118TH CONGRESS
1ST SESSION

S. _____

To impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic 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 ''Stop Harboring Iranian Petroleum Act of 2023''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) FAMILY MEMBER.—The term ''family member'' means, with respect to an individual, a spouse, child, parent, sibling, grandchild, or grandparent of the individual.

(4) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(5) FOREIGN PORT.—The term ''foreign port'' means any harbor, marine terminal, or other shore side facility outside of the United States used principally for the movement of goods on the water.

(6) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) MATERIAL SUPPORT.—The term ''material support'' has the meaning given the term ''material support or resources'' in section 2339A of title 18, United States Code.

(8) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(9) VESSEL.—The term ''vessel'' means any watercraft or aircraft capable of being used as a means of transportation on, under, or over water.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to deny the Islamic Republic of Iran the ability to engage in destabilizing activities, support international terrorism, fund the development and acquisition of weapons of mass destruction and the means to deliver such weapons by limiting export of petroleum and petroleum products by the Islamic Republic of Iran;

(2) to deny the Islamic Republic of Iran funds to oppress and commit human rights violations against the Iranian people who are assembling peacefully to redress the Iranian regime;

(3) to sanction entities that violate the laws of the United States by providing support to the Iranian energy sector; and

(4) that the actions of the Islamic Republic of Iran to finance and facilitate the participation of foreign terrorist organizations in ongoing conflicts and illicit activities is detrimental to the national security interests of the United States.

SEC. 4. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to a foreign person that the President determines knowingly engaged, on or after such date of enactment, in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign person engages in an activity described in this paragraph if the foreign person—

(A) owns or operates a foreign port that, on or after the date of the enactment of this Act, permitted to dock at such foreign port a vessel—

(i) that is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for transporting Iranian crude oil; or

(ii) of which the operator or owner of such vessel otherwise knowingly engages in a significant transaction to transport, offload, or deal in condensate, refined, or unrefined petroleum products, or other petrochemical products originating from the Islamic Republic of Iran;

(B) owns or operates a vessel that conducts a sea-to-sea transfer involving a significant transaction of any petroleum product originating from the Islamic Republic of Iran;

(C) owns or operates a refinery that engages in a significant transaction to process, refine, or otherwise deal in any petroleum product originating from the Islamic Republic of Iran;

(D) is a family member of a foreign person described in subparagraph (A), (B), or (C);

(E) is owned or controlled by a foreign person described in subparagraph (A), (B), (C), or (D); or

(F) engages in a significant transaction with, or provides material support to, a foreign person described in subparagraph (A), (B), (C), (D), or (E).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) SANCTIONS ON FOREIGN VESSELS.—Subject to such regulations as the President may prescribe, the President may prohibit a vessel described in subsection (a)(2)(A) or (a)(2)(B) from landing at any port in the United States—

(A) with respect to a vessel described in subsection (a)(2)(A), for a period of not more than 2 years beginning on the date on which the President imposes sanctions with respect to a related foreign port described in subsection (a)(2)(A); and

(B) with respect to a vessel described in subsection (a)(2)(B), for a period of not more than 2 years.

(2) PROPERTY BLOCKING.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(3) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subparagraph (A) shall be revoked, regardless of when such visa or other entry documentation was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately;

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession; and

(III) be implemented in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(4) IMPLEMENTATION; PENALTIES.—

(A) IMPLEMENTATION.—The President—

(i) may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section; and

(ii) not later than 180 days after the date of the enactment of this Act, shall

prescribe such regulations as necessary to carry out this Act.

(B) NOTIFICATION TO CONGRESS.—Not later than 10 days before the effective date of any regulation prescribed under subparagraph (A)(ii), the President shall brief the appropriate congressional committees on the proposed regulations and the provisions of this Act relating to such regulations.

(C) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(c) EXCEPTIONS.—

(1) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—A requirement to block and prohibit all transactions in all property and interests in property under this section shall not

include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b)(3) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(3) EXCEPTION TO COMPLY WITH INTELLIGENCE, LAW ENFORCEMENT, AND OTHER NATIONAL SECURITY ACTIVITIES.—Sanctions under subsection (b) shall not apply with respect to a foreign person if such foreign person is a subject or target of, or otherwise involved in, an intelligence,

law enforcement, or national security activity of the United States, as determined by the President.

(d) WAIVERS.—

(1) IN GENERAL.—The President may waive the application of sanctions under this section with respect to a foreign person for a period not to exceed 180 days if the President—

(A) determines that such a waiver is vital to the national interests of the United States; and

(B) not less than 15 days before the granting of the waiver, submits to the appropriate congressional committees a notice of and justification for the waiver.

(2) SPECIAL RULE.—

(A) IN GENERAL.—The President may waive the application of sanctions under this section with respect to a foreign person if the President certifies in writing to the appropriate congressional committees that—

(i) the foreign person—

(I) has ceased engaging in activities described in subsection (b); or

(II) has taken and is continuing to take significant verifiable steps toward ceasing such activities; and

(ii) the President has received reliable assurances from the government of the foreign country that such foreign person will not resume engaging in any activity described in subsection (b).

(B) SUNSET.—The authority to grant a waiver under this paragraph shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 5. REPORT ON PETROLEUM AND PETROLEUM PRODUCT EXPORTS FROM IRAN.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Energy Information Administration shall submit to the appropriate congressional committees a report on the increase exports of petroleum and petroleum products by the Islamic Republic of Iran.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of the export and sale of petroleum and petroleum products by the Islamic Republic of Iran since 2018, including—

(A) an estimate of the annual revenue of the export and sale of petroleum by the Islamic Republic of Iran, disaggregated by year;

(B) an estimate of the annual revenue of the export and sale of petroleum to the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(C) the number of petroleum and crude oil barrels annually exported by the Islamic Republic of Iran, disaggregated by year;

(D) the number of petroleum and crude oil barrels annually exported to the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(E) the number of petroleum and crude oil barrels annually exported to countries other than the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(F) the average price per petroleum and crude oil barrel annually exported by the Islamic Republic of Iran, disaggregated by year; and

(G) the average price per petroleum and crude oil barrel annually exported to the Peo-

ple's Republic of China by the Islamic Republic of Iran, disaggregated by year.

(2) An analysis of the labeling practices of the Islamic Republic of Iran with respect to exported petroleum and petroleum products.

(3) A description of persons involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

(4) A description of vessels involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

(5) A description of foreign ports involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

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

(d) PUBLICATION.—The unclassified portion of the report required by subsection (a) shall be posted on a publicly available website of the Energy Information Administration.