, efforts

1 by the Government of Iran with re-  
2 spect to ballistic missile-related goods,  
3 services, and technologies described in  
4 this subsection are efforts by the Gov-  
5 ernment of Iran to manufacture, ac-  
6 quire, possess, develop, transport,  
7 transfer, test or use ballistic missiles  
8 or associated goods, services, or tech-  
9 nology by the Government of Iran, in-  
10 cluding efforts by the Government of  
11 Iran to manufacture, acquire, possess,  
12 develop, transport, transfer, pur-  
13 chase—

14 “(aa) goods, services, or  
15 technology listed on the Missile  
16 Technology Control Regime  
17 Equipment and Technology  
18 Annex of October 8, 2015, and  
19 subsequent revisions that have  
20 been acquired outside of the Pro-  
21 curement Working Group or not  
22 otherwise approved by the United  
23 Nations Security Council; or

24 “(bb) goods, services, or  
25 technology not described in the

1 matter preceding item (aa) or  
2 item (aa) but which nevertheless  
3 the President determines would  
4 be, if such goods, services, or  
5 technology were United States  
6 goods, services, or technology,  
7 prohibited for export to Iran be-  
8 cause of their potential to materi-  
9 ally support the development of  
10 ballistic missile systems or bal-  
11 listic missile launch technologies.

12 “(II) EXCEPTION.—Subclause (I)  
13 shall not apply with respect to efforts  
14 by the Government of Iran with re-  
15 spect to ballistic missile-related goods,  
16 services, and technologies that have  
17 been approved under paragraph 4 of  
18 Annex B of United Nations Security  
19 Council Resolution 2231 (2015).

20 “(iv) PROCUREMENT WORKING GROUP  
21 DEFINED.—In clause (iii)(I), the term  
22 ‘procurement working group’ means the  
23 Procurement Working Group of the Joint  
24 Commission established under Annex IV of  
25 the applicable provisions in Annex A of

1 United Nations Security Council Resolu-  
2 tion 2231 (2015).

3 “(v) ADDITIONAL REPORT ON BAL-  
4 LISTIC MISSILE TESTS.—

5 “(I) IN GENERAL.—Not later  
6 than January 31 of each calendar  
7 year, the President should submit to  
8 the Committee on Foreign Affairs of  
9 the House of Representatives and the  
10 Committee on Foreign Relations of  
11 the Senate a report that specifies the  
12 number and generic class of ballistic  
13 missiles and space rockets launched  
14 by Iran during the preceding calendar  
15 year and the dates of each missile  
16 launch and the type of missile  
17 launched on each relevant date. The  
18 report should include definitions used  
19 for classifying the generic classes of  
20 missiles.

21 “(II) FORM.—The report re-  
22 quired by subclause (I) shall be sub-  
23 mitted in unclassified form, but may  
24 contain a classified annex.”.

1           (f) SANCTIONABLE ACTIVITIES WITH RESPECT TO  
2 CONVENTIONAL WEAPONS.—Paragraph (1) of section  
3 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–  
4 172; 50 U.S.C. 1701 note), as amended by subsections  
5 (e) and (f), is further amended by adding at the end the  
6 following:

7                   “(C) CONVENTIONAL WEAPONS.—The  
8           President shall impose the sanctions described  
9           in paragraph (8) or (12) of section 6(a), as the  
10          case may be, with respect to a foreign person  
11          or an agency or instrumentality of a foreign  
12          state if the President determines that the per-  
13          son or agency or instrumentality knowingly, on  
14          or after the date of the enactment of this para-  
15          graph, imports, exports, or re-exports to, into,  
16          or from Iran, whether directly or indirectly, any  
17          significant arms or related materiel prohibited  
18          under paragraph (5) or (6) of Annex B of  
19          United Nations Security Council Resolution  
20          2231 (2015).”.

21          (g) EXCEPTION AND DEFINITIONS.—Paragraph (1)  
22 of section 5(b) of the Iran Sanctions Act of 1996 (Public  
23 Law 104–172; 50 U.S.C. 1701 note), as amended by sub-  
24 sections (e), (f), and (g), is further amended by adding  
25 at the end the following:

1           “(D) EXCEPTION.—The President may not  
2 impose sanctions under subparagraph (B) or  
3 (C) with respect to a foreign person or a United  
4 States person if the President determines that  
5 the person has exercised due diligence in estab-  
6 lishing and enforcing official policies, proce-  
7 dures, and controls to ensure that the person  
8 does not sell, supply, or transfer to or from  
9 Iran materials the sale, supply, or transfer of  
10 which would subject a person to the imposition  
11 of sanctions under subparagraph (B) or (C), as  
12 the case may be, or conduct or facilitate a fi-  
13 nancial transaction for such a sale, supply, or  
14 transfer.

15           “(E) DEFINITIONS.—In subparagraphs  
16 (B) and (C) of this paragraph:

17           “(i) AGENCY OR INSTRUMEN-  
18 TILITY.—The term ‘agency or instrumen-  
19 tality’ has the meaning given such term in  
20 section 1603(b) of title 28, United States  
21 Code.

22           “(ii) FOREIGN STATE.—The term  
23 ‘foreign state’ has the meaning given such  
24 term in section 1603(a) of title 28, United  
25 States Code.



1           “(iii) GOVERNMENT OF IRAN.—The  
2           term ‘Government of Iran’ has the mean-  
3           ing given such term in section 560.304 of  
4           title 31, Code of Federal Regulations, as  
5           such section was in effect on January 1,  
6           2016.

7           “(iv) SIGNIFICANT TRANSACTION OR  
8           TRANSACTIONS; SIGNIFICANT FINANCIAL  
9           SERVICES.—The terms ‘significant trans-  
10          action or transactions’ and ‘significant fi-  
11          nancial services’ shall be determined in ac-  
12          cordance with section 561.404 of title 31,  
13          Code of Federal Regulations, as such sec-  
14          tion 561.404 was in effect on January 1,  
15          2016.”.

16          (h) SANCTIONS DESCRIBED.—Section 6(a) of the  
17          Iran Sanctions Act of 1996 (Public Law 104–172; 50  
18          U.S.C. 1701 note) is amended—

19                 (1) by striking paragraph (10) and inserting  
20          the following:

21                 “(10) INADMISSIBILITY TO UNITED STATES.—

22                         “(A) IN GENERAL.—The President may di-  
23                         rect the Secretary of State to deny a visa to,  
24                         and the Secretary of Homeland Security to ex-  
25                         clude from the United States and, if the indi-

1           vidual has been issued a visa or other docu-  
2           mentation, revoke, in accordance with the Im-  
3           migration and Nationality Act (8 U.S.C. 1101  
4           et seq.) the visa or other documentation of any  
5           alien that—

6                   “(i) is designated pursuant to sub-  
7                   paragraph (B) or (C) of section 5(b)(1); or

8                   “(ii) the President determines is a  
9                   corporate officer or principal of, or a  
10                  shareholder with a controlling interest in, a  
11                  sanctioned person.

12                  “(B) EXCEPTION TO COMPLY WITH  
13                  UNITED NATIONS HEADQUARTERS AGREE-  
14                  MENT.—Sanctions under subparagraph (A)  
15                  shall not apply to an alien if admitting the alien  
16                  into the United States is necessary to permit  
17                  the United States to comply with the Agree-  
18                  ment regarding the Headquarters of the United  
19                  Nations, signed at Lake Success June 26,  
20                  1947, and entered into force November 21,  
21                  1947, between the United Nations and the  
22                  United States, or other applicable international  
23                  obligations.”;

24                  (2) by redesignating paragraph (12) as para-  
25                  graph (13); and

1           (3) by inserting after paragraph (11) the fol-  
2           lowing:

3           “(12) EXPORT SANCTION.—In the case of an  
4           agency or instrumentality of a foreign state, no item  
5           on the United States Munitions List or Commerce  
6           Munitions List may be exported to that foreign state  
7           for a period of 2 years.”.

8           (i) RULE OF CONSTRUCTION.—The sanctions that  
9           are required to be imposed under this section and the  
10          amendments made by this section are in addition to other  
11          similar or related sanctions that are required to be im-  
12          posed under any other provision of law.

13          (j) IMPLEMENTATION.—The President may exercise  
14          all authorities provided under sections 203 and 205 of the  
15          International Emergency Economic Powers Act (50  
16          U.S.C. 1702 and 1704) to carry out any amendments  
17          made by this section.

18          (k) IMPLEMENTATION PLAN.—Not later than 60  
19          days after the date of the enactment of this Act, the Presi-  
20          dent shall transmit to the appropriate congressional com-  
21          mittees a plan to implement—

22                 (1) paragraph (1) of section 5(b) of the Iran  
23                 Sanctions Act of 1996 (Public Law 104–172; 50  
24                 U.S.C. 1701 note), as amended by this section; and

1           (2) section 104 of the Countering America's  
2 Adversaries Through Sanctions Act (Public Law  
3 115–44).

4           (1) EFFECTIVE DATE.—

5           (1) IN GENERAL.—The amendments made by  
6 this section shall—

7           (A) take effect on the date of the enact-  
8 ment of this Act; and

9           (B) apply with respect to an activity de-  
10 scribed in subsection (b) of section 5 of the  
11 Iran Sanctions Act of 1996, as amended by this  
12 section, that is commenced on or after such  
13 date of enactment.

14           (2) APPLICABILITY TO ONGOING ACTIVITIES RE-  
15 LATING TO CERTAIN ACTIVITIES.—A person that,  
16 before the date of the enactment of this Act, com-  
17 menced an activity described in section 5(b) of the  
18 Iran Sanctions Act of 1996, as in effect on the day  
19 before such date of enactment, and continues the ac-  
20 tivity on or after such date of enactment, shall be  
21 subject to the provisions of the Iran Sanctions Act  
22 of 1996, as amended by this Act.

23 **SEC. 3. REPORT ON SANCTIONABLE ACTIVITIES.**

24           (a) IN GENERAL.—Not later than 180 days after the  
25 date of the enactment of this Act, and every 180 days

1 thereafter for a period not to exceed 3 years, the President  
2 shall submit to the appropriate congressional committees  
3 a report that contains the following information:

4           (1) Any credible information regarding Iran’s  
5 attempts to develop, procure, or acquire goods, serv-  
6 ices, or technology with respect to which sanctions  
7 may be imposed pursuant to subparagraphs (B) and  
8 (C) of section 5(b)(1) of the Iran Sanctions Act of  
9 1996 (Public Law 104–172; 50 U.S.C. 1701 note),  
10 as added by section 2 of this Act.

11           (2) Any credible information regarding Iran’s  
12 acquisition or attempted acquisition of significant  
13 arms and related material in violation of paragraph  
14 5 of Annex B of United Nations Security Council  
15 Resolution 2231 (2015).

16           (3) Any credible information regarding Iran’s  
17 export or attempted export of significant arms and  
18 related material in violation of paragraph 6 of  
19 Annex B of United Nations Security Council Resolu-  
20 tion 2231 (2015).

21           (4) Any approval granted by the United Na-  
22 tions Security Council for the export of significant  
23 arms and related material identified under para-  
24 graphs 5 or 6 of Annex B of United Nations Secu-  
25 rity Council Resolution 2231 (2015).

1 (5) Any credible information regarding viola-  
2 tions of travel restrictions described in paragraph 6  
3 of Annex B of United Nations Security Council Res-  
4 olution 2231 (2015).

5 (6) Any approval granted by the United Na-  
6 tions Security Council for exemptions to the travel  
7 restrictions described in paragraph 6 of Annex B of  
8 United Nations Security Council Resolution 2231  
9 (2015).

10 (b) FORM.—The report required by subsection (a)  
11 shall be submitted in unclassified form, but may contain  
12 a classified annex.

13 **SEC. 4. DETERMINATIONS WITH RESPECT TO THE IMPOSI-**  
14 **TION OF SANCTIONS FOR THE SALE OR**  
15 **TRANSFER OF DESTABILIZING TYPES AND**  
16 **AMOUNTS OF CONVENTIONAL WEAPONS TO**  
17 **THE GOVERNMENT OF IRAN.**

18 (a) NOTIFICATION OF SALES AND TRANSFERS.—Not  
19 later than 90 days after the date on which the President  
20 receives credible information that destabilizing numbers  
21 and types of conventional weapons have been sold or  
22 transferred to Iran, the President shall notify the appro-  
23 priate congressional committees of the sale or transfer.

24 (b) DETERMINATIONS WITH RESPECT TO SANC-  
25 TIONS.—

1           (1) IN GENERAL.—Not later than 120 days  
2 after the date on which the President notifies the  
3 appropriate congressional committees of a sale or  
4 transfer under subsection (a), the President shall—

5                   (A) determine whether such sale or trans-  
6 fer meets the requirements to impose sanctions  
7 under each provision of law specified in sub-  
8 section (c); and

9                   (B)(i) if the determination is that the sale  
10 or transfer is subject to any such sanctions, the  
11 President shall—

12                           (I) make a determination whether to  
13 impose or waive such sanctions with re-  
14 spect to such sale or transfer; and

15                           (II) submit that determination to the  
16 appropriate congressional committees; or

17                   (ii) if the determination is that the sale or  
18 transfer is not subject to any such sanctions,  
19 the President shall submit to the appropriate  
20 congressional committees a detailed report on  
21 the determination and the specific reasons for  
22 the determination.

23           (2) FORM.—The determination in paragraph  
24 (1) shall be provided in an unclassified form, and  
25 may contain a classified annex.

1 (c) PROVISIONS OF LAW SPECIFIED.—The provisions  
2 of law specified in this subsection are the following:

3 (1) Section 5(b)(1) of the Iran Sanctions Act of  
4 1996 (50 U.S.C. 1701 note), as amended by section  
5 2 of this Act.

6 (2) The Iran-Iraq Arms Non-Proliferation Act  
7 of 1992 (50 U.S.C. 1701 note).

8 (3) The Iran, North Korea, and Syria Non-  
9 proliferation Act (50 U.S.C. 1701 note).

10 (d) DEFINITION.—In this section, the term “desta-  
11 bilizing numbers and types of advanced conventional  
12 weapons”—

13 (1) has the meaning given the terms “advanced  
14 conventional weapons” and “cruise missile” as de-  
15 fined in paragraphs (1) and (2), respectively, of sec-  
16 tion 1608 of the Iran-Iraq Arms Non-Proliferation  
17 Act of 1992 (50 U.S.C. 1701 note); and

18 (2) includes the S-300 and S-400 missile de-  
19 fense systems and air superiority fighters.

20 **SEC. 5. DETERMINATION ON USE BY THE GOVERNMENT OF**  
21 **IRAN OF COMMERCIAL PASSENGER AIR-**  
22 **CRAFT AND RELATED SERVICES FOR ILLICIT**  
23 **MILITARY OR OTHER ACTIVITIES.**

24 (a) DETERMINATION.—Not later than 180 days after  
25 the date of the enactment of this Act, and every 180 days



1 thereafter for 3 years, the President shall submit to the  
2 appropriate congressional committees a determination on  
3 use by the Government of Iran of commercial passenger  
4 aircraft and related services for illicit military or other ac-  
5 tivities on or after the date of the enactment of this Act.

6 (b) ELEMENTS OF DETERMINATION.—The deter-  
7 mination required under subsection (a) shall include a de-  
8 scription of the extent to which—

9 (1) commercial passenger aircraft in Iran are  
10 being used to transport—

11 (A) arms or related materiel, including de-  
12 fense articles, defense services, or technical data  
13 that are controlled on the United States Muni-  
14 tions List established under section 38 of the  
15 Arms Export Control Act (22 U.S.C. 2778);

16 (B) any item that is, or would be, if lo-  
17 cated in the United States, controlled by Export  
18 Control Classification Number 600 series listed  
19 on the Commerce Control List maintained  
20 under Supplement No. 1 to part 774 of the Ex-  
21 port Administration Regulations;

22 (C) items used to facilitate the develop-  
23 ment or production of a chemical or biological  
24 weapon or other weapon of mass destruction

1 and their means of delivery, including ballistic  
2 missiles and cruise missiles; or

3 (D) any foreign person that facilitates the  
4 transfer of any of the articles described in sub-  
5 paragraphs (A) through (C);

6 (2) commercial passenger aircraft licensed by  
7 the Office of Foreign Assets Control of the Depart-  
8 ment of the Treasury are being used for activities  
9 described in paragraph (1); and

10 (3) foreign governments and persons have fa-  
11 cilitated the activities described in paragraph (1), in-  
12 cluding allowing the use of airports, services, or  
13 other resources.

14 (c) FORM OF DETERMINATION.—The determination  
15 required under subsection (a) shall be submitted in unclas-  
16 sified form but may include a classified annex.

17 (d) DEFINITIONS.—In this section:

18 (1) COMMERCIAL PASSENGER AIRCRAFT.—The  
19 term “commercial passenger aircraft” includes—

20 (A) an aircraft of United States origin and  
21 that is classified under Export Control Classi-  
22 fication Number (ECCN) 9A991 on the Com-  
23 merce Control List maintained under Supple-  
24 ment No. 1 to part 774 of the Export Adminis-  
25 tration Regulations; or

1 (B) an aircraft not of United States origin  
2 of which United States-controlled content con-  
3 stitutes 10 percent or more of the total value of  
4 the aircraft and that is—

5 (i) classified under Export Control  
6 Classification Number (ECCN) 9A991 on  
7 the Commerce Control List maintained  
8 under Supplement No. 1 to part 774 of the  
9 Export Administration Regulations; and

10 (ii) is registered in a jurisdiction other  
11 than the United States.

12 (2) EXPORT ADMINISTRATION REGULATIONS.—

13 The term “Export Administration Regulations”  
14 means subchapter C of chapter VII of title 15, Code  
15 of Federal Regulations.

16 (3) RELATED SERVICES.—The term “related  
17 services”, with respect to a commercial passenger  
18 aircraft, includes—

19 (A) the export, re-export, sale, lease, or  
20 transfer to Iran of spare parts and components;  
21 and

22 (B) warranty, maintenance, and repair  
23 services.

1 **SEC. 6. REGULATORY AUTHORITY.**

2 (a) IN GENERAL.—The President shall, not later  
3 than 120 days after the date of the enactment of this Act,  
4 promulgate regulations as necessary for the implementa-  
5 tion of this Act and the amendments made by this Act.

6 (b) NOTIFICATION TO CONGRESS.—Not less than 10  
7 days before the promulgation of regulations under sub-  
8 section (a), the President shall notify the appropriate con-  
9 gressional committees of the proposed regulations and the  
10 provisions of this Act and the amendments made by this  
11 Act that the regulations are implementing.

12 **SEC. 7. DEFINITIONS.**

13 In this Act:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
15 TEES.—The term “appropriate congressional com-  
16 mittees” means—

17 (A) the Committee on Foreign Affairs, the  
18 Committee on Ways and Means, the Committee  
19 on Financial Services, the Committee on Appro-  
20 priations, the Committee on Oversight and Gov-  
21 ernment Reform, and the Permanent Select  
22 Committee on Intelligence of the House of Rep-  
23 resentatives; and

24 (B) the Committee on Foreign Relations,  
25 the Committee on Finance, the Committee on  
26 Banking, Housing, and Urban Affairs, the

1           Committee on Appropriations, the Committee  
2           on Homeland Security and Governmental Af-  
3           fairs, and the Select Committee on Intelligence  
4           of the Senate.

5           (2) CREDIBLE INFORMATION.—The term “cred-  
6           ible information” has the meaning given such term  
7           in section 14 of the Iran Sanctions Act of 1996  
8           (Public Law 104–172; 50 U.S.C. 1701 note).

9           (3) GOVERNMENT OF IRAN.—The term “Gov-  
10          ernment of Iran” has the meaning given such term  
11          in section 560.304 of title 31, Code of Federal Reg-  
12          ulations, as such section was in effect on January 1,  
13          2016.

Passed the House of Representatives October 26,  
2017.

Attest:

*Clerk.*

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1698**

---

**AN ACT**

To expand sanctions against Iran with respect to the ballistic missile program of Iran, and for other purposes.