

116TH CONGRESS
1ST SESSION

H. R. 194

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 3, 2019

Mr. McCAUL 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 and his wife Dr. Zahra Rahnavard,
2 have been incarcerated, and former Speaker of the
3 Majles (parliament) Mehdi Karroubi has lived under
4 strict house arrest, ordered by Iran's Supreme Na-
5 tional Security.

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 by hanging and fir-
13 ing squad for refusing to renounce their political af-
14 filiations and in some cases for possessing political
15 reading material, including prisoners of conscience,
16 teenagers, and pregnant women. In an audiotape,
17 the late Hussein Ali Montazeri, a grand ayatollah
18 who served as former Supreme leader Khomeini's
19 chief deputy, said that the 1988 mass killings were
20 "the greatest crime committed during the Islamic
21 Republic, for which history will condemn us".

22 (8) Senior governmental, military, and public
23 security officials in Iran have continued ordering,
24 controlling, and committing egregious human rights

1 violations that, in many cases, represent official poli-
2 cies of the Iranian regime.

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

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

9 (2) work with international partners to inves-
10 tigate human rights violations by senior officials of
11 the Government of Iran, regardless of where or when
12 such violations took place;

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

18 (4) condemn Iranian human rights abuses
19 against dissidents, including the massacre in 1988
20 and the suppression of political demonstrations in
21 1999, 2009, and 2017, and pressure the Govern-
22 ment of Iran to provide family members detailed in-
23 formation that they were denied about the final rest-
24 ing places of any missing victims of such abuses;
25 and

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

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

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

18 (a) IN GENERAL.—Not later than 270 days after the
19 date of the enactment of this Act, the President shall sub-
20 mit to the appropriate congressional committees a report
21 containing a determination of whether any senior officials
22 of the Government of Iran or other Iranian persons meet
23 the criteria described in—

24 (1) subsection (b) of section 105D of the Com-
25 prehensive Iran Sanctions, Accountability, and Di-

1 vestment Act of 2010, as added by section 5 of this
2 Act; or

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

7 (b) REVIEW OF CERTAIN ENTITIES.—The report re-
8 quired under subsection (a) shall contain a review of any
9 activities of cooperative foundations or bonyads in Iran
10 with a capitalization that exceeds \$200,000,000 and that
11 meet the criteria in paragraph (3) or (4) of section
12 1263(a) of the National Defense Authorization Act for
13 Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656
14 note) for purposes of corruption.

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

6 (1) the Committee on Financial Services and
7 the Committee on Foreign Affairs of the House of
8 Representatives; and

9 (2) the Committee on Banking, Housing, and
10 Urban Affairs and the Committee on Foreign Rela-
11 tions of the Senate.

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

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

15 (1) Since 1979 the Iranian regime has engaged
16 in various destabilizing activities that undermine the
17 national security of the United States and its allies
18 and partners.

19 (2) These activities include the hostage-taking
20 or prolonged arbitrary detentions of United States
21 citizens and other persons with connections to Can-
22 ada, the United Kingdom, France, and other nations
23 allied with the United States.

24 (3) The Iranian regime has detained on fab-
25 ricated claims a significant number of United States

1 citizens, including Siamak and Baquer Namazi and
2 Xiyue Wang, as well as United States legal perma-
3 nent resident, Nizar Zakka, in violation of inter-
4 national legal norms.

5 (4) The Iranian regime has not provided infor-
6 mation on the whereabouts of or assistance in ensur-
7 ing the prompt and safe return of Robert Levinson,
8 despite repeated promises to do so, after he was kid-
9 napped while visiting Iran's Kish Island on March 9,
10 2007—making him the longest held hostage in
11 United States history.

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

15 (6) The type of hostage-taking enterprise put in
16 place by the Iranian regime is a crime against hu-
17 manity and a violation of customary international
18 law.

19 (b) SENSE OF CONGRESS.—It is the sense of the
20 Congress that—

21 (1) the Administration should fully utilize all
22 necessary and appropriate measures to prevent the
23 Iranian regime from engaging in hostage-taking or
24 the prolonged arbitrary detention of United States

1 citizens or legal permanent resident aliens, to in-
2 clude—

3 (A) the use of extradition to try and con-
4 vict those individuals responsible for ordering or
5 controlling the hostage-taking or arbitrary de-
6 tention of United States citizens; and

7 (B) the use of the Department of Home-
8 land Security's Human Rights Violators and
9 War Crimes Center to target such individuals;
10 and

11 (2) the United States should encourage its al-
12 lies and other affected countries to pursue the crimi-
13 nal prosecution and extradition of state and non-
14 state actors in Iran that assist in or benefit from
15 such hostage-taking to prevent such state and non-
16 state actors from engaging in this practice in the fu-
17 ture.

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

22 (d) STRATEGY.—Not later than 120 days after the
23 date of the enactment of this Act, the Secretary of State
24 shall submit to the Committee on Foreign Affairs of the
25 House of Representatives and the Committee on Foreign

1 Relations of the Senate a report that contains a strategy
2 to prevent elements of the Iranian regime from engaging
3 in hostage-taking or the prolonged arbitrary detention of
4 United States citizens or legal permanent resident aliens.

5 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO IRA-**
6 **NIAN PERSONS WHO ENGAGE IN CERTAIN AC-**
7 **TIONS AGAINST UNITED STATES CITIZENS OR**
8 **IRANIAN PERSONS.**

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

17 (b) IN GENERAL.—Title I of the Comprehensive Iran
18 Sanctions, Accountability, and Divestment Act of 2010 is
19 amended by inserting after section 105C (22 U.S.C.
20 8514c) the following:

1 **“SEC. 105D. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **IRANIAN PERSONS WHO ENGAGE IN CERTAIN**
3 **ACTIONS AGAINST UNITED STATES CITIZENS**
4 **OR IRANIAN PERSONS.**

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

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

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this section, the
13 President shall submit to the appropriate congres-
14 sional committees a list of Iranian persons that the
15 President determines, are knowingly—

16 “(A) responsible for or complicit in, or re-
17 sponsible for ordering or otherwise directing,
18 the politically-motivated harassment, abuse, ex-
19 tortion, or extended detention or trial of citizens
20 of the United States or United States legal per-
21 manent resident aliens, regardless of whether
22 such actions occurred in Iran; or

23 “(B) responsible for or complicit in, or re-
24 sponsible for ordering or otherwise directing,
25 the politically-motivated harassment, abuse, ex-
26 tortion, or extended detention or trial of Ira-

1 nians, Iranian residents, or persons of Iranian
2 origin outside of Iran.

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

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

9 “(B) as new information becomes avail-
10 able.

11 “(3) FORM OF REPORT; PUBLIC AVAIL-
12 ABILITY.—

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

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

21 “(c) APPLICATION OF SANCTIONS TO IMMEDIATE
22 FAMILY MEMBERS.—

23 “(1) IN GENERAL.—The President is author-
24 ized to impose sanctions described in paragraph (2)

1 with respect to each person that is a family member
2 of any person on the list required by subsection (b).

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

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

11 “(i) inadmissible to the United States;

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

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

20 “(B) CURRENT VISAS REVOKED.—

21 “(i) IN GENERAL.—The issuing con-
22 sular officer, the Secretary of State, or the
23 Secretary of Homeland Security (or a des-
24 ignee of one of such Secretaries) shall re-
25 voke any visa or other entry documentation

1 issued to an alien who is a family member
2 of any person on the list required by sub-
3 section (b) regardless of when issued.

4 “(ii) EFFECT OF REVOCATION.—A
5 revocation under clause (i)—

6 “(I) shall take effect imme-
7 diately; and

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

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

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

1 “(A) a spouse, child, parent, sibling,
2 grandchild, or grandparent of the individual;
3 and

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

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

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

13 “(2) transmits to the appropriate congressional
14 committees the certification described in section
15 105(d) of this Act.”.

16 “(c) CLERICAL AMENDMENT.—The table of contents
17 for the Comprehensive Iran Sanctions, Accountability, and
18 Divestment Act of 2010 is amended by inserting after the
19 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.”.

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

- 1 (1) in subsection (a), by striking “and 305”
2 and inserting “, 105D, and 305”; and
3 (2) in subsection (b)(1)—
4 (A) by striking “or 105C(a)” and inserting
5 “105C(a), or 105D(a)”; and
6 (B) by striking “or 105C(b)” and inserting
7 “105C(b), or 105D(b)”.

○