AMENDMENT TO H.R. 4909
OFFERED BY M_.

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

SEC. 12xx. LIMITATION ON USE OF FUNDS TO PROCURe, OR
Enter into any contract for the procuRe of, any goods or services
from persons that provide material
support to certain iranian persons.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that provides material support to, including engaging in a significant transaction or transactions with a covered Iranian person during such fiscal year.

(b) CERTIFICATION.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United

April 27, 2016 (12:07 p.m.)
States Code) for which solicitations are issued on or after
the date that is 90 days after the date of the enactment
of this Act.

(c) WAIVER.—The Secretary of Defense, in consulta-
tion with the Secretary of State and the Secretary of the
Treasury, may, on a case-by-case basis, waive the limita-
tion in subsection (a) with respect to a person if the Sec-
retary of Defense, in consultation with the Secretary of
State and the Secretary of the Treasury—

(1) determines that the waiver is important to
the national security interest of the United States;
and

(2) submits to the appropriate committees of
Congress a notification of, and detailed justification
for, the waiver not less than 30 days before the date
on which the waiver is to take effect.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CON-}
gress.—The term “appropriate committees of Con-
gress” means—

(A) the Committee on Armed Services and
the Committee on Foreign Relations of the Sen-
ate; and
(B) the Committee on Armed Services and
the Committee on Foreign Affairs of the House
of Representatives.

(2) COVERED IRANIAN PERSON.—The term
“covered Iranian person” means an Iranian person
that—

(A) is included on the list of specially des-
ignated nationals and blocked persons main-
tained by the Office of Foreign Assets Control
of the Department of the Treasury and the
property and interests in property of which are
blocked pursuant to the International Emer-
seq.) for acting on behalf of or at the direction
of, or being owned or controlled by, the Govern-
ment of Iran;

(B) is included on the list of persons iden-
tified as blocked solely pursuant to Executive
Order 13599; or

(C) in the case of an Iranian person de-
scribed in paragraph (3)(B)—

(i) is owned, directly or indirectly,

by—
(I) Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in sub-paragraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (i)(II).

(3) IRANIAN PERSON.—The term “Iranian person” means—

(A) an individual who is a national of Iran;

or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) PERSON.—The term “person” means has the meaning given such term in section 560.305 of
title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(5) **Significant transaction or transactions.**—The term “significant transaction or transactions” shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.