

114TH CONGRESS
2D SESSION

H. R. 5727

To impose sanctions on persons that threaten the peace or stability of Iraq
or the Government of Iraq.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2016

Mr. KINZINGER of Illinois (for himself, Mrs. BLACKBURN, Mr. YOUNG of Indiana, Mr. NUNES, Mr. SHIMKUS, Mr. ABRAHAM, Mr. MILLER of Florida, Mr. GIBSON, Mr. OLSON, Mr. HECK of Nevada, Mr. HUNTER, Mr. DIAZ-BALART, Mr. CURBELO of Florida, Mr. CULBERSON, Mrs. BLACK, Mr. CRAMER, Mrs. WAGNER, Mr. BOUSTANY, Mr. MESSER, Mr. HOLDING, Mr. ROONEY of Florida, and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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 on persons that threaten the peace
or stability of Iraq or the Government of Iraq.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Iranian De-
5 stabilization of Iraq Act of 2016”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It shall be the policy of the United States to impose
3 sanctions with respect to terrorist organizations and for-
4 eign countries, including the Government of Iran, that
5 threaten the peace or stability of Iraq or the Government
6 of Iraq.

7 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO CER-**
8 **TAIN FOREIGN PERSONS THREATENING**
9 **PEACE OR STABILITY IN IRAQ.**

10 (a) SANCTIONS REQUIRED.—The President shall im-
11 pose the sanctions described in subsection (b)(1)(A) and
12 the Secretary of State or the Secretary of Homeland Secu-
13 rity (or a designee of one of such Secretaries) shall impose
14 the sanctions described in subsection (b)(1)(B) with re-
15 spect to any foreign person that the President, acting
16 through the Secretary of State or the Secretary of Home-
17 land Security (or a designee of one of such Secretaries),
18 as the case may be, determines—

19 (1) to have knowingly committed, or to pose a
20 significant risk of committing, an act or acts of vio-
21 lence that have the purpose or effect of—

22 (A) threatening the peace or stability of
23 Iraq or the Government of Iraq; or

24 (B) undermining efforts to promote eco-
25 nomic reconstruction and political reform in

1 Iraq or to provide humanitarian assistance to
2 the Iraqi people;

3 (2) has knowingly materially assisted, spon-
4 sored, or provided financial, material, or techno-
5 logical support for, or goods or services to or in sup-
6 port of, any activity described in subparagraph (A)
7 or (B) of paragraph (1); or

8 (3) is owned or controlled by, or has acted or
9 purported to act for or on behalf of, directly or indi-
10 rectly, a foreign person that has carried out any ac-
11 tivity described in subparagraph (A) or (B) of para-
12 graph (1) or paragraph (2).

13 (b) SANCTIONS DESCRIBED.—

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

16 (A) ASSET BLOCKING.—The exercise of all
17 powers granted to the President by the Inter-
18 national Emergency Economic Powers Act (50
19 U.S.C. 1701 et seq.) to the extent necessary to
20 block and prohibit all transactions in all prop-
21 erty and interests in property of a person deter-
22 mined by the President to be subject to sub-
23 section (a) if such property and interests in
24 property are in the United States, come within

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

3 (B) ALIENS INELIGIBLE FOR VISAS, AD-
4 MISSION, OR PAROLE.—

5 (i) VISAS, ADMISSION, OR PAROLE.—

6 An alien who the Secretary of State or the
7 Secretary of Homeland Security (or a des-
8 ignee of one of such Secretaries) knows or
9 has reasonable grounds to believe meets
10 any of the criteria described in subsection
11 (a) is—

12 (I) inadmissible to the United
13 States;

14 (II) ineligible to receive a visa or
15 other documentation to enter the
16 United States; and

17 (III) otherwise ineligible to be
18 admitted or paroled into the United
19 States or to receive any other benefit
20 under the Immigration and Nation-
21 ality Act (8 U.S.C. 1101 et seq.).

22 (ii) CURRENT VISAS REVOKED.—

23 (I) IN GENERAL.—The issuing
24 consular officer, the Secretary of
25 State, or the Secretary of Homeland

1 Security (or a designee of one of such
2 Secretaries) shall revoke any visa or
3 other entry documentation issued to
4 an alien who meets any of the criteria
5 described in subsection (a), regardless
6 of when issued.

7 (II) EFFECT OF REVOCATION.—
8 A revocation under subclause (I) shall
9 take effect immediately and shall
10 automatically cancel any other valid
11 visa or entry documentation that is in
12 the alien's possession.

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

19 (3) PENALTIES.—A person that is subject to
20 sanctions described in paragraph (1)(A) shall be
21 subject to the penalties set forth in subsections (b)
22 and (c) of section 206 of the International Emer-
23 gency Economic Powers Act (50 U.S.C. 1705) to the
24 same extent as a person that commits an unlawful
25 act described in subsection (a) of that section.

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

11 (c) WAIVER.—

12 (1) IN GENERAL.—The President may, on a
13 case-by-case basis and for periods not to exceed 90
14 days, waive the application of sanctions in this sec-
15 tion with respect to a foreign person if the President
16 certifies to the appropriate congressional committees
17 at least 15 days before such waiver is to take effect
18 that such waiver is vital to the national security in-
19 terests of the United States.

20 (2) SUNSET.—The provisions of this subsection
21 and any waivers issued pursuant to this subsection
22 shall terminate on the date that is 3 years after the
23 date of the enactment of this Act.

24 (d) IMPLEMENTATION AUTHORITY.—The President
25 may exercise all authorities provided to the President

1 under sections 203 and 205 of the International Emer-
2 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
3 for purposes of carrying out this section.

4 (e) REGULATORY AUTHORITY.—

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

9 (2) NOTIFICATION TO CONGRESS.—Not less
10 than 10 days before the promulgation of regulations
11 under subsection (a), the President shall notify and
12 provide to the appropriate congressional committees
13 the proposed regulations and the provisions of this
14 Act and the amendments made by this Act that the
15 regulations are implementing.

16 (f) DEFINITIONS.—In this section—

17 (1) FOREIGN PERSON.—The term “foreign per-
18 son” means—

19 (A) an individual who is not a United
20 States person;

21 (B) a corporation, partnership, or other
22 nongovernmental entity which is not a United
23 States person; or

1 (C) any representative, agent or instru-
2 mentality of, or an individual working on behalf
3 of a foreign government.

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

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

12 (4) DEFINITION.—In this section, the term
13 “appropriate congressional committees” means—

14 (A) the Committee on Foreign Affairs, the
15 Committee on the Judiciary, the Committee on
16 Ways and Means, and the Committee on Finan-
17 cial Services of the House of Representatives;
18 and

19 (B) the Committee on Foreign Relations
20 and the Committee on Banking, Housing, and
21 Urban Affairs of the Senate.

22 (5) KNOWINGLY.—The term “knowingly”, with
23 respect to conduct, a circumstance, or a result,
24 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.

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

7 (7) PERSON.—The term “person” has the
8 meaning given that term in section 576.311 of title
9 31, Code of Federal Regulations, as in effect on
10 June 22, 2016.

11 (8) PROPERTY; PROPERTY INTEREST.—The
12 terms “property” and “property interest” have the
13 meanings given those terms in section 576.312 of
14 title 31, Code of Federal Regulations, as in effect on
15 June 22, 2016.

16 (g) SUNSET.—This section shall cease to be effective
17 beginning on January 1, 2022.

18 **SEC. 4. DETERMINATIONS WITH RESPECT TO CERTAIN IRA-**
19 **NIAN PERSONS.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Government of Iran has committed acts of
22 violence, and pose a significant risk of committing further
23 acts of violence that have the purpose of threatening the
24 peace or stability of Iraq or the Government of Iraq.

1 (b) DETERMINATIONS WITH RESPECT TO CERTAIN
2 IRANIAN PERSONS.—

3 (1) IN GENERAL.—The President shall, not
4 later than 45 days after the date of the enactment
5 of this Act, determine whether the Iranian persons
6 listed in paragraph (2) are responsible for engaging
7 in activities described in section 3(a).

8 (2) IRANIAN PERSONS LISTED.—The Iranian
9 persons referenced in paragraph (1) are the fol-
10 lowing:

11 (A) The Supreme Leader of Iran.

12 (B) The President of Iran.

13 (C) Members of the Council of Guardians.

14 (D) Members of the Expediency Council.

15 (E) The Minister of Intelligence and Secu-
16 rity.

17 (F) The Commander of the Iran's Revolu-
18 tionary Guard Corps.

19 (G) The Minister of Defense.

20 (3) REPORT.—

21 (A) IN GENERAL.—The President shall
22 submit to the appropriate congressional com-
23 mittees a report on the determinations made
24 under paragraph (1) together with the reasons
25 for those determinations and an identification

1 of the Iranian persons that the President deter-
2 mines are responsible for engaging in activities
3 described in section 3(a).

4 (B) FORM.—A report submitted under
5 subparagraph (A) shall be submitted in unclas-
6 sified form but may contain a classified annex.

7 (4) EFFECT OF DETERMINATION BY REASON
8 OF REPORT OR REQUEST UNDER THIS SECTION.—If
9 an Iranian person listed in paragraph (2) is deter-
10 mined by the President to be responsible for engag-
11 ing in activities described in section 3(a), the Presi-
12 dent shall impose the sanctions described in section
13 3(b) on the Iranian person.

14 (5) DEFINITION.—In this subsection, the term
15 “appropriate congressional committees” means—

16 (A) the Committee on Foreign Affairs, the
17 Committee on Ways and Means, and the Com-
18 mittee on Financial Services of the House of
19 Representatives; and

20 (B) the Committee on Foreign Relations,
21 the Committee on Finance, and the Committee
22 on Banking, Housing, and Urban Affairs of the
23 Senate.

1 **SEC. 5. REPORT ON IRANIAN ACTIVITIES IN IRAQ.**

2 (a) REPORT.—Not later than 60 days after the date
3 of the enactment of this Act, and every 180 days there-
4 after for a period not to exceed 5 years, the President shall
5 submit to the appropriate congressional committees a re-
6 port on Iranian activities in Iraq.

7 (b) MATTERS TO BE INCLUDED.—The report re-
8 quired by subsection (a) shall include a description of the
9 following:

10 (1) Iran’s support for Iraqi militias or political
11 parties, including weapons, financing, and other
12 forms of material support.

13 (2) A list of referrals to the relevant United
14 Nations Security Council sanctions committees by
15 the United States Permanent Representative to the
16 United Nations.

17 (c) FORM.—The President may submit the report re-
18 quired by subsection (a) in classified form if the President
19 determines that it is necessary for the national security
20 interests of the United States to do so.

21 (d) DEFINITION.—In this section, the term “appro-
22 priate congressional committees” means—

23 (1) the Committee on Foreign Affairs, the
24 Committee on Armed Services, the Committee on
25 Ways and Means, and the Committee on Financial
26 Services of the House of Representatives; and

1 (2) the Committee on Foreign Relations, the
2 Committee on Armed Services, the Committee on Fi-
3 nance, and the Committee on Banking, Housing,
4 and Urban Affairs of the Senate.

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