

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4744
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Iran Human Rights
3 and Hostage-Taking Accountability Act”.

**4 SEC. 2. UNITED STATES POLICY ON HUMAN RIGHTS VIOLA-
5 TIONS BY THE GOVERNMENT OF IRAN.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Iran is a member of the United Nations,
8 voted for the Universal Declaration of Human
9 Rights, and is a signatory to the International Cov-
10 enant on Civil and Political Rights, among other
11 international human rights treaties.

12 (2) In violation of these and other international
13 obligations, Iranian regime officials continue to vio-
14 late the fundamental human rights of the Iranian
15 people.

16 (3) The Iranian regime persecutes ethnic and
17 religious minority groups, such as the Baha’is,
18 Christians, Sufi, Sunni, and dissenting Shi’a Mus-

1 lims (such as imprisoned Ayatollah Hossein
2 Kazemeyni Boroujerdi), through harassment, ar-
3 rests, and imprisonment, during which detainees
4 have routinely been beaten, tortured, and killed.

5 (4) Following voting irregularities that resulted
6 in the 2009 election of President Mahmoud
7 Ahmadinejad, the Iranian regime brutally sup-
8 pressed peaceful political dissent from wide segments
9 of civil society during the Green Revolution in a cyn-
10 ical attempt to retain its undemocratic grip on
11 power.

12 (5) Since February 2011 the leaders of Iran's
13 Green Movement, former Prime Minister Mir
14 Hossein Mousavi, his wife Dr. Zahra Rahnavard,
15 and former Speaker of the Majles (parliament)
16 Mehdi Karroubi, have lived under strict house ar-
17 rest, ordered by Iran's Supreme National Security
18 Council.

19 (6) In 1999 the Iranian regime brutally sup-
20 pressed a student revolt that was one of the largest
21 mass uprisings up until that point in the country
22 since 1979.

23 (7) Over a 4-month period in 1988, the Iranian
24 regime carried out the barbaric mass executions of
25 thousands of political prisoners.

1 (8) Senior governmental, military, and public
2 security officials in Iran have continued ordering,
3 controlling, and committing egregious human rights
4 violations that, in many cases, represent official poli-
5 cies of the Iranian regime.

6 (b) SENSE OF CONGRESS.—It is the sense of the
7 Congress that the United States should—

8 (1) deny the Government of Iran the ability to
9 continue to oppress the people of Iran and to use vi-
10 olence and executions to silence pro-democracy
11 protestors;

12 (2) support efforts made by the people of Iran
13 to promote the establishment of basic freedoms that
14 build the foundation for the emergence of a freely
15 elected, open, non-corrupt and democratic political
16 system; and

17 (3) help the people of Iran produce, access, and
18 share information freely and safely via the internet
19 and other media.

20 (c) STATEMENT OF POLICY.—It shall be the policy
21 of the United States to stand with the people of Iran who
22 seek the opportunity to freely elect a government of their
23 choosing, and increase the utilization of all available au-
24 thorities to impose sanctions on officials of the Govern-

1 ment of Iran and other individuals responsible for serious
2 human rights abuses.

3 **SEC. 3. DETERMINATIONS WITH RESPECT TO IMPOSITION**
4 **OF SANCTIONS ON CERTAIN PERSONS RE-**
5 **SPONSIBLE FOR OR COMPLICIT IN HUMAN**
6 **RIGHTS ABUSES, ENGAGING IN CENSORSHIP,**
7 **ENGAGING IN THE DIVERSION OF GOODS IN-**
8 **TENDED FOR THE PEOPLE OF IRAN, OR EN-**
9 **GAGING IN CORRUPTION.**

10 (a) IN GENERAL.—Not later than 270 days after the
11 date of the enactment of this Act, the President shall sub-
12 mit to the appropriate congressional committees a report
13 containing a determination of whether any senior officials
14 of the Government of Iran or other Iranian persons meet
15 the criteria described in—

16 (1) subsection (b) of section 105D of the Com-
17 prehensive Iran Sanctions, Accountability, and Di-
18 vestment Act of 2010, as added by section 5 of this
19 Act; or

20 (2) paragraph (3) or (4) of section 1263(a) of
21 the National Defense Authorization Act for Fiscal
22 Year 2017 (Public Law 114–328; 22 U.S.C. 2656
23 note).

24 (b) REVIEW OF CERTAIN ENTITIES.—The report re-
25 quired under subsection (a) shall contain a review of any

1 activities of cooperative foundations or bonyads in Iran
2 with a capitalization that exceeds \$200,000,000 and that
3 meet the criteria in paragraph (3) or (4) of section
4 1263(a) of the National Defense Authorization Act for
5 Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656
6 note) for purposes of corruption.

7 (c) FORM OF REPORT; PUBLIC AVAILABILITY.—

8 (1) FORM.—The report required under sub-
9 section (a) shall be submitted in unclassified form,
10 but may contain a classified annex.

11 (2) PUBLIC AVAILABILITY.—The unclassified
12 portion of such report shall be made available to the
13 public and posted on the internet website of the De-
14 partment of the Treasury—

15 (A) in English, Farsi, Arabic, and Azeri;
16 and

17 (B) in precompressed, easily downloadable
18 versions that are made available in all appro-
19 priate formats.

20 (d) DEFINITION.—In this section, the term “appro-
21 priate congressional committees” means—

22 (1) the Committee on Financial Services and
23 the Committee on Foreign Affairs of the House of
24 Representatives; and

1 (2) the Committee on Banking, Housing, and
2 Urban Affairs and the Committee on Foreign Rela-
3 tions of the Senate.

4 **SEC. 4. UNITED STATES POLICY ON HOSTAGE-TAKING BY**
5 **THE GOVERNMENT OF IRAN.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Since 1979 the Iranian regime has engaged
8 in various destabilizing activities that undermine the
9 national security of the United States and its allies
10 and partners.

11 (2) These activities include the hostage-taking
12 or prolonged arbitrary detentions of United States
13 citizens and other persons with connections to Can-
14 ada, the United Kingdom, France, and other nations
15 allied with the United States.

16 (3) The Iranian regime has detained on fab-
17 ricated claims a significant number of United States
18 citizens, including Siamak and Baquer Namazi and
19 Xiyue Wang, as well as United States legal perma-
20 nent resident, Nizar Zakka, in violation of inter-
21 national legal norms.

22 (4) The Iranian regime has not provided infor-
23 mation on the whereabouts of or assistance in ensur-
24 ing the prompt and safe return of Robert Levinson,
25 despite repeated promises to do so, after he was kid-

1 napped while visiting Iran's Kish Island on March 9,
2 2007—making him the longest held hostage in
3 United States history.

4 (5) The Iranian regime reportedly uses hostages
5 as leverage against foreign investors to exact busi-
6 ness concessions in foreign investment deals.

7 (6) The type of hostage-taking enterprise put in
8 place by the Iranian regime is a crime against hu-
9 manity and a violation of customary international
10 law.

11 (b) SENSE OF CONGRESS.—It is the sense of the
12 Congress that—

13 (1) the Administration should fully utilize all
14 necessary and appropriate measures to prevent the
15 Iranian regime from engaging in hostage-taking or
16 the prolonged arbitrary detention of United States
17 citizens or legal permanent resident aliens, to in-
18 clude—

19 (A) the use of extradition to try and con-
20 vict those individuals responsible for ordering or
21 controlling the hostage-taking or arbitrary de-
22 tention of United States citizens; and

23 (B) the use of the Department of Home-
24 land Security's Human Rights Violators and

1 War Crimes Center to target such individuals;
2 and

3 (2) the United States should encourage its al-
4 lies and other affected countries to pursue the crimi-
5 nal prosecution and extradition of state and non-
6 state actors in Iran that assist in or benefit from
7 such hostage-taking to prevent such state and non-
8 state actors from engaging in this practice in the fu-
9 ture.

10 (c) STATEMENT OF POLICY.—It is the policy of the
11 United States Government not to pay ransom for the pur-
12 pose of securing the release of United States citizens or
13 legal permanent resident aliens taken hostage abroad.

14 (d) STRATEGY.—Not later than 120 days after the
15 date of the enactment of this Act, the Secretary of State
16 shall submit to the Committee on Foreign Affairs of the
17 House of Representatives and the Committee on Foreign
18 Relations of the Senate a report that contains a strategy
19 to prevent elements of the Iranian regime from engaging
20 in hostage-taking or the prolonged arbitrary detention of
21 United States citizens or legal permanent resident aliens.

1 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO IRA-**
2 **NIAN PERSONS WHO ENGAGE IN CERTAIN AC-**
3 **TIONS AGAINST UNITED STATES CITIZENS OR**
4 **IRANIAN PERSONS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the United States should coordinate with
7 United States allies and other allies and partners whose
8 citizens may be subject to politically-motivated detention
9 or trial in Iran, to apply sanctions against Iranian persons
10 that are responsible for or complicit in, or responsible for
11 ordering, controlling, or otherwise directing, such deten-
12 tion or trial.

13 (b) IN GENERAL.—Title I of the Comprehensive Iran
14 Sanctions, Accountability, and Divestment Act of 2010 is
15 amended by inserting after section 105C (22 U.S.C.
16 8514c) the following:

17 **“SEC. 105D. IMPOSITION OF SANCTIONS WITH RESPECT TO**
18 **IRANIAN PERSONS WHO ENGAGE IN CERTAIN**
19 **ACTIONS AGAINST UNITED STATES CITIZENS**
20 **OR IRANIAN PERSONS.**

21 “(a) IN GENERAL.—The President shall impose sanc-
22 tions described in section 105(c) with respect to each per-
23 son on the list required by subsection (b).

24 “(b) LIST OF IRANIAN PERSONS WHO ENGAGE IN
25 CERTAIN ACTIONS AGAINST UNITED STATES CITIZENS
26 OR IRANIAN PERSONS.—

1 “(1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this section, the
3 President shall submit to the appropriate congress-
4 sional committees a list of Iranian persons that the
5 President determines, are knowingly—

6 “(A) responsible for or complicit in, or re-
7 sponsible for ordering or otherwise directing,
8 the politically-motivated harassment, abuse, ex-
9 tortion, or extended detention or trial of citizens
10 of the United States or United States legal per-
11 manent resident aliens, in Iran; or

12 “(B) responsible for or complicit in, or re-
13 sponsible for ordering or otherwise directing,
14 the politically-motivated harassment, abuse, ex-
15 tortion, or extended detention or trial of Ira-
16 nians, Iranian residents, or persons of Iranian
17 origin outside of Iran.

18 “(2) UPDATES OF LIST.—The President shall
19 submit to the appropriate congressional committees
20 an updated list under paragraph (1)—

21 “(A) each time the President is required to
22 submit an updated list to those committees
23 under section 105(b)(2)(A); and

24 “(B) as new information becomes avail-
25 able.

1 “(3) FORM OF REPORT; PUBLIC AVAIL-
2 ABILITY.—

3 “(A) FORM.—The list required by para-
4 graph (1) shall be submitted in unclassified
5 form but may contain a classified annex.

6 “(B) PUBLIC AVAILABILITY.—The unclas-
7 sified portion of the list required by paragraph
8 (1) shall be made available to the public and
9 posted on the websites of the Department of the
10 Treasury and the Department of State.

11 “(c) APPLICATION OF SANCTIONS TO IMMEDIATE
12 FAMILY MEMBERS.—

13 “(1) IN GENERAL.—The President is author-
14 ized to impose sanctions described in paragraph (2)
15 with respect to each person that is a family member
16 of any person on the list required by subsection (b).

17 “(2) ALIENS INELIGIBLE FOR VISAS, ADMIS-
18 SION, OR PAROLE.—

19 “(A) VISAS, ADMISSION, OR PAROLE.—An
20 alien who the Secretary of State or the Sec-
21 retary of Homeland Security (or a designee of
22 one of such Secretaries) knows, or has reason
23 to believe, is a family member of any person on
24 the list required by subsection (b) is—

25 “(i) inadmissible to the United States;

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

4 “(iii) otherwise ineligible to be admit-
5 ted or paroled into the United States or to
6 receive any other benefit under the Immi-
7 gration and Nationality Act (8 U.S.C.
8 1101 et seq.).

9 “(B) CURRENT VISAS REVOKED.—

10 “(i) IN GENERAL.—The issuing con-
11 sular officer, the Secretary of State, or the
12 Secretary of Homeland Security (or a des-
13 ignee of one of such Secretaries) shall re-
14 voke any visa or other entry documentation
15 issued to an alien who is a family member
16 of any person on the list required by sub-
17 section (b) regardless of when issued.

18 “(ii) EFFECT OF REVOCATION.—A
19 revocation under clause (i)—

20 “(I) shall take effect imme-
21 diately; and

22 “(II) shall automatically cancel
23 any other valid visa or entry docu-
24 mentation that is in the alien’s pos-
25 session.

1 “(3) EXCEPTION TO COMPLY WITH UNITED NA-
2 TIONS HEADQUARTERS AGREEMENT.—Sanctions
3 under paragraph (2) shall not apply to an alien if
4 admitting the alien into the United States is nec-
5 essary to permit the United States to comply with
6 the Agreement regarding the Headquarters of the
7 United Nations, signed at Lake Success June 26,
8 1947, and entered into force November 21, 1947,
9 between the United Nations and the United States,
10 or other applicable international obligations.

11 “(4) DEFINITION OF FAMILY MEMBER.—In this
12 section, the term ‘family member’ means, with re-
13 spect to an individual—

14 “(A) a spouse, child, parent, sibling,
15 grandchild, or grandparent of the individual;
16 and

17 “(B) a spouse’s child, parent, or sibling.

18 “(d) TERMINATION OF SANCTIONS.—The provisions
19 of this section shall terminate on the date that is 30 days
20 after the date on which the President—

21 “(1) determines and certifies to the appropriate
22 congressional committees that the Government of
23 Iran is no longer complicit in or responsible for the
24 wrongful and unlawful detention of United States
25 citizens or legal permanent resident aliens; and

1 “(2) transmits to the appropriate congressional
2 committees the certification described in section
3 105(d) of this Act.”.

4 (c) CLERICAL AMENDMENT.—The table of contents
5 for the Comprehensive Iran Sanctions, Accountability, and
6 Divestment Act of 2010 is amended by inserting after the
7 item relating to section 105C the following new item:

 “Sec. 105D. Imposition of sanctions with respect to Iranian persons who en-
 gage in certain actions against United States citizens or Ira-
 nian persons.”.

8 (d) AMENDMENTS TO GENERAL PROVISIONS.—Sec-
9 tion 401 of the Comprehensive Iran Sanctions, Account-
10 ability, and Divestment Act of 2010 (22 U.S.C. 8551) is
11 amended—

12 (1) in subsection (a), by striking “and 305”
13 and inserting “, 105D, and 305”; and

14 (2) in subsection (b)(1)—

15 (A) by striking “or 105C(a)” and inserting
16 “, 105C(a), or 105D(a)”; and

17 (B) by striking “or 105C(b)” and inserting
18 “105C(b), or 105D(b)”.

19 **SEC. 6. CONSOLIDATION OF CERTAIN REPORTS.**

20 (a) IN GENERAL.—Any and all reports required to
21 be submitted to Congress under this Act, any amendment
22 made by this Act, or a covered provision of law that are
23 subject to a deadline for submission consisting of the same

1 unit of time may be consolidated into a single report that
2 is submitted to Congress pursuant to such deadline.

3 (b) MATTERS TO BE INCLUDED.—The consolidated
4 reports shall contain all information required under this
5 Act, any amendment made by this Act, or a covered provi-
6 sion of law, in addition to all other elements required by
7 previous law.

8 (c) COVERED PROVISIONS OF LAW.—In this section,
9 the term “covered provision of law” means the following:

10 (1) The Iran Sanctions Act of 1996 (Public
11 Law 104–172; 50 U.S.C. 1701 note).

12 (2) The Comprehensive Iran Sanctions, Ac-
13 countability, and Divestment Act of 2010 (Public
14 Law 111–195; 22 U.S.C. 8501 et seq.).

15 (3) The Iran Threat Reduction and Syria
16 Human Rights Act of 2012 (Public Law 112–158;
17 22 U.S.C. 8701 et seq.).

18 (4) The Iran Freedom and Counter-Prolifera-
19 tion Act of 2012 (subtitle D of title XII of the Na-
20 tional Defense Authorization Act for Fiscal Year
21 2013; 22 U.S.C. 8801 et seq.).

22 (5) Section 1245 of the National Defense Au-
23 thorization Act for Fiscal Year 2012 (22 U.S.C.
24 8513a).

