## AMENDMENT TO H.R. 4909

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At the end of subtitle E of title XII of the bill, add the following:

1	SEC. 12xx. LIMITATION ON USE OF FUNDS TO PROCURE, OR
2	ENTER INTO ANY CONTRACT FOR THE PRO-
3	CUREMENT OF, ANY GOODS OR SERVICES
4	FROM PERSONS THAT PROVIDE MATERIAL
5	SUPPORT TO CERTAIN IRANIAN PERSONS.
6	(a) Limitation.—No funds authorized to be appro-
7	priated for the Department of Defense for fiscal year 2017
8	may be used to procure, or enter into any contract for
9	the procurement of, any goods or services from any person
10	that provides material support to, including engaging in
11	a significant transaction or transactions with a covered
12	Iranian person during such fiscal year.
13	(b) Certification.—The Federal Acquisition Regu-
14	lation shall be revised to require a certification from each
15	person that is a prospective contractor that such person
16	does not engage in any of the conduct described in sub-
17	section (a). Such revision shall apply with respect to con-
18	tracts in an amount greater than the simplified acquisition
19	threshold (as defined in section 134 of title 41 United

1	States Code) for which solicitations are issued on or after
2	the date that is 90 days after the date of the enactment
3	of this Act.
4	(c) Waiver.—The Secretary of Defense, in consulta-
5	tion with the Secretary of State and the Secretary of the
6	Treasury, may, on a case-by-case basis, waive the limita-
7	tion in subsection (a) with respect to a person if the Sec-
8	retary of Defense, in consultation with the Secretary of
9	State and the Secretary of the Treasury—
10	(1) determines that the waiver is important to
11	the national security interest of the United States;
12	and
13	(2) submits to the appropriate committees of
14	Congress a notification of, and detailed justification
15	for, the waiver not less than 30 days before the date
16	on which the waiver is to take effect.
17	(d) Definitions.—In this section:
18	(1) Appropriate committees of con-
19	GRESS.—The term "appropriate committees of Con-
20	gress' means—
21	(A) the Committee on Armed Services and
22	the Committee on Foreign Relations of the Sen-
23	ate: and

1	(B) the Committee on Armed Services and
2	the Committee on Foreign Affairs of the House
3	of Representatives.
4	(2) COVERED IRANIAN PERSON.—The term
5	"covered Iranian person" means an Iranian person
6	that—
7	(A) is included on the list of specially des-
8	ignated nationals and blocked persons main-
9	tained by the Office of Foreign Assets Control
10	of the Department of the Treasury and the
11	property and interests in property of which are
12	blocked pursuant to the International Emer-
13	gency Economic Powers Act (50 U.S.C. 1701 et
14	seq.) for acting on behalf of or at the direction
15	of, or being owned or controlled by, the Govern-
16	ment of Iran;
17	(B) is included on the list of persons iden-
18	tified as blocked solely pursuant to Executive
19	Order 13599; or
20	(C) in the case of an Iranian person de-
21	scribed in paragraph (3)(B)—
22	(i) is owned, directly or indirectly,
23	bv—

1	(I) Iran's Revolutionary Guard
2	Corps, or any agent or affiliate there-
3	of; or
4	(II) one or more other Iranian
5	persons that are included on the list
6	of specially designated nationals and
7	blocked persons as described in sub-
8	paragraph (A) if such Iranian persons
9	collectively own a 25 percent or great-
10	er interest in the Iranian person; or
11	(ii) is controlled, managed, or di-
12	rected, directly or indirectly, by Iran's Rev-
13	olutionary Guard Corps, or any agent or
14	affiliate thereof, or by one or more other
15	Iranian persons described in clause (i)(II).
16	(3) Iranian Person.—The term "Iranian per-
17	son'' means—
18	(A) an individual who is a national of Iran;
19	or
20	(B) an entity that is organized under the
21	laws of Iran or otherwise subject to the jurisdic-
22	tion of the Government of Iran.
23	(4) Person.—The term "person" means has
24	the meaning given such term in section 560.305 of

1	title 31, Code of Federal Regulation, as such section
2	560.305 was in effect on April 22, 2016.
3	(5) Significant transaction or trans-
4	ACTIONS.—The term "significant transaction or
5	transactions" shall be determined, for purposes of
6	this section, in accordance with section 561.404 of
7	title 31, Code of Federal Regulations, as such sec-
8	tion 561.404 was in effect on January 1, 2016.

