

117TH CONGRESS
1ST SESSION

H. R. 857

To impose sanctions on certain persons contributing to the proliferation of arms of Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2021

Mr. BACON (for himself and Mr. WILSON of South Carolina) 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 certain persons contributing to the proliferation of arms 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.**

4 This act may be cited as the “Iranian Arms Transfer
5 Prevention Act of 2021”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It is the policy of the United States to counter Iran’s
8 malign influence in the Middle East, including transfers

1 from Iran of destabilizing conventional weapons and ac-
2 quisition of arms and related materiel by Iran.

3 **SEC. 3. FINDINGS.**

4 Congress finds the following:

5 (1) Transfers to and from Iran of arms or re-
6 lated materiel or military equipment represent a con-
7 tinuing threat to regional and international security,
8 as evidenced by Iran's continued military support
9 that fuels ongoing conflict in Syria, Lebanon, Iraq,
10 and Yemen.

11 (2) Iran benefits from engaging in the conven-
12 tional arms trade by strengthening its relationships
13 with other outlier regimes, lessening its international
14 isolation, and deriving revenue that it uses to sup-
15 port terror groups and fund malign activities.

16 (3) Chinese and Russian arms transfers to Iran
17 are a threat to the national security of the United
18 States and to its allies and partners in the region,
19 including Israel, Saudi Arabia, the United Arab
20 Emirates, and others.

21 (4) The arms embargo imposed on Iran by the
22 United Nations Security Council found in United
23 National Security Council Resolutions 1747 and
24 1929 was terminated by the Joint Comprehensive
25 Plan of Action (JCPOA), otherwise known as the

1 Iran nuclear deal, which ended the long-standing
2 prohibition on arms transfers to and from Iran in
3 October 2020 as part of UN Security Council Reso-
4 lution 2231.

5 (5) In response to the expiration of the United
6 Nations arms embargo, the United States imposed
7 sanctions on international arms transfers to and
8 from Iran in Executive Order 13949 (85 Fed. Reg.
9 60043) issued on September 21, 2020.

10 **SEC. 4. REPORT ON LIST OF ENTITIES INVOLVED IN ARMS**
11 **TRANSFERS TO IRAN.**

12 (a) IN GENERAL.—Not later than 30 days after the
13 enactment of this Act, and every 180 days thereafter, the
14 Secretary of the State, in consultation with the Secretary
15 of Treasury, shall submit to the appropriate congressional
16 committees a report that includes a list of each individual
17 and entity the Secretary determines is knowingly engaged
18 in—

19 (1) any activity that materially contributes to
20 the supply, sale, or transfer, directly or indirectly, to
21 or from Iran or for the use in or benefit of Iran, of
22 arms or related materiel, including spare parts; or

23 (2) any activity that materially contributes to,
24 or poses a risk of materially contributing to, the pro-
25 liferation of arms or related materiel or items in-

1 tended for military end-uses or military end-users,
2 including any efforts to manufacture, acquire, pos-
3 sess, develop, transport, transfer, or use such items,
4 by—

5 (A) the Government of Iran (including per-
6 sons owned or controlled by, or acting for or on
7 behalf of the Government of Iran); or

8 (B) paramilitary organizations financially
9 or militarily supported by the Government of
10 Iran.

11 (b) FORM.—Each report required by paragraph (1)
12 shall be submitted in unclassified form but may include
13 a classified annex.

14 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
15 FINED.—In this section, the term “appropriate congres-
16 sional committees” means—

17 (1) the Committee on Foreign Affairs and the
18 Committee on Financial Services of the House of
19 Representatives; and

20 (2) the Committee on Foreign Relations and
21 the Committee on Banking, Housing, and Urban Af-
22 fairs of the Senate.

23 **SEC. 5. SANCTIONS WITH RESPECT TO LISTED PERSONS.**

24 (a) IMPOSITION OF SANCTIONS.—

1 (1) IN GENERAL.—Beginning on the date that
2 is 60 days after the date of the enactment of this
3 Act, the President shall impose the sanctions de-
4 scribed in subsection (b) with respect to—

5 (A) each foreign person listed in the most
6 recent report submitted in accordance with sec-
7 tion 4, except as provided in subsection (d); and

8 (B) each foreign person the President de-
9 termines, on or after such date of enactment,
10 engages in an activity described in paragraph
11 (2).

12 (2) ACTIVITY DESCRIBED.—An activity de-
13 scribed in this paragraph is any of the following,
14 with respect to a foreign person:

15 (A) Any activity that materially contrib-
16 utes to the supply, sale, or transfer, directly or
17 indirectly, to or from Iran, or for the use in or
18 benefit of Iran, of arms or related materiel, in-
19 cluding spare parts.

20 (B) The provision to the Government of
21 Iran any technical training, financial resources
22 or services, advice, other services, or assistance
23 related to the supply, sale, transfer, manufac-
24 ture, maintenance, or use of arms and related
25 materiel described in subparagraph (A).

1 (C) Any activity that materially contributes
2 to, or poses a risk of materially contributing to,
3 the proliferation of arms or related materiel or
4 items intended for military end-uses or military
5 end-users, including any efforts to manufacture,
6 acquire, possess, develop, transport, transfer, or
7 use such items, by the Government of Iran (in-
8 cluding persons owned or controlled by, or act-
9 ing for or on behalf of the Government of Iran)
10 or paramilitary organizations financially or mili-
11 tarily supported by the Government of Iran.

12 (D) Materially assisting, sponsoring, or
13 providing financial, material, or technological
14 support for, or goods or services to or in sup-
15 port of, any person whose property and inter-
16 ests in property are blocked pursuant to this
17 Act.

18 (E) Making any contribution or provision
19 of funds, goods, or services by, to, or for the
20 benefit of any person whose property and inter-
21 ests in property are blocked pursuant to this
22 Act.

23 (F) Receiving any contribution or provision
24 of funds, goods, or services from any such per-

1 son whose property and interests in property
2 are blocked pursuant to this Act.

3 (G) Being owned or controlled by, or act-
4 ing or purporting to act for or on behalf of, di-
5 rectly or indirectly, any person whose property
6 and interests in property are blocked pursuant
7 to this Act.

8 (b) SANCTIONS DESCRIBED.—

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

11 (A) BLOCKING OF PROPERTY.—The Presi-
12 dent shall exercise all of the powers granted to
13 the President under the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1701 et
15 seq.) to the extent necessary to block and pro-
16 hibit all transactions in property and interests
17 in property of the foreign person if such prop-
18 erty and interests in property are in the United
19 States, come within the United States, or are or
20 come within the possession or control of a
21 United States person.

22 (B) ALIENS INELIGIBLE FOR VISAS, AD-
23 MISSION, OR PAROLE.—

24 (i) VISAS, ADMISSION, OR PAROLE.—

25 An alien who the Secretary of State or the

1 Secretary of Homeland Security (or a des-
2 ignee of one of such Secretaries) knows, or
3 has reason to believe, has knowingly en-
4 gaged in any activity described in sub-
5 section (a)(2) is—

6 (I) inadmissible to the United
7 States;

8 (II) ineligible to receive a visa or
9 other documentation to enter the
10 United States; and

11 (III) otherwise ineligible to be
12 admitted or paroled into the United
13 States or to receive any other benefit
14 under the Immigration and Nation-
15 ality Act (8 U.S.C. 1101 et seq.).

16 (ii) CURRENT VISAS REVOKED.—

17 (I) IN GENERAL.—The issuing
18 consular officer, the Secretary of
19 State, or the Secretary of Homeland
20 Security (or a designee of one of such
21 Secretaries) shall, in accordance with
22 section 221(i) of the Immigration and
23 Nationality Act (8 U.S.C. 1201(i)),
24 revoke any visa or other entry docu-
25 mentation issued to an alien described

1 in clause (i) regardless of when the
2 visa or other entry documentation is
3 issued.

4 (II) EFFECT OF REVOCATION.—

5 A revocation under subclause (I) shall
6 take effect immediately and shall
7 automatically cancel any other valid
8 visa or entry documentation that is in
9 the alien's possession.

10 (2) EXCEPTIONS.—

11 (A) UN HEADQUARTERS AGREEMENT.—

12 Sanctions under paragraph (1)(B) shall not
13 apply with respect to an alien if admitting or
14 paroling the alien into the United States is nec-
15 essary to permit the United States to comply
16 with the Agreement regarding the Head-
17 quarters of the United Nations, signed at Lake
18 Success June 26, 1947, and entered into force
19 November 21, 1947, between the United Na-
20 tions and the United States, or other applicable
21 international obligations.

22 (B) PRIOR TRANSFER DIRECTIVE.—Sanc-

23 tions under paragraph (1)(B) shall not apply
24 with respect to property and interests in prop-
25 erty of the Government of Iran that were

1 blocked pursuant to Executive Order 12170 of
2 November 14, 1979 (Blocking Iranian Govern-
3 ment Property), and thereafter made subject to
4 the transfer directives set forth in Executive
5 Order 12281 of January 19, 1981 (Direction to
6 Transfer Certain Iranian Government Assets),
7 and any implementing regulations with respect
8 to such Executive Order 12281.

9 (C) HUMANITARIAN EXCEPTION.—Sanctions
10 under paragraph (1)(B) shall not apply
11 with respect to any person for conducting or fa-
12 cilitating a transaction for the provision (includ-
13 ing any sale) of agricultural commodities, food,
14 medicine, or medical devices to Iran.

15 (c) PENALTIES.—The penalties provided for in sub-
16 sections (b) and (c) of section 206 of the International
17 Emergency Economic Powers Act (50 U.S.C. 1705) shall
18 apply to a person that violates, attempts to violate, con-
19 spires to violate, or causes a violation of regulations pro-
20 mulgated to carry out this section or the sanctions im-
21 posed pursuant to this section to the same extent that
22 such penalties apply to a person that commits an unlawful
23 act described in section 206(a) of that Act.

24 (d) TERMINATION.—

1 (1) IN GENERAL.—Sanctions may be termi-
2 nated or may be waived with respect to a foreign
3 person described in subsection (a)(1)(A) if the Presi-
4 dent certifies to the appropriate congressional com-
5 mittees, subsequent to the submission of the applica-
6 ble list pursuant to section 4(a), that the person is
7 no longer engaged in activities described in para-
8 graph (1) of such section.

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—In this subsection, the term “appropriate
11 congressional committees” means—

12 (A) the Committee on Foreign Affairs and
13 the Committee on Financial Services of the
14 House of Representatives; and

15 (B) the Committee on Foreign Relations
16 and the Committee on Banking, Housing, and
17 Urban Affairs of the Senate.

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