

115TH CONGRESS
2D SESSION

H. R. 4744

To impose additional sanctions with respect to serious human rights abuses of the Government of Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2018

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

A BILL

To impose additional sanctions with respect to serious human rights abuses of the Government of Iran, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

1 (1) Iran is a member of the United Nations,
2 voted for the Universal Declaration of Human
3 Rights, and is a signatory to the International Cov-
4 enant on Civil and Political Rights, among other
5 international human rights treaties.

6 (2) In violation of these and other international
7 obligations, Iranian regime officials continue to vio-
8 late the fundamental human rights of the Iranian
9 people.

10 (3) The Iranian regime persecutes ethnic and
11 religious minority groups, such as the Baha'is,
12 Christians, Sufi, Sunni, and dissenting Shi'a Mus-
13 lims (such as imprisoned Ayatollah Hossein
14 Kazemeyni Boroujerdi), through harassment, ar-
15 rests, and imprisonment, during which detainees
16 have routinely been beaten, tortured, and killed.

17 (4) Following voting irregularities that resulted
18 in the 2009 election of President Mahmoud
19 Ahmadinejad, the Iranian regime brutally sup-
20 pressed peaceful political dissent from wide segments
21 of civil society during the Green Revolution in a cyn-
22 ical attempt to retain its undemocratic grip on
23 power.

24 (5) Since February 2011 the leaders of Iran's
25 Green Movement, former Prime Minister Mir

1 Hossein Mousavi, his wife Dr. Zahra Rahnavard,
2 and former Speaker of the Majles (parliament)
3 Mehdi Karroubi, have lived under strict house ar-
4 rest, ordered by Iran's Supreme National Security
5 Council.

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

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

13 (8) Senior governmental, military, and public
14 security officials in Iran have continued ordering,
15 controlling, and committing egregious human rights
16 violations that, in many cases, represent official poli-
17 cies of the Iranian regime.

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

20 (1) deny the Government of Iran the ability to
21 continue to oppress the people of Iran and to use vi-
22 olence and executions to silence pro-democracy
23 protestors;

24 (2) support efforts made by the people of Iran
25 to promote the establishment of basic freedoms that

1 build the foundation for the emergence of a freely
2 elected, open, non-corrupt and democratic political
3 system; and

4 (3) help the people of Iran produce, access, and
5 share information freely and safely via the internet
6 and other media.

7 (c) STATEMENT OF POLICY.—It shall be the policy
8 of the United States to stand with the people of Iran who
9 seek the opportunity to freely elect a government of their
10 choosing, and increase the utilization of all available au-
11 thorities to impose sanctions on officials of the Govern-
12 ment of Iran and other individuals responsible for serious
13 human rights abuses.

14 **SEC. 3. DETERMINATIONS WITH RESPECT TO IMPOSITION**
15 **OF SANCTIONS ON CERTAIN PERSONS RE-**
16 **SPONSIBLE FOR OR COMPLICIT IN HUMAN**
17 **RIGHTS ABUSES, ENGAGING IN CENSORSHIP,**
18 **ENGAGING IN THE DIVERSION OF GOODS IN-**
19 **TENDED FOR THE PEOPLE OF IRAN, OR EN-**
20 **GAGING IN CORRUPTION.**

21 (a) IN GENERAL.—Not later than 270 days after the
22 date of the enactment of this Act, and annually thereafter
23 (or more frequently if the President determines it appro-
24 priate based on new information received by the Presi-
25 dent) for the following 4 years, the President shall submit

1 to the appropriate congressional committees a report con-
2 taining a determination of whether any senior officials of
3 the Government of Iran or other Iranian persons meet the
4 criteria described in—

5 (1) section 105(b), 105A(b), 105B(b), or
6 105C(b) of the Comprehensive Iran Sanctions, Ac-
7 countability, and Divestment Act of 2010 (22 U.S.C.
8 8514(b), 8514a(b), 8514b(b), or 8514c(b)), or sub-
9 section (b) of section 105D of such Act (as added
10 by section 5 of this Act); or

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

15 (b) FORM OF REPORT; PUBLIC AVAILABILITY.—

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

19 (2) PUBLIC AVAILABILITY.—The unclassified
20 portion of such report shall be made available to the
21 public and posted on the internet website of the De-
22 partment of the Treasury—

23 (A) in English, Farsi, Arabic, and Azeri;
24 and

1 (B) in precompressed, easily downloadable
2 versions that are made available in all appro-
3 priate formats.

4 (c) SOURCES OF INFORMATION.—In preparing the
5 report required under subsection (a), the President may
6 utilize any credible publication, database, web-based re-
7 source, and any credible information compiled by any gov-
8 ernment agency, nongovernmental organization, or other
9 entity provided to or made available to the President.

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

12 (1) the Committee on Financial Services and
13 the Committee on Foreign Affairs of the House of
14 Representatives; and

15 (2) the Committee on Banking, Housing, and
16 Urban Affairs and the Committee on Foreign Rela-
17 tions of the Senate.

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

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

21 (1) Since 1979 the Iranian regime has engaged
22 in various destabilizing activities that undermine the
23 national security of the United States and its allies
24 and partners.

1 (2) These activities include the hostage-taking
2 or prolonged arbitrary detentions of United States
3 citizens and other persons with connections to Can-
4 ada, the United Kingdom, France, and other nations
5 allied with the United States.

6 (3) The Iranian regime has detained on fab-
7 ricated claims a significant number of United States
8 citizens, including Siamak and Baquer Namazi and
9 Xiyue Wang, as well as United States legal perma-
10 nent resident, Nizar Zakka, in violation of inter-
11 national legal norms.

12 (4) The Iranian regime has not provided infor-
13 mation on the whereabouts of or assistance in ensur-
14 ing the prompt and safe return of Robert Levinson,
15 despite repeated promises to do so, after he was kid-
16 napped while visiting Iran’s Kish Island on March 9,
17 2007—making him the longest held hostage in
18 United States history.

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

22 (6) The type of hostage-taking enterprise put in
23 place by the Iranian regime is a crime against hu-
24 manity and a violation of customary international
25 law.

1 (b) SENSE OF CONGRESS.—It is the sense of the
2 Congress that—

3 (1) the Administration should fully utilize all
4 necessary and appropriate measures to prevent the
5 Iranian regime from engaging in hostage-taking or
6 the prolonged arbitrary detention of United States
7 citizens or legal permanent resident aliens, to in-
8 clude—

9 (A) the use of extradition to try and con-
10 vict those individuals responsible for ordering or
11 controlling the hostage-taking or arbitrary de-
12 tention of United States citizens; and

13 (B) the use of the Department of Home-
14 land Security’s Human Rights Violators and
15 War Crimes Center to target such individuals;
16 and

17 (2) the United States should encourage its al-
18 lies and other affected countries to pursue the crimi-
19 nal prosecution and extradition of state and non-
20 state actors in Iran that assist in or benefit from
21 such hostage-taking to prevent such state and non-
22 state actors from engaging in this practice in the fu-
23 ture.

24 (c) STATEMENT OF POLICY.—It shall be the policy
25 of the United States Government not to pay ransom or

1 release prisoners for the purpose of securing the release
2 of United States citizens or legal permanent resident
3 aliens taken hostage abroad.

4 (d) STRATEGY.—Not later than 120 days after the
5 date of the enactment of this Act, the Secretary of State
6 shall submit to the Committee on Foreign Affairs of the
7 House of Representatives and the Committee on Foreign
8 Relations of the Senate a report that contains a strategy
9 to prevent elements of the Iranian regime from engaging
10 in hostage-taking or the prolonged arbitrary detention of
11 United States citizens or legal permanent resident aliens.

12 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO PER-**
13 **SONS WHO ENGAGE IN CERTAIN ACTIONS**
14 **AGAINST UNITED STATES CITIZENS OR IRA-**
15 **NIAN PERSONS.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the United States should coordinate with
18 United States allies and other allies and partners whose
19 citizens may be subject to politically-motivated detention
20 or trial in Iran, to apply sanctions against persons that
21 are responsible for or complicit in, or responsible for or-
22 dering, controlling, or otherwise directing, such detention
23 or trial.

24 (b) IN GENERAL.—Title I of the Comprehensive Iran
25 Sanctions, Accountability, and Divestment Act of 2010 is

1 amended by inserting after section 105C (22 U.S.C.
2 8514c) the following:

3 **“SEC. 105D. IMPOSITION OF SANCTIONS WITH RESPECT TO**
4 **PERSONS WHO ENGAGE IN CERTAIN ACTIONS**
5 **AGAINST UNITED STATES CITIZENS OR IRA-**
6 **NIAN PERSONS.**

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

10 “(b) LIST OF PERSONS WHO ENGAGE IN CERTAIN
11 ACTIONS AGAINST UNITED STATES CITIZENS OR IRANIAN
12 PERSONS.—

13 “(1) IN GENERAL.—Not later than 90 days
14 after the date of the enactment of this section, the
15 President shall submit to the appropriate congress-
16 sional committees a list of persons that the Presi-
17 dent determines, based on credible evidence—

18 “(A) are responsible for or complicit in, or
19 responsible for ordering, controlling, or other-
20 wise directing, the politically-motivated intimi-
21 dation, abuse, extortion, or detention or trial of
22 citizens of the United States or United States
23 legal permanent resident aliens, in Iran; or

24 “(B) are responsible for or complicit in, or
25 responsible for ordering, controlling, or other-

1 wise directing, the politically-motivated intimi-
2 dation, abuse, extortion, or detention or trial of
3 Iranians, Iranian residents, or persons of Ira-
4 nian origin outside of Iran.

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

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

11 “(B) as new information becomes avail-
12 able.

13 “(3) FORM OF REPORT; PUBLIC AVAIL-
14 ABILITY.—

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

18 “(B) PUBLIC AVAILABILITY.—The unclas-
19 sified portion of the list required by paragraph
20 (1) shall be made available to the public and
21 posted on the websites of the Department of the
22 Treasury and the Department of State.

23 “(c) APPLICATION OF SANCTIONS TO IMMEDIATE
24 FAMILY MEMBERS.—

1 “(1) IN GENERAL.—The President shall impose
2 sanctions described in paragraph (2) with respect to
3 each person that is a family member of any person
4 on the list required by subsection (b).

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

7 “(A) VISAS, ADMISSION, OR PAROLE.—An
8 alien who the Secretary of State or the Sec-
9 retary of Homeland Security (or a designee of
10 one of such Secretaries) knows, or has reason
11 to believe, is a family member of any person on
12 the list required by subsection (b) is—

13 “(i) inadmissible to the United States;

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

17 “(iii) otherwise ineligible to be admit-
18 ted or paroled into the United States or to
19 receive any other benefit under the Immi-
20 gration and Nationality Act (8 U.S.C.
21 1101 et seq.).

22 “(B) CURRENT VISAS REVOKED.—

23 “(i) IN GENERAL.—The issuing con-
24 sular officer, the Secretary of State, or the
25 Secretary of Homeland Security (or a des-

1 ignee of one of such Secretaries) shall re-
2 voke any visa or other entry documentation
3 issued to an alien who is a family member
4 of any person on the list required by sub-
5 section (b) regardless of when issued.

6 “(ii) EFFECT OF REVOCATION.—A
7 revocation under clause (i)—

8 “(I) shall take effect imme-
9 diately; and

10 “(II) shall automatically cancel
11 any other valid visa or entry docu-
12 mentation that is in the alien’s pos-
13 session.

14 “(3) EXCEPTION TO COMPLY WITH UNITED NA-
15 TIONS HEADQUARTERS AGREEMENT.—Sanctions
16 under paragraph (2) shall not apply to an alien if
17 admitting the alien into the United States is nec-
18 essary to permit the United States to comply with
19 the Agreement regarding the Headquarters of the
20 United Nations, signed at Lake Success June 26,
21 1947, and entered into force November 21, 1947,
22 between the United Nations and the United States,
23 or other applicable international obligations.

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

4 “(A) a spouse, child, parent, sibling,
 5 grandchild, or grandparent of the individual;
 6 and

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

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

11 “(1) determines and certifies to the appropriate
 12 congressional committees that the Government of
 13 Iran is no longer complicit in or responsible for the
 14 wrongful and unlawful detention of United States
 15 citizens or legal permanent resident aliens; and

16 “(2) transmits to the appropriate congressional
 17 committees the certification described in section
 18 105(d) of this Act.”.

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

“Sec. 105D. Imposition of sanctions with respect to persons who engage in cer-
 tain actions against United States citizens or Iranian per-
 sons.”.

23 (d) AMENDMENTS TO GENERAL PROVISIONS.—Sec-
 24 tion 401 of the Comprehensive Iran Sanctions, Account-

1 ability, and Divestment Act of 2010 (22 U.S.C. 8551) is
2 amended—

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

5 (2) in subsection (b)(1)—

6 (A) by striking “or 105C(a)” and inserting
7 “, 105C(a), or 105D(a)”; and

8 (B) by striking “or 105C(b)” and inserting
9 “105C(b), or 105D(b)”.

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

11 (a) **IN GENERAL.**—Any and all reports required to
12 be submitted to Congress under this Act, any amendment
13 made by this Act, or a covered provision of law that are
14 subject to a deadline for submission consisting of the same
15 unit of time may be consolidated into a single report that
16 is submitted to Congress pursuant to such deadline.

17 (b) **MATTERS TO BE INCLUDED.**—The consolidated
18 reports shall contain all information required under this
19 Act, any amendment made by this Act, or a covered provi-
20 sion of law, in addition to all other elements required by
21 previous law.

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

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

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

4 (3) The Iran Threat Reduction and Syria
5 Human Rights Act of 2012 (Public Law 112–158;
6 22 U.S.C. 8701 et seq.).

7 (4) The Iran Freedom and Counter-Prolifera-
8 tion Act of 2012 (subtitle D of title XII of the Na-
9 tional Defense Authorization Act for Fiscal Year
10 2013; 22 U.S.C. 8801 et seq.).

11 (5) Section 1245 of the National Defense Au-
12 thorization Act for Fiscal Year 2012 (22 U.S.C.
13 8513a).

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