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IRAN BALLISTIC MISSILES AND INTERNATIONAL SANCTIONS ENFORCEMENT ACT; AND TAIWAN TRAVEL ACT

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

ON

H.R. 1698 and H.R. 535

OCTOBER 12, 2017

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CONTENTS

Page

MARKUP ON

H.R. 1698, To expand sanctions against Iran with respect to the ballistic missile program of Iran, and for other purposes 2
Amendment in the nature of a substitute to H.R. 1698 offered by the Honorable Edward R. Royce, a Representative in Congress from the State of California, and chairman, Committee on Foreign Affairs 22
Amendment to the amendment in the nature of a substitute to H.R. 1698 offered by:
The Honorable Steve Chabot, a Representative in Congress from the State of Ohio 42
The Honorable Ron DeSantis, a Representative in Congress from the State of Florida 45
The Honorable Bradley S. Schneider, a Representative in Congress from the State of Illinois 46
The Honorable Brad Sherman, a Representative in Congress from the State of California 47
The Honorable Brad Sherman 49
The Honorable Lee M. Zeldin, a Representative in Congress from the State of New York 53
H.R. 535, To encourage visits between the United States and Taiwan at all levels, and for other purpose 54

APPENDIX

Markup notice 76
Markup minutes 77
Markup summary 79

IRAN BALLISTIC MISSILES AND INTERNATIONAL SANCTIONS ENFORCEMENT ACT; AND TAIWAN TRAVEL ACT

THURSDAY, OCTOBER 12, 2017

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m., in room 2172 Rayburn House Office Building, Hon. Edward Royce (chairman of the committee) presiding.

Chairman ROYCE. The committee will come to order.

Pursuant to notice, we meet today to mark up two bipartisan measures. Without objection, all members may have 5 days to submit statements or extraneous materials on today's business.

As members were notified yesterday, we intend to consider today's measures en bloc and so without objection the following items previously provided to members and also in your packets will be considered en bloc and are considered as read: H.R. 1698, the Iran Ballistic Missiles and Sanctions Enforcement Act, including the Royce Amendment 36 in the nature of a substitute to H.R. 1698, Chabot Amendment Number 3, DeSantis Amendment Number 57, Schneider Amendment Number 2, Sherman Amendment Number 30, Sherman Amendment Number 31, Zeldin Amendment Number 32; and H.R. 535, the Taiwan Travel Act as introduced.

[The information referred to follows:]

I

115TH CONGRESS
1ST SESSION

H. R. 1698

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2017

Mr. ROYCE of California (for himself, Mr. ENGEL, Mr. MCCARTHY, and Mr. HOYER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Ways and Means, and Oversight and Government Reform, 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

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran Ballistic Missiles and International Sanctions Enforcement Act".

SEC. 2. SANCTIONS RELATING TO EFFORTS BY THE GOVERNMENT OF IRAN WITH RESPECT TO BALLISTIC MISSILE-RELATED GOODS, SERVICES, AND TECHNOLOGIES.

(a) FINDINGS.—Congress finds the following:

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

(A) calls upon Iran "not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology"; and

(B) calls upon member states to "take the necessary measures to prevent, except as decided otherwise by the UN Security Council in advance on a case-by-case basis, the supply, sale, or transfer of arms or related materiel from Iran".

(2) The United States maintains bilateral sanctions against Iran for its efforts to manufacture, acquire, possess, develop, transport, transfer or use ballistic missiles or ballistic missile launch technology, and its acquisition of destabilizing types and amounts of conventional weapons.

(3) According to the 2016 Worldwide Threat Assessment, the United States intelligence commu-

nity judges "that Tehran would choose ballistic missiles as its preferred method of delivering nuclear weapons, if it builds them. Iran's ballistic missiles are inherently capable of delivering [weapons of mass destruction], and Tehran already has the largest inventory of ballistic missiles in the Middle East. Iran's progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including ICBMs.".

(4) Since the passage of United Nations Security Council 2231, Iran has conducted numerous tests of ballistic missiles designed to be capable of delivering nuclear weapons, and has acquired destabilizing types of conventional weapons.

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

(b) STATEMENT OF POLICY.—It is the policy of the United States to prevent Iran from undertaking any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.

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

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the President
3 shall submit to the appropriate congressional com-
4 mittees a report that contains the following:
5 (A) An analysis of the foreign and domes-
6 tic supply chain in Iran that directly or indi-
7 rectly significantly facilitates, supports, or oth-
8 erwise aids the Government of Iran's ballistic
9 missile program.
10 (B) A description of the geographic dis-
11 tribution of the foreign and domestic supply
12 chain described in subparagraph (A).
13 (C) An assessment of the Government of
14 Iran's ability to indigenously manufacture or
15 otherwise produce the goods, services, or tech-
16 nology necessary to support its ballistic missile
17 program.
18 (D) An identification of foreign persons
19 that have, based on credible information, di-
20 rectly or indirectly facilitated or supported the
21 development of the Government of Iran's bal-
22 listic missile program, including the foreign and
23 domestic supply chain described in subpara-
24 graph (A).

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(d) INVESTIGATIONS.—Section (4)(e) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by inserting "or 5(b)" after "section 5(a)" each place it appears.

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

(1) in the heading, by striking "EXPORTS, TRANSFERS, AND TRANSSHIPMENTS" and inserting "WEAPONS OF MASS DESTRUCTION; BALLISTIC MISSILES; CONVENTIONAL WEAPONS";

(2) by striking "Except as" and inserting the following:

"(A) WEAPONS OF MASS DESTRUCTION.—Except as";

(3) by striking "(A) on or after the date of the enactment of the Iran Threat Reduction and Syria Human Rights Act of 2012" and inserting the following:

"(i) on or after the date of the enactment of the Iran Ballistic Missiles and International Sanctions Enforcement Act";

(4) by striking "and" at the end of subparagraph (A)(i) (as so redesignated);

(5) by striking "(B) knew" and inserting the following:

"(ii) knew";

(6) by striking "(i) the export" and inserting the following:

"(I) the export";

(7) by striking "would likely" and inserting "may";

(8) by striking "(ii) the export" and inserting the following:

"(II) the export";

(9) by striking "(I) acquire" and inserting the following:

"(aa) acquire";

(10) by striking "; or" at the end of subparagraph (A)(ii)(II)(aa) (as so redesignated);

(11) by inserting after subparagraph (A)(ii)(II)(aa) (as so redesignated) the following:

"(bb) acquire or develop ballistic missiles or ballistic missile launch technologies; or";

(12) by striking "(II) acquire" and inserting the following:

"(cc) acquire";

(13) by striking the period at the end of subparagraph (A)(ii)(II)(cc) (as so redesignated) and inserting "; and"; and

(14) by adding at the end of subparagraph (A) the following:

"(iii) knowingly exports or transfers, or permits or otherwise facilitates the transshipment or re-export of, any goods, services, technology, or other items to Iran that materially contributes to the ability of Iran to—

"(I) acquire or develop ballistic missiles or ballistic missile launch technologies; or

"(II) acquire or develop destabilizing numbers and types of advanced conventional weapons (as such term is defined in paragraphs (1) and (2) of section 1608 of the Iran-Iraq

Arms Non-Proliferation Act of 1992).".

(f) SANCTIONABLE ACTIVITIES WITH RESPECT TO BALLISTIC MISSILES.—Paragraph (1) of section 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), as amended by subsection (c), is further amended by adding at the end the following:

"(B) ADDITIONAL BALLISTIC MISSILE-RELATED GOODS, SERVICES, AND TECHNOLOGY.—

"(i) ADDITIONAL AUTHORITY.—The President shall impose the sanctions described in paragraph (8), (10), or (12) of section 6(a), as the case may be, with respect to—

"(I) an agency or instrumentality of the Government of Iran if the agency or instrumentality, on or after the date of the enactment of this subparagraph, seeks to develop, procure, or acquire goods, services, or technology that materially contributes to efforts by the Government of Iran with respect to ballistic missile-related goods, services, and technologies as described in clause (iii);

"(II) a foreign person or an agency or instrumentality of a foreign state if the person or agency or instrumentality knowingly, on or after the date of the enactment of this paragraph, provides material support to the Government of Iran that materially contributes to efforts by the Government of Iran with respect to ballistic missile-related goods, services, and technologies as described in clause (iii); and

"(III) a foreign person that the President determines knowingly engages in a significant transaction or transactions with, or provides significant financial services for, a foreign person or an agency or instrumentality of a foreign state described in subclause (I) or (II) with respect to ballistic missile-related goods, services, and technologies as described in clause (iii).

"(ii) DETERMINATION ON BALLISTIC MISSILE TESTS.—

"(I) IN GENERAL.—Not later than 30 days after the date on which the President receives credible information that the Government of Iran has conducted a test of a ballistic missile, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a determination of whether or not the test of such missile fails to comply with, violates, or is in defiance of United Nations Security Council Resolution 2231 (2015).

"(II) REPORT.—

"(aa) IN GENERAL.—If the President determines pursuant to subclause (I) that the test of a ballistic missile fails to comply with, violates, or is in defiance of United Nations Security Council Resolution 2231 (2015), the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and

1 the Committee on Foreign Rela-
2 tions of the Senate a report
3 that—
4 "(AA) identifies each
5 Iranian person that the
6 President determines is re-
7 sponsible for ordering, con-
8 trolling, or otherwise direct-
9 ing the missile test described
10 in subclause (I);
11 "(BB) determines
12 whether the persons de-
13 scribed in sub-item (AA)
14 have been designated for
15 their activities in support of
16 Iran's ballistic missile pro-
17 gram, and if not, so des-
18 ignated, the reasons there-
19 for; and
20 "(CC) describes the
21 steps the President is taking
22 to respond to the ballistic
23 missile test described in sub-
24 clause (I).

"(bb) FORM.—The report required by item (aa) shall be submitted in unclassified form, but may contain a classified annex.

"(iii) EFFORTS BY THE GOVERNMENT OF IRAN WITH RESPECT TO BALLISTIC MISSILE-RELATED GOODS, SERVICES, AND TECHNOLOGIES DESCRIBED.—For purposes of subclauses (I) and (II) of clause (i), efforts by the Government of Iran with respect to ballistic missile-related goods, services, and technologies described in this subsection are efforts by the Government of Iran to manufacture, acquire, possess, develop, transport, transfer, test or use ballistic missiles or associated goods, services, or technology by the Government of Iran in violation of section 3 of Annex B of United Nations Security Council Resolution 2231 (2015), including efforts by the Government of Iran to manufacture, acquire, possess, develop, transport, transfer, purchase—

1 "(I) goods, services, or tech-
2 nology listed on the Missile Tech-
3 nology Control Regime Equipment
4 and Technology Annex of October 8,
5 2015, and subsequent revisions that
6 have been acquired outside of the Pro-
7 curement Working Group; or
8 "(II) goods, services, or tech-
9 nology not described in the matter
10 preceding subclause (I) or subclause
11 (I) but which nevertheless the Presi-
12 dent determines would be, if such
13 goods, services, or technology were
14 United States goods, services, or tech-
15 nology, prohibited for export to Iran
16 because of their potential to make a
17 material contribution to the develop-
18 ment of ballistic missile systems or
19 ballistic missile launch technologies.
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

United Nations Security Council Resolution 2231 (2015).".

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

"(C) CONVENTIONAL WEAPONS.—The President shall impose the sanctions described in paragraph (8) or (12) of section 6(a), as the case may be, with respect to a foreign person or an agency or instrumentality of a foreign state if the President determines that the person or agency or instrumentality knowingly, on or after the date of the enactment of this paragraph, imports, exports, or re-exports to, into, or from Iran, whether directly or indirectly, any significant arms or related materiel prohibited under Annex B of United Nations Security Council Resolution 2231 (2015).".

(h) EXCEPTION AND DEFINITIONS.—Paragraph (1) of section 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), as amended by sub-

1 sections (e), (f), and (g), is further amended by adding
2 at the end the following:

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

17 "(E) DEFINITIONS.—In subparagraphs
18 (B) and (C) of this paragraph:

19 "(i) AGENCY OR INSTRUMEN-
20 TALITY.—The term 'agency or instrumen-
21 tality' has the meaning given such term in
22 section 1603(b) of title 28, United States
23 Code.

24 "(ii) FOREIGN STATE.—The term
25 'foreign state' has the meaning given such

1 term in section 1603(a) of title 28, United
2 States Code.
3 "(iii) GOVERNMENT OF IRAN.—The
4 term 'Government of Iran' has the mean-
5 ing given such term in section 561.404 of
6 title 31, Code of Federal Regulations, as
7 such section was in effect on January 1,
8 2016.
9 "(iv) SIGNIFICANT TRANSACTION OR
10 TRANSACTIONS; SIGNIFICANT FINANCIAL
11 SERVICES.—The terms 'significant trans-
12 action or transactions' and 'significant fi-
13 nancial services' shall be determined, for
14 purposes of sections 101 and 102, in ac-
15 cordance with section 561.404 of title 31,
16 Code of Federal Regulations, as such sec-
17 tion 561.404 was in effect on January 1,
18 2016.".
19 (i) SANCTIONS DESCRIBED.—Section 6(a) of the Iran
20 Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C.
21 1701 note) is amended—
22 (1) by striking paragraph (10) and inserting
23 the following:
24 "(10) INADMISSIBILITY TO UNITED STATES.—
25 The President may direct the Secretary of State to

1 deny a visa to, and the Secretary of Homeland Secu-
2 rity to exclude from the United States and, if the in-
3 dividual has been issued a visa or other documenta-
4 tion, revoke, in accordance with section 221(i) of the
5 Immigration and Nationality Act (8 U.S.C. 1201(i))
6 of the visa or other documentation any alien that—
7 "(A) is designated pursuant to subpara-
8 graph (B) or (C) of section 5(b)(1); or
9 "(B) the President determines is a cor-
10 porate officer or principal of, or a shareholder
11 with a controlling interest in, a sanctioned per-
12 son.";
13 (2) by redesignating paragraph (12) as para-
14 graph (13); and
15 (3) by inserting after paragraph (11) the fol-
16 lowing:
17 "(12) EXPORT SANCTION.—In the case of an
18 agency or instrumentality of a foreign state, no item
19 on the United States Munitions List or Commerce
20 Munitions List may be exported to that foreign state
21 for a period of two years.".
22 (j) RULE OF CONSTRUCTION.—The sanctions that
23 are required to be imposed under this section and the
24 amendments made by this section are in addition to other

similar or related sanctions that are required to be imposed under any other provision of law.

SEC. 3. REPORT ON SANCTIONABLE ACTIVITIES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that contains the following information:

(1) Any credible information regarding Iran's attempts to develop, procure, or acquire goods, services, or technology with respect to which sanctions may be imposed pursuant to subparagraphs (B) and (C) of section 5(b)(1) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), as added by section 3 of this Act.

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

(3) Any credible information regarding Iran's export or attempted export of significant arms and related material in violation of paragraph 5 of Annex B of United Nations Security Council Resolution 2231 (2015).

(4) Any approval granted by the United Nations Security Council for the export of significant arms and related material identified under paragraph 5 of Annex B of United Nations Security Council Resolution 2231 (2015).

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

SEC. 4. REGULATORY AUTHORITY.

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

(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of

1 the House of Representatives and the Committee on
2 Foreign Relations of the Senate.
3 (2) CREDIBLE INFORMATION.—The term "cred-
4 ible information" has the meaning given such term
5 in section 14 of the Iran Sanctions Act of 1996
6 (Public Law 104–172; 50 U.S.C. 1701 note).
7 (3) GOVERNMENT OF IRAN.—The term "Gov-
8 ernment of Iran" has the meaning given such term
9 in section 561.404 of title 31, Code of Federal Reg-
10 ulations, as such section was in effect on January 1,
11 2016.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. ROYCE OF CALIFORNIA

Strike all after the enacting clause and insert the following:

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

1 advance on a case-by-case basis, the supply,
2 sale, or transfer of arms or related materiel
3 from Iran''.
4 (2) The United States maintains bilateral sanc-
5 tions against Iran for its efforts to manufacture, ac-
6 quire, possess, develop, transport, transfer or use
7 ballistic missiles or ballistic missile launch tech-
8 nology, and its acquisition of destabilizing types and
9 amounts of conventional weapons.
10 (3) According to the 2016 Worldwide Threat
11 Assessment, the United States intelligence commu-
12 nity judges ''that Tehran would choose ballistic mis-
13 siles as its preferred method of delivering nuclear
14 weapons, if it builds them. Iran's ballistic missiles
15 are inherently capable of delivering [weapons of
16 mass destruction], and Tehran already has the larg-
17 est inventory of ballistic missiles in the Middle East.
18 Iran's progress on space launch vehicles—along with
19 its desire to deter the United States and its allies—
20 provides Tehran with the means and motivation to
21 develop longer-range missiles, including ICBMs.''.
22 (4) Since the passage of United Nations Secu-
23 rity Council 2231, Iran has conducted numerous
24 tests of ballistic missiles designed to be capable of

delivering nuclear weapons, and has acquired destabilizing types of conventional weapons.

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

(b) STATEMENT OF POLICY.—It is the policy of the United States to prevent Iran from undertaking any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.

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

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains the following:

(A) An analysis of the foreign and domestic supply chain in Iran that directly or indirectly significantly facilitates, supports, or otherwise aids the Government of Iran's ballistic missile program.

(B) A description of the geographic distribution of the foreign and domestic supply chain described in subparagraph (A).

(C) An assessment of the Government of Iran's ability to indigenously manufacture or otherwise produce the goods, services, or technology necessary to support its ballistic missile program.

(D) An identification of foreign persons that have, based on credible information, directly or indirectly facilitated or supported the development of the Government of Iran's ballistic missile program, including the foreign and domestic supply chain described in subparagraph (A).

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

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

(1) in the heading, by striking "EXPORTS, TRANSFERS, AND TRANSSHIPMENTS" and inserting "WEAPONS OF MASS DESTRUCTION; BALLISTIC MISSILES; CONVENTIONAL WEAPONS";

(2) by striking "Except as" and inserting the following:

"(A) WEAPONS OF MASS DESTRUCTION.—Except as";

(3) by striking "(A) on or after the date of the enactment of the Iran Threat Reduction and Syria Human Rights Act of 2012" and inserting the following:

"(i)(I) on or after the date of the enactment of the Iran Ballistic Missiles and International Sanctions Enforcement Act";

(4) by striking "(B) knew" and inserting the following:

"(II) knew";

(5) by striking "(i) the export" and inserting the following:

"(aa) the export";

(6) by striking "would likely" and inserting "may";

(7) by striking "(ii) the export" and inserting the following:

"(bb) the export";

(8) by striking "(I) acquire" and inserting the following:

"(AA) acquire";

(9) by striking "; or" at the end of subparagraph (A)(ii)(II)(bb)(AA) (as so redesignated);

(10) by inserting after subparagraph (A)(ii)(II)(bb)(AA) (as so redesignated) the following:

"(BB) acquire or develop ballistic missiles or ballistic missile launch technologies; or";

(11) by striking "(II) acquire" and inserting the following:

"(CC) acquire";

(12) by striking the period at the end of subparagraph (A)(ii)(II)(bb)(CC) (as so redesignated) and inserting "; or"; and

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

"(ii) knowingly exports or transfers, or permits or otherwise facilitates the transshipment or re-export of, goods, services, technology, or other items to Iran that materially supports Iran's efforts to—

"(I) acquire or develop ballistic missiles or ballistic missile launch technologies; or

"(II) acquire or develop destabilizing numbers and types of advanced conventional weapons (as such

term is defined in paragraphs (1) and (2) of section 1608 of the Iran-Iraq Arms Non-Proliferation Act of 1992).".

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

"(B) ADDITIONAL BALLISTIC MISSILE-RELATED GOODS, SERVICES, AND TECHNOLOGY.—

"(i) ADDITIONAL AUTHORITY.—The President shall impose the sanctions described in paragraph (8), (10), or (12) of section 6(a), as the case may be, with respect to—

"(I) an agency or instrumentality of the Government of Iran if the President determines that the agency or instrumentality, on or after the date of the enactment of this subparagraph, knowingly seeks to develop, procure, or acquire goods, services, or technology that materially supports efforts by the Government of Iran

with respect to ballistic missile-related goods, services, and technologies as described in clause (iii);

"(II) a foreign person or an agency or instrumentality of a foreign state if the President determines that the person or agency or instrumentality knowingly, on or after the date of the enactment of this paragraph, provides significant material support to the Government of Iran that supports efforts by the Government of Iran with respect to ballistic missile-related goods, services, and technologies as described in clause (iii); and

"(III) a foreign person that the President determines knowingly engages in a significant transaction or transactions with, or provides significant financial services for, a foreign person or an agency or instrumentality of a foreign state described in subclause (I) or (II) with respect to ballistic missile-related goods, services,

1 and technologies as described in
2 clause (iii).
3 "(ii) DETERMINATION AND REPORT
4 ON BALLISTIC MISSILE TESTS.—
5 "(I) IN GENERAL.—Not later
6 than 30 days after the date on which
7 the President determines that the
8 Government of Iran has conducted a
9 test of a ballistic missile that fails to
10 comply with, violates, or is in defiance
11 of United Nations Security Council
12 Resolution 2231 (2015), the President
13 shall submit to the Committee on For-
14 eign Affairs of the House of Rep-
15 resentatives and the Committee on
16 Foreign Relations of the Senate a re-
17 port that identifies each senior official
18 of the Government of Iran that the
19 President determines is responsible
20 for ordering, controlling, or otherwise
21 directing the missile test
22 "(II) FORM.—The report re-
23 quired by subclause (I) shall be sub-
24 mitted in unclassified form, but may
25 contain a classified annex.

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

"(I) IN GENERAL.—For purposes of subclauses (I), (II), and (III) of clause (i), and except as provided in subclause (II) of this clause, efforts by the Government of Iran with respect to ballistic missile-related goods, services, and technologies described in this subsection are efforts by the Government of Iran to manufacture, acquire, possess, develop, transport, transfer, test or use ballistic missiles or associated goods, services, or technology by the Government of Iran, including efforts by the Government of Iran to manufacture, acquire, possess, develop, transport, transfer, purchase—

"(aa) goods, services, or technology listed on the Missile Technology Control Regime Equipment and Technology

1 Annex of October 8, 2015, and
2 subsequent revisions that have
3 been acquired outside of the Pro-
4 curement Working Group or not
5 otherwise approved by the United
6 Nations Security Council; or
7 "(bb) goods, services, or
8 technology not described in the
9 matter preceding item (aa) or
10 item (aa) but which nevertheless
11 the President determines would
12 be, if such goods, services, or
13 technology were United States
14 goods, services, or technology,
15 prohibited for export to Iran be-
16 cause of their potential to materi-
17 ally support the development of
18 ballistic missile systems or bal-
19 listic missile launch technologies.
20 "(II) EXCEPTION.—Subclause (I)
21 shall not apply with respect to efforts
22 by the Government of Iran with re-
23 spect to ballistic missile-related goods,
24 services, and technologies that have
25 been approved under paragraph 4 of

1 Annex B of United Nations Security
2 Council Resolution 2231 (2015).
3 "(iv) PROCUREMENT WORKING GROUP
4 DEFINED.—In clause (iii)(I), the term
5 'procurement working group' means the
6 Procurement Working Group of the Joint
7 Commission established under Annex IV of
8 the applicable provisions in Annex A of
9 United Nations Security Council Resolu-
10 tion 2231 (2015).".
11 (f) SANCTIONABLE ACTIVITIES WITH RESPECT TO
12 CONVENTIONAL WEAPONS.—Paragraph (1) of section
13 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–
14 172; 50 U.S.C. 1701 note), as amended by subsections
15 (c) and (f), is further amended by adding at the end the
16 following:
17 "(C) CONVENTIONAL WEAPONS.—The
18 President shall impose the sanctions described
19 in paragraph (8) or (12) of section 6(a), as the
20 case may be, with respect to a foreign person
21 or an agency or instrumentality of a foreign
22 state if the President determines that the per-
23 son or agency or instrumentality knowingly, on
24 or after the date of the enactment of this para-
25 graph, imports, exports, or re-exports to, into,

or from Iran, whether directly or indirectly, any significant arms or related materiel prohibited under paragraph (5) or (6) of Annex B of United Nations Security Council Resolution 2231 (2015).".

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

"(D) EXCEPTION.—The President may not impose sanctions under subparagraph (B) or (C) with respect to a foreign person or a United States person if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not sell, supply, or transfer to or from Iran materials the sale, supply, or transfer of which would subject a person to the imposition of sanctions under subparagraph (B) or (C), as the case may be, or conduct or facilitate a financial transaction for such a sale, supply, or transfer.

"(E) DEFINITIONS.—In subparagraphs (B) and (C) of this paragraph:

"(i) AGENCY OR INSTRUMENTALITY.—The term 'agency or instrumentality' has the meaning given such term in section 1603(b) of title 28, United States Code.

"(ii) FOREIGN STATE.—The term 'foreign state' has the meaning given such term in section 1603(a) of title 28, United States Code.

"(iii) GOVERNMENT OF IRAN.—The term 'Government of Iran' has the meaning given such term in section 560.304 of title 31, Code of Federal Regulations, as such section was in effect on January 1, 2016.

"(iv) SIGNIFICANT TRANSACTION OR TRANSACTIONS; SIGNIFICANT FINANCIAL SERVICES.—The terms 'significant transaction or transactions' and 'significant financial services' shall be determined in accordance with section 561.404 of title 31, Code of Federal Regulations, as such sec-

1 tion 561.404 was in effect on January 1,
2 2016.".
3 (h) SANCTIONS DESCRIBED.—Section 6(a) of the
4 Iran Sanctions Act of 1996 (Public Law 104–172; 50
5 U.S.C. 1701 note) is amended—
6 (1) by striking paragraph (10) and inserting
7 the following:
8 "(10) INADMISSIBILITY TO UNITED STATES.—
9 "(A) IN GENERAL.—The President may di-
10 rect the Secretary of State to deny a visa to,
11 and the Secretary of Homeland Security to ex-
12 clude from the United States and, if the indi-
13 vidual has been issued a visa or other docu-
14 mentation, revoke, in accordance with section
15 221(i) of the Immigration and Nationality Act
16 (8 U.S.C. 1201(i)) of the visa or other docu-
17 mentation any alien that—
18 "(i) is designated pursuant to sub-
19 paragraph (B) or (C) of section 5(b)(1); or
20 "(ii) the President determines is a
21 corporate officer or principal of, or a
22 shareholder with a controlling interest in, a
23 sanctioned person.
24 "(B) EXCEPTION TO COMPLY WITH
25 UNITED NATIONS HEADQUARTERS AGREE-

1 MENT.—Sanctions under subparagraph (A)
2 shall not apply to an alien if admitting the alien
3 into the United States is necessary to permit
4 the United States to comply with the Agree-
5 ment regarding the Headquarters of the United
6 Nations, signed at Lake Success June 26,
7 1947, and entered into force November 21,
8 1947, between the United Nations and the
9 United States, or other applicable international
10 obligations.";
11 (2) by redesignating paragraph (12) as para-
12 graph (13); and
13 (3) by inserting after paragraph (11) the fol-
14 lowing:
15 "(12) EXPORT SANCTION.—In the case of an
16 agency or instrumentality of a foreign state, no item
17 on the United States Munitions List or Commerce
18 Munitions List may be exported to that foreign state
19 for a period of two years.".
20 (i) RULE OF CONSTRUCTION.—The sanctions that
21 are required to be imposed under this section and the
22 amendments made by this section are in addition to other
23 similar or related sanctions that are required to be im-
24 posed under any other provision of law.

1 (j) IMPLEMENTATION.—The President may exercise
2 all authorities provided under sections 203 and 205 of the
3 International Emergency Economic Powers Act (50
4 U.S.C. 1702 and 1704) to carry out any amendments
5 made by this section.
6 (k) EFFECTIVE DATE.—
7 (1) IN GENERAL.—The amendments made by
8 this section shall—
9 (A) take effect on the date of the enact-
10 ment of this Act; and
11 (B) apply with respect to an activity de-
12 scribed in subsection (b) of section 5 of the
13 Iran Sanctions Act of 1996, as amended by this
14 section, that is commenced on or after such
15 date of enactment.
16 (2) APPLICABILITY TO ONGOING ACTIVITIES RE-
17 LATING TO CERTAIN ACTIVITIES.—A person that,
18 before the date of the enactment of this Act, com-
19 menced an activity described in section 5(b) of the
20 Iran Sanctions Act of 1996, as in effect on the day
21 before such date of enactment, and continues the ac-
22 tivity on or after such date of enactment, shall be
23 subject to the provisions of the Iran Sanctions Act
24 of 1996, as amended by this Act.

SEC. 3. REPORT ON SANCTIONABLE ACTIVITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed three years, the President shall submit to the appropriate congressional committees a report that contains the following information:

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

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

(3) Any credible information regarding Iran's export or attempted export of significant arms and related material in violation of paragraph 6 of Annex B of United Nations Security Council Resolution 2231 (2015).

(4) Any approval granted by the United Nations Security Council for the export of significant arms and related material identified under para-

graphs 5 or 6 of Annex B of United Nations Security Council Resolution 2231 (2015).

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

SEC. 4. REGULATORY AUTHORITY.

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

(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) CREDIBLE INFORMATION.—The term "credible information" has the meaning given such term

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

(3) GOVERNMENT OF IRAN.—The term "Government of Iran" has the meaning given such term in section 560.304 of title 31, Code of Federal Regulations, as such section was in effect on January 1, 2016.

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. CHABOT OF OHIO

At the appropriate place, insert the following:

1 **SEC. __. DETERMINATIONS WITH RESPECT TO THE IMPOSI-**
2 **TION OF SANCTIONS FOR THE SALE OR**
3 **TRANSFER OF DESTABILIZING TYPES AND**
4 **AMOUNTS OF CONVENTIONAL WEAPONS TO**
5 **THE GOVERNMENT OF IRAN.**

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

12 (b) DETERMINATIONS WITH RESPECT TO SANC-
13 TIONS.—

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

18 (A) determine whether such sale or trans-
19 fer meets the requirements to impose sanctions

1 under each provision of law specified in sub-
2 section (c); and
3 (B)(i) if the determination is that the sale
4 or transfer is subject to any such sanctions, the
5 President shall—
6 (I) make a determination whether to
7 impose or waive such sanctions with re-
8 spect to such sale or transfer; and
9 (II) submit that determination to the
10 appropriate congressional committees; or
11 (ii) if the determination is that the sale or
12 transfer is not subject to any such sanctions,
13 the President shall submit to the appropriate
14 congressional committees a detailed report on
15 the determination and the specific reasons for
16 the determination.
17 (2) FORM.—The determination in paragraph
18 (1) shall be provided in an unclassified form, and
19 may contain a classified annex.
20 (c) PROVISIONS OF LAW SPECIFIED.—The provisions
21 of law specified in this subsection are the following:
22 (1) Section 5(b)(1) of the Iran Sanctions Act of
23 1996 (50 U.S.C. 1701 note).
24 (2) The Iran-Iraq Arms Non-Proliferation Act
25 of 1992 (50 U.S.C. 1701 note).

(3) The Iran, North Korea, and Syria Nonproliferation Act (50 U.S.C. 1701 note).

(d) DEFINITIONS.—In this section:

(1) DESTABILIZING NUMBERS AND TYPES OF CONVENTIONAL WEAPONS.—The term "destabilizing numbers and types of advanced conventional weapons"—

(A) has the meaning given the terms "advanced conventional weapons" and "cruise missile" as defined in paragraphs (1) and (2), respectively, of section 1608 of the Iran-Iraq Arms Non-Proliferation Act of 1992 (50 U.S.C. 1701 note); and

(B) includes the S–300 and S–400 missile defense systems and air superiority fighters.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. DESANTIS OF FLORIDA

Page 17, after line 5, insert the following:

1 (k) IMPLEMENTATION PLAN.—Not later than 60
2 days after the date of the enactment of this Act, the Presi-
3 dent shall transmit to the appropriate congressional com-
4 mittees a plan to implement—
5 (1) paragraph (1) of section 5(b) of the Iran
6 Sanctions Act of 1996 (Public Law 104–172; 50
7 U.S.C. 1701 note), as amended by this section; and
8 (2) section 104 of the Countering America's
9 Adversaries Through Sanctions Act (Public Law
10 115–44).

Page 17, line 6, strike "(k)" and insert "(l)".

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. SCHNEIDER OF ILLINOIS

At the of section 3(a), add the following:

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).

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. SHERMAN OF CALIFORNIA

Page 9, line 21, strike "test" and insert the following: "test. The report should include available information on the ballistic missile or the generic class of ballistic missile or space rocket that was launched; the trajectory, duration, range, and altitude of the missile flight; the duration, range, and altitude of the flight of each stage of the missile; the location of the launch point and impact point; the payload; and other technical information that is available.".

Page 12, after line 10, insert the following:

1 "(v) ADDITIONAL REPORT ON BAL-
2 LISTIC MISSILE TESTS.—
3 "(I) IN GENERAL.—Not later
4 than January 31 of each calendar
5 year, the President should submit to
6 the Committee on Foreign Affairs of
7 the House of Representatives and the
8 Committee on Foreign Relations of
9 the Senate a report that specifies the

number and generic class of ballistic missiles and space rockets launched by Iran during the preceding calendar year and the dates of each missile launch and the type of missile launched on each relevant date. The report should include definitions used for classifying the generic classes of missiles.

"(II) FORM.—The report required by subclause (I) shall be submitted in unclassified form, but may contain a classified annex.".

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. SHERMAN OF CALIFORNIA

Add at the end the following new section:

1 **SEC. __. DETERMINATION ON USE BY THE GOVERNMENT OF**
2 **IRAN OF COMMERCIAL PASSENGER AIR-**
3 **CRAFT AND RELATED SERVICES FOR ILLICIT**
4 **MILITARY OR OTHER ACTIVITIES.**

5 (a) DETERMINATION.—Not later than 180 days after
6 the date of the enactment of this Act, and every 180 days
7 thereafter for three years, the President shall submit to
8 the Committee on Foreign Affairs, the Committee on Fi-
9 nancial Services, and the Permanent Select Committee on
10 Intelligence of the House of Representative and the Com-
11 mittee on Foreign Relations, the Committee on Banking,
12 Housing, and Urban Affairs, and the Select Committee
13 on Intelligence of the Senate a determination on use by
14 the Government of Iran of commercial passenger aircraft
15 and related services for illicit military or other activities
16 on or after the date of the enactment of this Act.

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

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

(A) arms or related materiel, including defense articles, defense services, or technical data that are controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(B) any item that is, or would be, if located in the United States, controlled by Export Control Classification Number 600 series listed on the Commerce Control List maintained under Supplement No. 1 to part 774 of the Export Administration Regulations;

(C) items used to facilitate the development or production of a chemical or biological weapon or other weapon of mass destruction and their means of delivery, including ballistic missiles and cruise missiles; or

(D) any foreign person that facilitates the transfer of any of the articles described in subparagraphs (A) through (C);

(2) commercial passenger aircraft licensed by the Office of Foreign Assets Control of the Department of the Treasury are being used for activities described in paragraph (1); and

(3) foreign governments and persons have facilitated the activities described in paragraph (1), including allowing the use of airports, services, or other resources.

(c) FORM OF DETERMINATION.—The determination required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) COMMERCIAL PASSENGER AIRCRAFT.—The term "commercial passenger aircraft" includes—

(A) an aircraft of United States origin and that is classified under Export Control Classification Number (ECCN) 9A991 on the Commerce Control List maintained under Supplement No. 1 to part 774 of the Export Administration Regulations; or

(B) an aircraft not of United States origin of which United States-controlled content constitutes 10 percent or more of the total value of the aircraft and that is—

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

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

(2) EXPORT ADMINISTRATION REGULATIONS.—The term "Export Administration Regulations" means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) RELATED SERVICES.—The term "related services", with respect to a commercial passenger aircraft, includes—

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

(B) warranty, maintenance, and repair services.

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1698 OFFERED BY MR. ZELDIN OF NEW YORK

Page 4, after line 12, insert the following:

1 (E) A determination with respect to each
2 foreign person identified under subparagraph
3 (D) as to whether the foreign person meets the
4 criteria for designation under—
5 (i) paragraph (1) of section 5(b) of
6 the Iran Sanctions Act of 1996 (Public
7 Law 104–172; 50 U.S.C. 1701 note), as
8 amended by this section;
9 (ii) section 104 of the Countering
10 America's Adversaries Through Sanctions
11 Act (Public Law 115–44); or
12 (iii) Executive Order 13382 (2005).

☒

I

115TH CONGRESS
1ST SESSION

H. R. 535

To encourage visits between the United States and Taiwan at all levels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2017

Mr. CHABOT (for himself, Mr. ROYCE of California, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To encourage visits between the United States and Taiwan at all levels, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taiwan Travel Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Taiwan Relations Act (22 U.S.C. 3301 et seq.), enacted in 1979, has continued for 37 years to be a cornerstone of relations between the United

1 States and Taiwan and has served as an anchor for
2 peace and security in the Western Pacific area.
3 (2) The Taiwan Relations Act declares that
4 peace and stability in the Western Pacific area are
5 in the political, security, and economic interests of
6 the United States and are matters of international
7 concern.
8 (3) The United States considers any effort to
9 determine the future of Taiwan by other than peace-
10 ful means, including by boycotts or embargoes, a
11 threat to the peace and security of the Western Pa-
12 cific area and of grave concern to the United States.
13 (4) Taiwan has succeeded in a momentous tran-
14 sition to democracy beginning in the late 1980s and
15 has been a beacon of democracy in Asia, and Tai-
16 wan's democratic achievements inspire many coun-
17 tries and people in the region.
18 (5) Visits to a country by United States cabinet
19 members and other high-ranking officials are an in-
20 dicator of the breadth and depth of ties between the
21 United States and such country.
22 (6) Since the enactment of the Taiwan Rela-
23 tions Act, relations between the United States and
24 Taiwan have suffered from insufficient high-level
25 communication due to the self-imposed restrictions

that the United States maintains on high-level visits with Taiwan.

SEC. 3. SENSE OF CONGRESS; STATEMENT OF POLICY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should encourage visits between officials from the United States and Taiwan at all levels.

(b) STATEMENT OF POLICY.—It should be the policy of the United States to—

(1) allow officials at all levels of the United States Government, including cabinet-level national security officials, general officers, and other executive branch officials, to travel to Taiwan to meet their Taiwanese counterparts;

(2) allow high-level officials of Taiwan to enter the United States, under conditions which demonstrate appropriate respect for the dignity of such officials, and to meet with officials of the United States, including officials from the Department of State and the Department of Defense and other cabinet agencies; and

(3) encourage the Taipei Economic and Cultural Representative Office, and any other instrumentality established by Taiwan, to conduct business in the United States, including activities which in-

1 volve participation by Members of Congress, officials
2 of Federal, State, or local governments of the United
3 States, or any high-level official of Taiwan.

○

Chairman ROYCE. I now recognize myself to speak on today's business. So today we consider H.R. 1698. This is the Iran Ballistic Missiles and International Sanctions Enforcement Act. It responds to the regime's continued pursuit of intercontinental ballistic missiles and dangerous conventional weapons.

As we heard at our hearing yesterday, there is bipartisan agreement that we must continue to respond to the full range of threats that Iran poses to our national security and that of our allies and partners.

That means going after Iran's support for terrorism as we did last month by marking up two strong bills targeting Iran's leading terrorist proxy and that is Hezbollah.

It also means targeting Iran's development of intercontinental ballistic missiles and dangerous conventional weapons and that's what this bill does.

It requires a comprehensive investigation to identify and designate the companies and the banks and the individuals both inside and outside of Iran which supply the regime's missile and conventional weapons programs and it sanctions those entities.

And I should note that we had an excellent hearing on Iran yesterday and our subcommittees have had excellent hearings for which I thank them.

I appreciate members' concerns regarding the future of the Iran deal, on both sides. This isn't an easy issue. But this bipartisan bill, which we have before us today with over 300 co-sponsors, this bill is not and should not be a referendum on the nuclear deal.

I welcome the amendments considered in the en bloc that seek to strengthen this bill's impact on Iran's missile program.

I want to add a note of thanks to the members on both sides of the aisle who contributed to this bill with their thoughtful amendments—to Mr. Chabot, Mr. DeSantis, Mr. Schneider, Mr. Sherman, and Mr. Zeldin.

As former Secretary of Defense Ash Carter warned, the I in ICBM stands for intercontinental, "which means having the capability from flying from Iran to the United States."

There is no question that the U.S. must take strong action now to curb Iran's dangerous pursuit of ballistic missiles.

So moving on to our other measure that we are taking up today, I want to thank Representative Steve Chabot for authoring H.R. 535. This is the Taiwan Travel Act.

Currently, the State Department enforces self-imposed restrictions on official travel between the United States and Taiwan. This bill denounces that practice by encouraging more frequent official visits including at the highest levels that will serve to further strengthen the critical U.S.-Taiwan partnership.

This bill builds off legislation we passed out of the committee last month, which addressed Taiwan's exclusion from the World Health Assembly.

I now recognize the ranking member, Mr. Eliot Engel, for his remarks.

Mr. ENGEL. Thank you, Mr. Chairman. Thank you for calling this markup.

This has been a busy week, Mr. Chairman, as we all wait to learn what the administration plans to do about the Iran deal.

This morning we have two bipartisan measures before us and that is no surprise because this committee is accustomed to working in a bipartisan way.

We think that foreign policy should be bipartisan and that partisanship should stop at the river's edge, and that is the way we have conducted ourselves during these past 5 years.

But, apparently, the administration doesn't agree. We learned through reporting that last evening the President's national security advisor, General McMaster, and Secretary of State Tillerson briefed Republican members on the administration's plans.

Policy toward Iran is of the highest national importance. We must stand together to confront these threats and, frankly, partisan briefings simply do not help. So let's get this right and stop the political games that the administration is playing.

If reporting is accurate, the administration plans to decertify the deal and push for Congress to pass legislation to change parts of it.

I am not quite sure how that would work. Congress has a role to play in foreign policy. But we cannot pass a law to unilaterally change an international agreement.

If the administration wants to change the nuclear deal—and I would be the first to say there are areas which can be improved or strengthened—I want to remind everybody I voted against the deal 2 years ago—then the administration needs to work with our allies and negotiate.

We can do this. There is time before areas of the agreement sunset. Let us put our heads together with our friends in London, Paris, Berlin, and the EU and see to it that all pathways to a bomb are cut off for Iran in perpetuity. But let us do it right. Don't blow up the agreement to save it. We will come out worse in the end.

If the administration needs certain authorities, that's where we have a job to do. But this talk of decertifying the agreement and kicking it to Congress for some sort of magical fix just doesn't make sense.

I wish I had more clarity on what the White House plans to do but the White House apparently feels the Democratic members don't need any kind of briefings.

I am, frankly, irked that many of us are being kept in the dark. That said, I am a co-sponsor of the ballistic missile legislation and I plan to support it.

I am ready to work with Chairman Royce to pass more sanctions on Iran. But I am more curious why the tough sanctions law the President signed in August hasn't been put to use yet.

We hear a lot of talk from the White House, but so far the only action when it comes to Iran is this plan to decertify the deal.

I agree with my friend, the chairman. Let us enforce the hell out of the sanctions we have.

So I will support this bill but I have a lot of questions about what the administration plans to do in the hours and days ahead and, again, I am concerned about legislating on Iran when only a few members have the full picture of what's about to happen.

Next, I am grateful to Representatives Chabot and Sherman for their strong leadership on Taiwan and, in particular, for introducing the Taiwan Travel Act.

I am a strong supporter of Taiwan. I visited there many times including with the chairman, who has been a longstanding champion and highly regarded expert on Taiwan issues.

Taiwan is a flourishing multi-party democracy of more than 20 million people with a vibrant free-market economy. It's a leading trade partner of the United States alongside much bigger countries like Brazil and India.

Over the past 60 years, the U.S.-Taiwan relationship has undergone dramatic changes and Taiwan's development into a robust and liberal democracy underscores the strong friendship our two countries share today.

The cornerstone of our relationship is the Taiwan Relations Act passed by Congress in 1979. It has been instrumental in maintaining peace and security across the Taiwan Straits and in East Asia, and serves as the official basis for friendship and cooperation between the United States and Taiwan. Congress has played a major role in defining what our bilateral relationship looks like.

Given the possibility that the new administration may want to revisit regulations and guidance toward Taiwan, the Taiwan Travel Act is timely.

This measure puts Congress on record saying the United States Government should encourage more regular, substantive, and senior level engagement between American and Taiwanese officials and reaffirms that our policy should be to allow such visits to occur at all levels of government.

This is the sort of engagement and support we would like to see for our close friends and partners in Taipei. That is why I support this measure and encourage all members to do the same.

Again, Mr. Chairman, thank you for convening this markup and I yield back.

Chairman ROYCE. Thank you, Mr. Engel.

Do any other members seek recognition?

Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman.

As we heard yesterday in testimony from General Wald, the Iran deal "places Iran on a trajectory to become as an intractable challenge as North Korea is today and, possibly, worse."

The general noted that while Pyongyang's relentless pursuit of nuclear weapons has only deepened its isolation and driven it toward bankruptcy, the JCPOA is doing the opposite for Iran.

It was clear, Mr. Chairman, from the beginning that this deal was deeply flawed. You said it. I said it. Many members of this committee on both sides of the aisle said it.

It was clear as well that it was based on a fundamentally misguided premise that Iran's manifest desire for nuclear weapons could be considered separate from its development of a delivery capability for that weapon or from the rest of Iran's violent campaign for regional hegemony.

It should be self-evident that a nuclear warhead without a delivery vehicle is not going very far very fast. Iran's ballistic missile program is inseparable from its desire to impose nuclear blackmail on the United States, Israel, and other regional friends and allies.

Iran also exports its extremist revolution through the proliferation of conventional weapons to terrorist proxies. The Iranian nuclear deal, as we all know, gave Iran an infusion of an estimated $115 billion in unfrozen assets and, as John Kerry said in an interview that was carried by CNN, that we don't know where that money is going and it probably will end up in the terrorists' hands, not to mention other financial inducements like the $1.7 billion in small bills.

As we heard yesterday, this money has helped Iran to extend its malign influence to an unprecedented extent across the region in Syria, in Iraq, in Lebanon, and in Yemen.

H.R. 1698, the Iran Ballistic Missiles and International Sanctions Enforcement Act, enjoys broad bipartisan support and has a huge number of co-sponsors—some 320.

The bill expands sanctions against organizations and individuals that facilitate Iran's ballistic missile program as well as its trade in conventional weapons.

It is critical to our national security and that of our allies in the region, especially our good friend and ally, Israel.

I yield back and I ask unanimous consent that the full statement be made a part of the record.

Chairman ROYCE. Without objection.

We now go to Mr. Sherman.

Mr. SHERMAN. Mr. Chairman, thank you for bringing these excellent bills up. For 20 years, I have had a commitment to the security of Taiwan and countering the threat of Iran.

H.R. 535 I think should enjoy the support of everyone here and I have studied it as ranking member of the Asia Subcommittee.

Taiwan has 23 million people. We have $85 billion of two-way trade. Any country near that important to us we would have meetings at the highest levels of government.

This bill expresses a sense of Congress that it should be U.S. policy to encourage government visits at all levels between the United States and Taiwan.

Now, it is true that officials have traveled from Taiwan to the United States at various conferences. They participate in the meetings in the United States regarding the environment and global anti-terror campaigns.

But when it comes to the senior most Taiwanese national officials, we don't allow them to come to Washington. Taiwan's defense Foreign Minister and President have come to the United States this year but not Washington, DC, and not to meet in formal meetings in U.S. Government buildings.

There is only one beneficiary of this program and that is myself and the 30th Congressional District since it is a matter—since the place most visited by senior Taiwanese officials is the Sheraton Universal Hotel in my district. As wonderful as those meetings are, it would be much better if the meetings were at the State Department and here in the United States Congress.

Encouraging greater level of high-level visits and dialogue as mentioned the bill would ease Taiwan's international isolation and reaffirm the U.S. political and security commitments to Taiwan.

As to H.R. 1698, the Iran Ballistic Missiles Act, this is an important act to make it plain that Iran's violations of U.N. Security Council resolutions regarding not only ballistic missiles but also the transfer of weapons must be responded to, and that is why I am pleased to be one of the 320 co-sponsors of this important legislation.

Thank you for including my two amendments, the first of which requires the President to submit periodic reports on the illicit activities of supposedly civilian aircraft controlled by Iran.

Are they using them to take materiel to Assad, to the Houthis, and others? Are they using them to move chemical or biological weapons? Are they using them for terrorist acts like they did in Bulgaria a decade or two ago?

This is important because we are called upon to allow the sale of U.S. planes—supposedly civilian planes—to Iran. We should know what their existing civilian planes are used for.

Second, it calls for the President to report after each missile test the technical details of the test—the trajectory, duration, range.

I want to point out that some or all of these reports can be classified and some portions, clearly, should be.

The United States, clearly, provides the same information about North Korean missile tests that this bill calls on them to provide with regard to Iranian nuclear tests.

Such information will provide better assessments for the capacity of these missiles and help Congress do its job.

Finally, when it comes to sanctions on Iran, we need the toughest sanctions with the best explanation—tough sanctions so that Iran gets the message—the good explanation so that Europe and Asia support what we are doing.

That is why I am pleased that this bill focuses on Iran's violation of U.N. Security Council resolutions dealing with missiles and weapons.

The worst reason we could give is to say we are imposing sanctions to deliberately shred the nuclear deal. If we do that, Europe won't enforce the new sanctions and will not join us in them, and Europe will think it's fine for Iran to stop even pretending to live under its commitments under the deal.

Equally tough sanctions imposed because of what Iran is doing in Syria, what they are doing in missiles, what they are doing to violate U.N. Security Council resolutions gives us a chance of inter-

national support and leaves in place the benefits that we do get, and we do get some benefits from the Iran nuclear deal.

Finally, I would point out that in this room several of us, including myself, asked Secretary Kerry in 2015 were we allowed under the JCPOA to adopt sanctions because of Iran's support for terrorism, holding our hostages, and supporting Assad.

And the answer from Secretary Kerry is we are free to adopt additional sanctions as long as they are not a phony excuse for just taking the whole pot of the past ones and putting them back.

So let us impose the sanctions that Iran has earned from its evil activities and let's just make sure they pass the test of not being phony.

And I yield back.

Chairman ROYCE. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, and again, I'd like to thank you and Congressman Eliot Engel for the leadership on this issue.

We have seen this committee on numerous occasions focus on what could be one of the gravest threats to the wellbeing of the American people that we face today.

In fact, I would probably put it at the most important. We have an unstable regime. We have a group of religious fanatics controlling the Iranian Government and our efforts to prevent the lunacy that comes out of that regime from getting into possession of nuclear weapons is vital to the security and wellbeing of the people of the United States.

So I thank both of you for keeping us focused on this issue. Let me note that 20 years ago when I was here I remember a similar situation when we were facing the possibility that a lunatic in North Korea would get their hands on nuclear weapons.

And we went out of our way. We were assured by the administration that sanctions and incentives like giving cash would do the trick, and it didn't.

The fact is we have had sanctions on North Korea and they did not work. The fact is we gave North Korea $4 billion to $5 billion, and not only did it not work, it probably facilitated their nuclear weapons program by giving them some other money that was then fungible to channel into the development—long-term development of a nuclear weapon.

We have unleashed $150 billion into the control of the mullah regime in Iran. These are people who believe that we represent Satan to them.

The United States represents a Satanic force in the world that needs to be wiped out. That is what they believe. We have to face that reality.

If we don't face that reality, we are going to face the same situation that we face in North Korea today. Yeah, wishful thinking. That was 20 years ago, and we facilitated North Korea to getting into this position.

Again, sanctions alone will not work. But we should make sure that we move forward with all the things that we can do short of a military confrontation.

Sanctions is certainly one of them, and the second part, however, I think we have to bite the bullet and realize that in a nuclear age,

we sometimes will have to take actions against governments that we would not necessarily want to disturb. We let them sit there. We'd have to take actions, and it doesn't necessarily mean sending American troops into action and into military confrontation.

Instead, which, during the Reagan years—I am very proud to have played a role in developing what they called the Reagan Doctrine, which was go out and try to find out who the enemies of your enemy are and then help those people to do the fighting for you.

And in this case, Iran is filled with people who hate the mullah regime. They are oppressed by the mullah regime. Persians—young Persians marched, in fact, 8 years ago, seeking our help, and we rebuked them. And instead, we should be reaching out to these young Persians who hate the mullah regime and want to live at peace, want to build an economy and not nuclear weapons. Let us reach out them.

Let us reach out to the Baluch, a people who are oppressed in Iran. Let us reach out to the Kurds. There are more Kurds in Iran than there are in Iraq, for example. There are Azaris that feel they are oppressed. They are part of the same Azaris from Azerbaijan.

We have people that we can work with the vast majority of people in Iran who don't like the mullah regime. If our goal is to stop this mullah regime from obtaining nuclear weapons which would threaten and endanger the people of the United States.

We need to do sanctions but we need to do more than that. But I join you today in doing this, this that we can do right now.

So thank you very much.

Chairman ROYCE. Thank you, Mr. Rohrabacher.

Mr. Ted Deutch of Florida.

Mr. DEUTCH. Thank you, Mr. Chairman, and thanks to you and the ranking member for bringing these bills before us.

I want to join in supporting the Taiwan Travel Act, which is an important statement of American backing for our friends in Taipei and for the values of democracy that Taiwan proudly exudes in East Asia.

The U.S.-Taiwan relationship is an obvious and easy and important relationship to support. I would like to focus my time instead on the Iran Ballistic Missiles and International Sanctions Enhancement Act.

Although we already passed into law the substantive provisions included in this bill when we passed CAATSA back in July, I welcome today's markup as yet another opportunity to discuss the options we reserve for going after Iran's malign activities and for doing it without wasting time outside of the JCPOA.

It's been more than 2½ months since we sent the President additional authorities to impose tighter sanctions that would squeeze Iran's support for terrorists like Hezbollah that would hold the IRGC accountable for its support to the Assad regime and its efforts to sow discord in the region and to punish Iranian officials responsible for the well-documented human rights abuses against the Iranian people.

Yet, we still have not seen the President or this administration act to enforce these new sanctions. Instead, we have been consumed by the certification debate.

I opposed the JCPOA but I also have spent my congressional career pushing the sanctions architecture that brought Iran to the negotiating table.

I know that it was not easy to bring our international partners on board and I recognize that in order to continue the pressure to pressure Iran, we will need the support of our allies and others on the global stage.

I have already made my feelings clear about certification and the implications of unilaterally disengaging from the JCPOA.

I will just add that whatever speech the President may give today or tomorrow, I hope that it includes a comprehensive strategy for combating Iran's anti-American and anti-Israel posture in the region, and I hope that the President commits to use the sanctions tools that we in Congress have given to him.

Because however we feel about the nuclear deal, we can certainly all agree that Iran must be held accountable for its blatant and consistent violations of U.N. Security Council Resolution 2231, which forbids Iran from testing or developing ballistic missiles.

The very fact that it is the IRGC that oversees the missile program, the same organization responsible for supporting Hamas, Hezbollah, and Assad should help illuminate why the international community rightly is so concerned.

Iranian aggression and the threat posed by its revolutionary leadership has always been a priority in this committee and I would like to thank the committee's leadership for your continued vigilance and attention to this issue and for bringing this bill before us today.

I appreciate it and I yield back.

Chairman ROYCE. Thank you, Mr. Deutch.

We now go to Steve Chabot of Ohio.

Mr. CHABOT. Thank you, Mr. Chairman. I thank you for holding this markup today—a very important one, I think.

First, I would like to voice my support for H.R. 535, the Taiwan Travel Act, a bill that I introduced along with my friend from across the aisle, Brad Sherman from California. Introduced it earlier this year. I want to thank him for his leadership on this issue.

As a founding member of the Congressional Taiwan Caucus, I have particular interest in U.S.-Taiwan relations, and I think, as many of us do, take our commitment to Taiwan very seriously.

I would also like to quickly address the restrictions on visits by high-ranking Taiwanese officials, something that many of us find both insulting and counterproductive.

I remember a number of years ago about 26 of us, after votes on, I believe, it was a Tuesday—Monday or Tuesday evening—flew all the way up to New York City to meet with President Chien, who was President of Taiwan at the time. Very inconvenient for us to have to fly all the way up there and come back here. These are self-imposed restrictions that the United States imposed.

This policy is nonsense and should be changed. The fact that you can't have a President or a Vice President or Foreign Minister or the Defense Minister from Taiwan come here from to our capital, Washington, is just, I think, crazy.

Earlier this year, I expressed these concerns again, after having said this to previous administrations, to Secretary of State

Tillerson, and pointed out that this self-imposed restriction bars Taiwan officials from setting foot in this center—this city, the center of democracy and freedom.

This policy goes against our own self-interest. It tells China that we are willing to yield to them on our foreign policy issues such as this one.

It conveys weakness, I think, to Beijing. China continues to take aggressive actions that further its long-running campaign to isolate Taiwan and I believe that the United States has a legal and moral commitment, as we all know, to defend Taiwan sovereignty in the face of this aggression from the PRC.

The United States should have a direct dialogue with our democratically-elected friend, the leadership in Taiwan, whichever party it happens to be, and it's time to change this outlandish policy and outdated policy.

The Taiwan Travel Act will do this and I would urge my colleagues to support this measure, and I would also like to urge my colleagues to support an amendment that we will be offering on H.R. 1698.

It requires the President to notify Congress when there is credible information that Iran may be receiving large quantities of advanced conventional weapons from foreign countries.

Going further, this amendment would also require the President to determine if such a weapons transfer should trigger further sanctions.

Nearly 10 years ago, Russia signed a contract to sell several S-300 surface-to-air missile systems to Iran. In 2010, Russia suspended the sale, only to renew the deal after the terms of the Iran deal was agreed to, and that wasn't a coincidence, I believe.

The S-300 missile defense system strengthens Tehran's military capabilities and it complicates our U.S. strategy for eliminating potential Iranian nuclear weapons.

Now Moscow has delivered multiple S-300 delivery systems to Iran. It's dangerous. Should military action ever be required we want to avoid that, obviously, if at all possible, just as we want to avoid military action with respect to North Korea, if at all possible.

But to allow missile systems like these, which could jeopardize future American actions, again, if necessary is just wrong.

Late last month, Iran even displayed this surface-to-air missile system to the public—a move that was, clearly, designed to elevate tensions to be more aggressive with the United States and with the West in general.

We have to take action, I think, on this and I think this legislation is a step in the right direction. I would encourage folks to support that amendment and support the Taiwan Relations Act, and I will yield back. Thank you.

Chairman ROYCE. Thank you.

We go now to Mr. Bill Keating of Massachusetts.

Mr. KEATING. Thank you, Mr. Chair.

I would like to thank the chair and the ranking member for working together in a bipartisan way once again on these pieces of legislation.

I think it is important. We are giving the Trump administration the tools that are necessary to use these sanctions as part of what

I hope will become a comprehensive strategy that is currently lacking.

I also must comment, because I think we are on the edge of something very dangerous if, indeed, the briefing that the Republican members have received about the President's failure to certify the Iran agreement, something he didn't share with us, is indeed true.

This committee has worked hard to work together. We worked hard to try and see what we could do to influence China in the short run to intercede in North Korea and to try and work in that regard.

Failing to certify is going to, frankly, cause great damage in trying to get China to move because we won't show the consistency and resolve necessary when we make an agreement to go forward.

Secondly, I think for all of us who want to make sure that the agreement is aggressively enforced, this is going to weaken that effort because it's going to make the coalition of allies that we assembled to make it possible in the first place less cohesive.

And without that cohesiveness, we won't be able to act as strongly and aggressively as we could otherwise to enforce this agreement.

And my last point, Mr. Chairman, is this. If he goes ahead and fails to certify, as yesterday's testimony indicated to this committee, we will be playing with fire.

In that 60-day period it is very likely, I believe, that there will be some actors that will move for a major incident in the Middle East to try and provoke this Congress into acting in a way that will blow up that agreement and blow up the coalition that we have going forward.

This period is essential and I hope, should this happen, I hope the same feelings, a bipartisan agreement, loyalty to our country, putting that first above all else, I hope that stays in force, as we go forward for the entire Congress.

We, as a committee, can demonstrate that should these things occur from outside malign actors, that we will stay together. We will not be moved and get through this very dangerous period.

So I want to congratulate this committee on working together once again, and I yield back.

Chairman ROYCE. Thank you, Mr. Keating.

We now go to Mr. Joe Wilson of South Carolina.

Mr. WILSON. Thank you, Mr. Chairman, for this important markup.

It is encouraging to see your bipartisan leadership with Ranking Member Eliot Engel.

I am grateful to be a supporter of H.R. 1698, the Iran Ballistic Missiles Sanctions Enforcement Act, as well as H.R. 535, the Taiwan Travel Act.

Sponsored by Chairman Ed Royce, I appreciate being a co-sponsor of H.R. 1698, the Iran Ballistic Missiles and Sanctions Enforcement.

This bipartisan bill works to expand sanctions on Iran with respect to their ballistic missile program and, ultimately, works to keep American families safe.

I am also grateful to support, as a co-sponsor of H.R. 535, the Taiwan Travel Act, sponsored by our colleague, Congressman Steve Chabot.

Working to strengthen the relationship between the United States and Taiwan by encouraging officials of all levels from both countries to visit and meet with each other, and also motivates Taiwanese to promote business in the United States.

My home state of South Carolina has benefitted with the billion-dollar investment by Nan Ya Plastics—Formosa Plastics Group in Lake City, South Carolina, which has created hundreds of jobs for American families.

I yield back the balance of my time.

Chairman ROYCE. David Cicilline, Rhode Island.

Mr. CICILLINE. Thank you, Mr. Chairman, and thank you to you, Mr. Chairman, and to the ranking member for holding this markup today.

I strongly support the Taiwan Travel Act and our efforts to recognize the important relationship between the United States and Taiwan.

We are here on another issue of tremendous importance-Iran. Despite the President's treatment of the U.S. commitment to the Iran nuclear deal with this on again-off again, will he certify-will he not certify as though it were a segment in a game show, this is not a trivial matter.

We are talking about nuclear war, about a direct threat to our ally, Israel, to the safety of American men and women stationed in the Middle East, and, of course, our safety here at home.

By threatening not to certify that Iran is in compliance with the JCPOA, without any evidence that they have violated the terms and, in fact, broad agreement that Iran is complying with the terms of this—of the JCPOA, including multiple sources that include the President's own senior officials, the President threatens to destroy the agreement that took decades to build.

He threatens the credibility of the United States of America, he threatens our relationship with our allies, and he threatens our ability to mobilize support to combat Iran's many destabilizing activities throughout the region.

And most importantly, he threatens to put Iran under direct path for a nuclear bomb. The Iran deal accomplished its objective preventing Iran from developing nuclear weapons.

This is not to say that they are not engaged in destabilizing aggressive conduct. Are they funding terrorism? Yes. Are they supporting Hezbollah and Hamas? Yes. Are they continuing to take American citizens hostage? Yes. These are all serious issues of vital importance that we need to focus on outside the terms of the JCPOA. The nuclear deal was never meant to combat the multitude of Iranian factions of international law.

It was meant to take the nuclear issue off the table so that we, as an international community, can focus our energies on tightening the cinch around Iran's illicit financial activities, against their terrorism, and against their egregious human rights abuses and other maligned activities both within Iran and elsewhere.

As Jake Sullivan testified before this committee yesterday, the fabricated drama created by President Trump surrounding certifi-

cation only draws attention away from the very issues we need to address most.

So long as we are bickering with our allies and threatening to unilaterally pull out of the JCPOA, we give Iran cover for its bad behavior.

If recent news reports are correct, President Trump seems to think that he can have his cake and eat it, too. He seems to think that he can neglect to certify as required under the Iran Nuclear Agreement Review Act and then kick the can to Congress and absolve himself from any leadership role on this critical issue and he will create great uncertainty about the U.S. position, this would be a grave mistake.

America must live up to its commitments. There is plenty of room to negotiate on the details that fall outside of the JCPOA.

This is precisely what the JCPOA was intended to do—to give us room to focus on the very real and very serious issues of Iranian malfeasance. This is exactly what we must do.

The U.S. must keep its commitment to our allies, maintain our compliance with the Iran nuclear deal, and most importantly, as our chairman so aptly put it, we must enforce the hell out of it.

That is Congress' role and it's up to ensure that we and our allies make clear to Iran that while we maintain enforcement of the JCPOA, we will hold them to task for their bad behavior elsewhere.

And if they violate the terms of the JCPOA we must do everything we can to reimpose sanctions and hold Iran accountable. And I sincerely hope that we never get to that point.

But if we do, I know that I speak for many of my colleagues when I say we will be the first in line to hold a hard line and we impose sanctions.

But for President Trump to pull out of the deal simply because he doesn't like it, because he campaigned against it, or because it will benefit him politically is the height of irresponsibility.

I thank the chairman for bringing up legislation now and previously that will hold Iran accountable for its behavior and I urge the administration to utilize the tools we are giving them to enforce sanctions against Iranian officials in businesses that violate international law.

I think it's important to note that as of now the administration has yet to impose any new sanctions based on the authorities we gave them this summer in H.R. 3364.

This is inexcusable. I thank you again, Mr. Chairman and Ranking Member, for your leadership and yield back the balance of my time.

Chairman ROYCE. Thank you.

Mr. Brian Mast of Florida.

Mr. MAST. Thank you, Chairman. I will keep my remarks brief.

My thoughts on the JCPOA and the Iran deal are simple and it's that it places about as much deterrence on Iran as putting a millionaire on house arrest while cutting them a check for billions of dollars at the same time.

The fact is that Iran has done their absolute best to kill American service members in Iraq and Afghanistan. They are colonizing their way across the Middle East through their proxies, and discounting the fact that an ICBM is not the only way to deliver a

nuclear payload, the reality is it can be dropped off of the belly of an aircraft, delivered by a submarine, shipped in a container, or placed on the back end of a truck.

If we allow Iran the ability to deliver any payload to our shores by an ICBM, then this is an allowance that has occurred out of nothing more than fear and trepidation and weakness.

These are things that Americans have never been and should never be defined by, and we should not start that today.

Thank you, Chairman.

Chairman ROYCE. Thank you, Mr. Mast.

Any other members? Ms. Lois Frankel of Florida.

Ms. FRANKEL. Thank you, Mr. Chairman, and our ranking member. Thank you for these bipartisan bills, which I support both of them.

I say today is a tale of two countries. Taiwan is a great friend, a great trading partner, very culturally enriched and, incidentally, just elected its first woman President, which I congratulate them for.

Iran, on the other hand, is not a friend. They are the number-one state sponsor of terrorism and I am very pleased to also support this ballistic missile bill.

With all that said, I am going to try to restrain myself because my colleagues have been very, I think, polite—maybe use the word dangerous, irresponsible.

I want to say that, in my opinion, that the failure to certify, at this point in time, that Iran is meeting its obligations under the JCPOA is a manufactured crisis by the White House.

It is based upon fake news and it is an action that would be opposed by our allies who went along with the agreement and reportedly opposed by the President's own national security team.

Like others up here, originally I opposed the Iran agreement for a number of reasons. I won't get into it today.

That was then. Now is now, because we have already released over $100 billion worth of assets. All reports and agreed upon by our international partners is that Iran has been complying with the agreement.

So, to me, it would be totally insane, really, to leave this agreement now. There are issues, I know, we all are concerned about and we, obviously, need to continue to enforce the agreement.

We need to try to stop Iran's terrorist activities but this is not the way to do it—by decertifying the agreement or the compliance with the agreement.

You know, the President made a lot of campaign promises that some of us disagreed with and, to me, a lot of his actions have been destructive—destructive against women, destructive against the environment, destructive against immigrants.

But, to me, this is a new level of potential destruction because we are talking about our very existence. And now, to me, using nuclear war as fulfilling a campaign promise.

So I hope, although I don't expect, that the President is going to back down from his campaign promise. But I do hope and expect that my colleagues on both sides of the aisle are going to show some restraint and reasonableness because there is too much at stake.

And with that, Mr. Chair, I yield back.

Chairman ROYCE. Thank you, Congresswoman.

We go to Tom Garrett of Virginia.

Mr. GARRETT. Mr. Chairman, the rhetoric here is disturbing.

I mean, I think I just heard someone suggest that if the Iranians were aggressive with nuclear weapons it was the responsibility of President Trump—the destruction that might follow.

There is—I mean, that's Vandenberg who said politics should stop at the water's edge. I'd imagine he'd roll over in his proverbial grave.

A couple things have been said. Failure to certify "won't show the consistency of resolve to move forward."

No, I think it would show greater resolve to deter Iran, who has been very clear in their rhetoric, from not only producing nuclear weapons but also, and quite importantly, delivery mechanisms.

In 1994, President Clinton stood before the nation to trumpet the North Korean nuclear deal, which was followed with billions and billions of dollars in aid and assets transferred to North Korea, and President Clinton essentially declared that there was an end to the nuclear threat from North Korea as a result of that wonderful agreement.

Fast forward 23 years and here we sit. Google it.

And so another one of my colleagues and friends suggested that if we don't do this that we are kicking the can—or the President would decertify that he'll be kicking the can to Congress.

I would offer that the only can kicking going on here is of a nation that won't take the mullahs at their word. I pointed out yesterday that this is a regime that is burned the effigy of every single United States President since Jimmy Carter and, indeed, during the finalization of the framework for the JCPOA depicted a lynching of our first African-American President. Google it.

And so they demonstrated repeatedly through act and word a desire to eradicate this nation, the United Kingdom, the Israelis, amongst others, from existence.

We have history as a teacher where we plied the North Koreans with billions of dollars and the President of the United States declared the nuclear threat in the region to be gone.

Fast forward to the current events of today. Now we plied the Iranians with the freeing of billions of dollars of assets and literally palettes of cash money, and we are told that the JCPOA is somehow sacrosanct and beyond reproach.

Let me point out, probably for at least the tenth time in this committee, that the U.N. Security Council Resolution 1929 from 2010, prior to the JCPOA, articulated that Iran shall not undertake activities to develop ballistic missiles capable of delivering a nuclear payload. Shall not.

The JCPOA, this document that we would think was somehow the be all, end all that would secure our future forever and if this administration questions the policies of the last administration might lead to the greatest destruction—that hyperbole needs to stop because it is dangerous, candidly, to how we treat each other as Americans—it is somehow sacrosanct that JCPOA is worded such as Iran is called upon not to undertake ballistic missile testing.

Again, shall not undertake 2010 U.N. Security Council, which means the Chinese and the Russians and the world agreed to it—is called upon not to undertake JCPOA 2015, drafted while they are burning our President in effigy and depicting him being hung, and there is a hue and cry that somehow pointing out flaws in this document, admitting that there might have been mistakes is wrong.

Mr. Sullivan, yesterday, who might have been national security advisor, had the result of the last elections been different, said diplomacy requires compromise.

I wonder if he was quoting Neville Chamberlain circa 1938. Because the Treaty of Versailles called on the Nazis not to develop an army greater than 100,000 soldiers, and several million soldiers and millions of dead innocent people later we learned that sometimes parties who enter treaties don't honor them.

Winston Churchill said appeasement means feeding the crocodile and hoping he'll eat you last. I would hearken back to the statement that we might be kicking the can to Congress by pointing out flaws in JCPOA to suggest that the only can-kicking going on now is kicking the can of a nuclear threat to our children down the road, just like was done by the Clinton administration in the 1990s when they declared an end to the threat from that region.

Thank you, Mr. Chairman.

Chairman ROYCE. Thank you, Tom.

We go to Mr. Brad Schneider of Illinois.

Mr. SCHNEIDER. Thank you, Mr. Chairman.

Chairman Royce, Ranking Member Engel, thank you for introducing H.R. 1968.

I am a proud co-sponsor of this legislation and a proponent of doing everything in our power to curb and put an end to Iran's malign behavior.

The Iran Ballistic Missile and International Sanctions Enhancement Act does just that. It would impose sanctions on those who support Iran's ballistic missile program and transfer weapons to and from Iran.

Iran is a bad actor in a volatile region and its agents continue to sow instability. That is why I offered an amendment to require a report containing information on any credible information regarding violations of the travel restrictions on sanctioned Iranian individuals per U.N. Security Council Resolution 2231 and any exemptions that have been approved by the Security Council.

There are troubling reports that Iran's commander of the IRGC Quds Force, General Qasem Soleimani, has traveled to Russia in violation of UNSCR 2231.

These travel restrictions were put in place for good reason and we deserve to know whether in fact violations have occurred.

I would like to thank the chairman for including my amendment in the en bloc package. I would also like to note that while I oppose the JCPOA, now that it is in place, I believe we have to aggressively and rigorously enforce it.

But as we enforce it, it is critically vital to acknowledge that the JCPOA, like any agreement, has inherent risks and that this deal in particular has serious shortcomings and gaps, including but not limited to the sunset provisions.

The urgent responsibility of our Government, in conjunction with our partners and our allies, is to develop the comprehensive strategies and commit the necessary resources to work to close the gaps and reduce the risks.

I believe we must clearly and fully articulate, as a matter of national policy, that the United States will never allow Iran to have a nuclear weapon and that we will aggressively work to confront Iran's malign activities in the region and around the world.

I applaud this committee for its work to reduce Iran's malign activities and prevent Iran from ever acquiring a nuclear weapon.

I yield back.

Chairman ROYCE. Thank you, Mr. Schneider.

Any other members seeking recognition?

Mr. Espaillat.

Mr. ESPAILLAT. Thank you, Mr. Chairman.

This is my first year in Congress. Had I been here when this agreement would have been reached I probably would have looked at it with a great deal of speculation and concern. I felt perhaps it was not as strong as it should have been.

But it is what it is, and today we see how over 402 site visits and 25 snap inspections were conducted in the year—in the 12 months of 2016, almost doubling from 212. We are just slightly over 200 visits—inspections were conducted on 213. Also over 200—on 214 over 350 as well as 215 and, as I said in 2016, 412 inspections were conducted.

All leading to what conclusion? And that is that they have been in compliance. Yesterday we heard from General Wald, who said that he felt almost 99 percent sure that they were cheating on the agreement, unsubstantiated allegation that I think is irresponsible at the very least.

And so all important players in this endeavor, particularly the inspectors, are saying that they are in compliance of the JCPOA.

And so whereas the agreement perhaps was not strong enough to include other areas of concern for America, Iran's missile program and other important factors that must be addressed, the experts have told us time and time again not only in the past administration but in this administration that they have been in compliance.

So the agreement also came about as a result of coalition building with other important allies that we have across the world, and we have a certain responsibility toward those allies to ensure that they don't feel in the future when we need them again—let's say, for example, with North Korea—that they will be left out in the cold. After they reach an agreement they sacrifice or they were—they were flexible in conceding certain thing that may have been dear and near to them.

So I think that we should continue to push forward to ensure that we hold Iran's feet to the fire—that some of these issues that were left out of the agreement should be dealt with by the same international community and the same coalition that we helped lead.

So we cannot advocate our leadership role in that coalition. It is important that America continues to be the leader of the world.

So we must continue to strengthen that agreement and discuss the particular issues that are very concerning to all of us in the future.

I join our ranking member, Eliot Engel, in supporting the concept that we got to strengthen this. But at this point, it will be political malpractice, if you may, if we opt out.

We will feel the concern and scorn, in many cases, of our allies, and I think we will put the world in peril.

Chairman ROYCE. Thank you, Mr. Espaillat.

Hearing no further requests for recognition, the question occurs on the items considered en bloc.

All those in favor say aye.

All those opposed, no.

In the opinion of the chair, the ayes have it, and the measures considered en bloc are agreed to.

Without objection, the measures considered en bloc are ordered favorably reported as amended. Staff is directed to make any technical and conforming changes, and the chair is authorized to seek House consideration under suspension of the rules.

Yes, Mr. Engel.

Mr. ENGEL. Yes, thank you.

Just two quick things. I first want to say, I know we all want to wish Mr. Connolly a speedy recovery. He had an accident and he is being wheelchaired around in a wheelchair and we wish him a speedy recovery.

And the second important thing is happy birthday, Mr. Chairman.

Chairman ROYCE. Well, thank you, Mr. Engel. Appreciate that. Well, thank you.

On that high note, that concludes our business for today. And so I want to thank all of the members of this committee and you as well, Mr. Engel, for your contributions and assistance with this markup.

The committee is adjourned.

[Whereupon, at 10:37 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

October 5, 2017

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at http://www.ForeignAffairs.house.gov):

DATE: Thursday, October 12, 2017

TIME: 9:30 am

MARKUP OF: H.R. 535, Taiwan Travel Act; and

H.R. 1698, Iran Ballistic Missiles and International Sanctions Enforcement Act.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Thursday* **Date** *10/12/2017* **Room** *2172*

Starting Time *9:30AM* **Ending Time** *10:37AM*

Recesses [*0*] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Chairman Edward R. Royce

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

See attached.

COMMITTEE MEMBERS PRESENT:

See attached.

NON-COMMITTEE MEMBERS PRESENT:

N/A

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

N/A

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See markup summary.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting
N/A				

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *10:37AM*

Full Committee Hearing Coordinator

HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE MARKUP

PRESENT	*MEMBER*
X	Edward R. Royce, CA
X	Christopher H. Smith, NJ
X	Ileana Ros-Lehtinen, FL
X	Dana Rohrabacher, CA
X	Steve Chabot, OH
X	Joe Wilson, SC
	Michael T. McCaul, TX
	Ted Poe, TX
	Darrell Issa, CA
	Tom Marino, PA
X	Jeff Duncan, SC
X	Mo Brooks, AL
X	Paul Cook, CA
X	Scott Perry, PA
X	Ron DeSantis, FL
	Mark Meadows, NC
X	Ted Yoho, FL
	Adam Kinzinger,IL
X	Lee Zeldin, NY
X	Dan Donovan, NY
X	James F. Sensenbrenner, Jr., WI
	Ann Wagner, MO
X	Brian J. Mast, FL
X	Brian K. Fitzpatrick, PA
	Francis Rooney, FL
X	Thomas A. Garrett, Jr., VA

PRESENT	*MEMBER*
X	Eliot L. Engel, NY
X	Brad Sherman, CA
	Gregory W. Meeks, NY
X	Albio Sires, NJ
	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI
	Ami Bera, CA
X	Lois Frankel, FL
	Tulsi Gabbard, HI
X	Joaquin Castro, TX
X	Robin Kelly, IL
X	Brendan Boyle, PA
	Dina Titus, NV
	Norma Torres, CA
X	Brad Schneider, IL
X	Tom Suozzi, NY
X	Adriano Espaillat, NY
X	Ted Lieu, CA

10/12/17 Foreign Affairs Committee Markup Summary

By unanimous consent, the Chair called up the following measures and amendments, previously provided to Members, to be considered *en bloc*:

1. H.R. 1698 (Royce), Iran Ballistic Missiles and International Sanctions Enforcement Act;

    a. Royce 36, an amendment in the nature of a substitute to H.R. 1698;

        1) Chabot 3, an amendment to Royce 36;
        2) DeSantis 57, an amendment to Royce 36;
        3) Schneider 2, an amendment to Royce 36;
        4) Sherman 30, an amendment to Royce 36;
        5) Sherman 31, an amendment to Royce 36;
        6) Zeldin 32, an amendment to Royce 36.

2. H.R. 535 (Chabot), Taiwan Travel Act.

The measures considered *en bloc* were agreed to by voice vote.

By unanimous consent, the measures as amended were ordered favorably reported to the House, and the Chairman was authorized to seek House consideration under suspension of the rules.

The Committee adjourned.

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