

MAHSA AMINI HUMAN RIGHTS AND SECURITY
ACCOUNTABILITY ACT

JUNE 22, 2023.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. MCCAUL, from the Committee on Foreign Affairs,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 589]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 589) to impose sanctions on the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

Summary and Purpose	Page 4
Hearings	5
Committee Consideration and Votes	6
Oversight Findings and Recommendations	6
New Budget Authority, Tax Expenditures, and Federal Mandates	6
Congressional Budget Office Cost Estimate	7
Committee Cost Estimate	8
Federal Mandates	8
Non-Duplication of Federal Programs	8
Performance Goals and Objectives	8
Congressional Accountability Act	8
New Advisory Committees	8
Earmark Identification	8
Section-by-Section Analysis	8
Changes in Existing Law	9
Committee Correspondence	10
Additional Views	14

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mahsa Amini Human rights and Security Accountability Act” or the “MAHSA Act”.

SEC. 2. IMPOSITION OF SANCTIONS ON IRAN’S SUPREME LEADER’S OFFICE, ITS APPOINTEES, AND ANY AFFILIATED PERSONS.

(a) FINDINGS.—Congress finds the following:

(1) The Supreme Leader is an institution of the Islamic Republic of Iran.

(2) The Supreme Leader holds ultimate authority over Iran’s judiciary and security apparatus, including the Ministry of Intelligence and Security, law enforcement forces under the Interior Ministry, the Islamic Revolutionary Guard Corps (IRGC), and the Basij, a nationwide volunteer paramilitary group subordinate to the IRGC, all of which have engaged in human rights abuses in Iran. Additionally the IRGC, a United States designated Foreign Terrorist Organization, which reports to the Supreme Leader, continues to perpetrate terrorism around the globe, including attempts to kill and kidnap American citizens on United States soil.

(3) The Supreme Leader appoints the head of Iran’s judiciary. International observers continue to criticize the lack of independence of Iran’s judicial system and maintained that trials disregarded international standards of fairness.

(4) The revolutionary courts, created by Iran’s former Supreme Leader Ruhollah Khomeini, within Iran’s judiciary, are chiefly responsible for hearing cases of political offenses, operate in parallel to Iran’s criminal justice system and routinely hold grossly unfair trials without due process, handing down predetermined verdicts and rubberstamping executions for political purpose.

(5) The Iranian security and law enforcement forces engage in serious human rights abuse at the behest of the Supreme Leader.

(6) Iran’s President, Ebrahim Raisi, sits at the helm of the most sanctioned cabinet in Iranian history which includes internationally sanctioned rights violators. Raisi has supported the recent crackdown on protestors and is a rights violator himself, having served on a “death commission” in 1988 that led to the execution of several thousand political prisoners in Iran. He most recently served as the head of Iran’s judiciary, a position appointed by Iran’s current Supreme Leader Ali Khamenei, and may likely be a potential candidate to replace Khamenei as Iran’s next Supreme Leader.

(7) On September 16, 2022, a 22-year-old woman, Mahsa Amini, died in the detention of the Morality Police after being beaten and detained for allegedly transgressing discriminatory dress codes for women. This tragic incident triggered widespread, pro-women’s rights, pro-democracy protests across all of Iran’s 31 provinces, calling for the end to Iran’s theocratic regime.

(8) In the course of the protests, the Iranian security forces’ violent crackdown includes mass arrests, well documented beating of protestors, throttling of the internet and telecommunications services, and shooting protestors with live ammunition. Iranian security forces have reportedly killed hundreds of protestors and other civilians, including women and children, and wounded many more.

(9) Iran’s Supreme Leader is the leader of the “Axis of Resistance”, which is a network of Tehran’s terror proxy and partner militias materially supported by the Islamic Revolutionary Guard Corps that targets the United States as well as its allies and partners.

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

(1) the United States shall stand with and support the people of Iran in their demand for fundamental human rights;

(2) the United States shall continue to hold the Islamic Republic of Iran, particularly the Supreme Leader and President, accountable for abuses of human rights, corruption, and export of terrorism; and

(3) Iran must immediately end its gross violations of internationally recognized human rights.

(c) IN GENERAL.—

(1) DETERMINATION AND REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall—

(A) determine whether each foreign person described in subsection (d) meets the criteria for imposition of sanctions under one or more of the sanctions programs and authorities listed in paragraph (2);

(B) impose applicable sanctions against any foreign person determined to meet the criteria for imposition of sanctions pursuant to subparagraph (A) under the sanctions programs and authorities listed in subparagraph (A) or

(F) of subsection (c)(2) and pursue applicable sanctions against any foreign person determined to meet the criteria for imposition of sanctions pursuant to subparagraph (A) under the sanctions programs and authorities listed in subparagraph (B), (C), (D), or (E) of subsection (c)(2); and

(C) submit to the appropriate congressional committees a report in unclassified form, with a classified annex provided separately if needed, containing—

(i) a list of all foreign persons described in subsection (d) that meet the criteria for imposition of sanctions under one or more of the sanctions programs and authorities listed in paragraph (2); and

(ii) for each foreign person identified pursuant to clause (i)—

(I) a list of each sanctions program or authority listed in paragraph (2) for which the person meets the criteria for imposition of sanctions;

(II) a statement which, if any, of the sanctions authorized by any of the sanctions programs and authorities identified pursuant to subclause (I) have been imposed or will be imposed within 30 days of the submission of the report; and

(III) with respect to which any of the sanctions authorized by any of the sanctions programs and authorities identified pursuant to subclause (I) have not been imposed and will not be imposed within 30 days of the submission of the report, the specific authority under which otherwise applicable sanctions are being waived, have otherwise been determined not to apply, or are not being imposed and a complete justification of the decision to waive or otherwise not apply the sanctions authorized by such sanctions programs and authorities.

(2) **SANCTIONS LISTED.**—The sanctions listed in this paragraph are the following:

(A) Sanctions described in section 105(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(c)).

(B) Sanctions applicable with respect to a person pursuant to Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran).

(C) Sanctions applicable with respect to a person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(D) Sanctions applicable with respect to a person pursuant to Executive Order 13818 (relating to blocking the property of persons involved in serious human rights abuse or corruption).

(E) Sanctions applicable with respect to a person pursuant to Executive Order 13876 (relating to imposing sanctions with respect to Iran).

(F) Penalties and visa bans applicable with respect to a person pursuant to section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021.

(3) **FORM OF DETERMINATION.**—The determination required by paragraph (1) shall be provided in an unclassified form but may contain a classified annex provided separately containing additional contextual information pertaining to justification for the issuance of any waiver issued, as described in paragraph (1)(C)(ii). The unclassified portion of such determination shall be made available on a publicly available internet website of the Federal Government.

(d) **FOREIGN PERSONS DESCRIBED.**—The foreign persons described in this subsection are the following:

(1) The Supreme Leader of Iran and any official in the Office of the Supreme Leader of Iran.

(2) The President of Iran and any official in the Office of the President of Iran or the President's cabinet, including cabinet ministers and executive vice presidents.

(3) Any entity, including foundations and economic conglomerates, overseen by the Office of the Supreme Leader of Iran which is complicit in financing or resourcing of human rights abuses or support for terrorism.

(4) Any official of any entity owned or controlled by the Supreme Leader of Iran or the Office of the Supreme Leader of Iran.

(5) Any person determined by the President—

(A) to be a person appointed by the Supreme Leader of Iran, the Office of the Supreme Leader of Iran, the President of Iran, or the Office of the President of Iran to a position as a state official of Iran, or as the head of

any entity located in Iran or any entity located outside of Iran that is owned or controlled by one or more entities in Iran;

(B) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2);

(C) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2); or

(D) to be a member of the board of directors or a senior executive officer of any person whose property and interests in property are blocked pursuant to any sanctions program or authority listed in subsection (c)(2).

(e) CONGRESSIONAL OVERSIGHT.—

(1) IN GENERAL.—Not later than 60 days after receiving a request from the chairman and ranking member of one of the appropriate congressional committees with respect to whether a foreign person meets the criteria of a person described in subsection (d)(5), the President shall—

(A) determine if the person meets such criteria; and

(B) submit an unclassified report, with a classified annex provided separately if needed, to such chairman and ranking member with respect to such determination that includes a statement of whether or not the President imposed or intends to impose sanctions with respect to the person pursuant to any sanctions program or authority listed in subsection (c)(2).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

SEC. 3. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this Act, or the application of that provision to other persons or circumstances, shall not be affected.

SUMMARY AND PURPOSE

H.R. 589 identifies a list of high-ranking Iranian officials and entities, requires the President to determine whether they meet the criteria for sanctions under several identified laws and Executive Orders, and requires the President to impose or pursue applicable sanctions. H.R. 589 further requires a detailed report—with stringent limitations on what information can be relegated to a classified annex—to give Congress and the American people full visibility on the Administration’s compliance with these requirements. The purpose of this legislation is to ensure that existing authorities under U.S. law and Executive Orders are being fully utilized to impose sanctions on Iranian human rights abusers and their affiliated networks, in order to compel these individuals to cease their egregious actions.

The Iranian regime has an abhorrent human rights record that has long been subject to U.S. and international criticism. State Department reports have consistently cited Iran for a wide range of abuses. Significant human rights abuses by the regime identified in the 2022 State Department Country Reports on Human Rights Practices for Iran include: arbitrary arrest and detention, forced disappearance, torture, unlawful killing, transnational repression, gender-based violence, and discrimination against women and minorities. The Iranian regime is responsible for holding numerous U.S. citizens hostage. Iran also has been implicated in multiple extraterritorial assassination plots, including against former United States government officials and figures publicly critical of the regime’s human rights abuses. Despite attempts by the U.S.

and its partners and allies to hold the regime accountable for these abuses, Iranian authorities continue to repress their own people through their robust security and intelligence apparatus, in conjunction with a judiciary that authorizes the use of excessive and lethal force against dissidents.

Iran's repugnant human rights practices received renewed international attention following the death of a 22-year-old woman, Mahsa Amini, in Iranian police custody in September 2022, which triggered nationwide protests that quickly spread across Iran. The regime subsequently launched a violent crackdown against protestors, detaining tens of thousands of people and killing more than five hundred, including dozens of children. Additionally, reports indicate that Iran's judiciary oversaw the execution of at least 306 protestors. The regime also relied heavily on internet censorship, periodically blocking access to social media and messaging platforms to limit protestors' ability to communicate the true scope of the regime's crimes to the outside world. The Iranian people previously engaged in major popular protests in December 2017, summer 2018, and late 2019, which also featured significant violence by the regime against protestors.

The United States has existing authorities to sanction Iranian officials for human rights pursuant to both statute and Executive Order, several of which are enumerated in the bill. As discussed during amendment debate at markup, some of the high-ranking Iranian officials and entities identified in the bill are already sanctioned under certain sanctions authorities. However, the Committee believes that greater application of these authorities is needed to effectively apply pressure on Iranian regime officials and those who support them. The Committee has previously considered and supported legislation calling for additional human rights sanctions under existing authorities. During the last markup of the 117th Congress, on December 6, 2022, the Committee considered a bipartisan resolution commending the bravery of protestors in Iran, H. Con. Res. 110, sponsored by Rep. Claudia Tenney (R-NY). The resolution was reintroduced in the 118th Congress with minimal changes as H. Con. Res. 7 and overwhelmingly passed the House on January 25, 2023. Both versions of this legislation encourage "continued efforts by the Biden Administration to respond to the protests, including the recent sanctioning of the Iranian morality police, and further encourages the Biden Administration to immediately impose, under existing authorities, additional human rights sanctions on officials and entities responsible for the repression of the current protests."

The Administration has also espoused the viewpoint that it is appropriate to sanction Iranian officials pursuant to multiple authorities. In an April 27, 2023 briefing announcing new sanctions against the IRGC, among others, a senior Administration official said, "We don't think being sanctioned under one authority should make you immune from being sanctioned under another . . . You shouldn't get an out just because you engaged in other bad behavior as well."

HEARINGS

In compliance with clause 3(c)(6) of rule XIII of the rules of the House of Representatives, the Committee held the following hear-

ings related to—and used to develop—the text of H.R. 589 that was favorably reported by the Committee:

- The March 29, 2023 hearing of the Subcommittee on Oversight and Accountability titled, “Examining U.S. Sanctions Policy, Implementation, and Enforcement” discussed the failure of the Biden Administration to fully and effectively enforce sanctions against Iran, including the lack of a clear sanctions policy for increasing pressure on Iran. The hearing also addressed Iran’s sanctions evasion tactics.
- The March 23, 2023 full Committee hearing titled, “The State of American Diplomacy in 2023, Growing Conflicts, Budget Challenges, and Great Power Competition,” included Member discussion with Secretary of State Antony Blinken of issues related to Iran’s malign activities and threats.

COMMITTEE CONSIDERATION AND VOTES

The Committee considered H.R. 589 pursuant to notice, in open session, at a markup on April 26, 2023. McCaul amendment #39 (*in the nature of a substitute*) was considered base text for purposes of markup. The following, additional amendments were considered by the Committee:

- Mills amendment #1 to the ANS (*clarifying the requirement to impose statutory sanctions, and to pursue sanctions under relevant Executive Orders*) was adopted by voice vote.
- Schneider amendment #26 to the ANS (*to add findings about previous sanctions designations*) failed by voice vote.
- Meeks amendment #3 to the ANS (*to limit sanctionable foreign persons to Iranian persons*) failed by voice vote.

McCaul amendment #39 (*in the nature of a substitute*), as amended, was adopted by voice vote. H.R. 589, as amended, was ordered favorably reported to the House by voice vote.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with Clause 3(c)(1) of rule XIII of the rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under Clause 2(b)(1) of rule X of the House of Representatives, are incorporated in the “Summary and Purpose” section of this report, above.

NEW BUDGET AUTHORITY, TAX EXPENDITURES, AND FEDERAL MANDATES

Clause 3(c)(2) of House rule XIII is inapplicable because this bill does not provide new budget authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 589, Mahsa Amini Human Rights and Security Accountability Act			
As ordered reported by the House Committee on Foreign Affairs on April 26, 2023			
By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	< \$2.5 billion	Statutory pay-as-you-go procedures apply? Yes	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

H.R. 589 would require the Administration to annually determine whether to sanction specified Iranian officials under a list of existing authorities. Existing sanctions authorities include denying visas and blocking some asset and property transactions for certain people who have materially supported terrorism or committed human rights abuses.

The Administration has existing authority to sanction such individuals. If enactment of the bill leads the Administration to broaden those sanctions, more people would be denied visas by the Department of State, resulting in an insignificant decrease in revenues from fees. Although most visa fees are retained by the department and spent without further appropriation, some collections are deposited into the Treasury as revenues. Denying foreign nationals entry into the United States also would reduce direct spending on federal benefits (emergency Medicaid or federal subsidies for health insurance, for example) for which those people might otherwise be eligible.

Sanctions under the bill also would increase the number of people who are subject to civil or criminal monetary penalties. Those penalties are recorded as revenues, and a portion can be spent without further appropriation. In addition, the bill would block transactions in certain assets and property that are in the United States or that come under the control of people in the United States.

On the basis of information and data about similar sanctions, CBO estimates that any additional sanctions would affect a small number of people; thus, enacting H.R. 589 would have insignificant effects on revenues and direct spending, and would, on net, reduce deficits by insignificant amounts over the 2023–2033 period.

The Administration would be required to report to the Congress on whether sanctions were imposed on people under the bill and under which authorities any sanctions were imposed. On the basis of information about similar reporting requirements, CBO estimates that providing the reports required under the bill would cost

less than \$500,000 over the 2023–2028 period. Such spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by Chad Chirico, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the Congressional Budget Office cost estimate on this measure.

FEDERAL MANDATES

The Committee adopts as its own the identification, description, and assessment of federal mandates contained in the Congressional Budget Office cost estimate on this measure.

NON-DUPLICATION OF FEDERAL PROGRAMS

Clause 3(c)(5) of House rule XIII is not applicable to this measure, as it is not a bill or joint resolution that establishes or reauthorizes a federal program.

PERFORMANCE GOALS AND OBJECTIVES

The goal of H.R. 589 is to help deter serious human rights violations by the Iranian regime by ensuring that existing authorities under U.S. law and relevant Executive Orders are being fully utilized to impose sanctions on Iranian human rights abusers and their affiliated networks, in order to compel these individuals to cease their egregious actions.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 589 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

NEW ADVISORY COMMITTEES

H.R. 589 does not establish or authorize any new advisory committees.

EARMARK IDENTIFICATION

H.R. 589 contains no congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of House rule XXI.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title. This section identifies the short title as the “Mahsa Amini Human rights and Security Accountability Act” or “MAHSA Act.”

Section 2. Imposition of Sanctions on Iran’s Supreme Leader’s Office, Its Appointees, and Any Affiliated Persons. This section contains findings regarding human rights abuses by the Iranian regime. This section expresses the sense of Congress regarding the United States standing with the people of Iran and holding Iranian

officials accountable for human rights abuses. This section requires determinations regarding whether specified Iranian officials or entities meet the criteria for sanctions under identified programs or authorities. This section requires the President to impose or pursue applicable sanctions against such officials. This section requires a detailed report to Congress regarding the results of these determinations and the Executive Branch's associated actions. This section identifies that the Chairman and Ranking Member of the appropriate congressional committees may request that the President make a determination regarding whether a foreign person meets the criteria for sanctions identified in this Act.

Section 3. Severability. This section states that if any provision of this Act is found to be unconstitutional, the remainder of the Act shall not be affected.

CHANGES IN EXISTING LAW

The bill, as reported, does not propose to repeal or amend a statute or part thereof.

COMMITTEE CORRESPONDENCE

PATRICK McHENRY, NC
CHAIRMANMAXINE WATERS, CA
RANKING MEMBER

United States House of Representatives
One Hundred Eighteenth Congress
Committee on Financial Services
2129 Rayburn House Office Building
Washington, DC 20515

May 31, 2023

The Honorable Michael McCaul
Chairman
Committee on Foreign Affairs
U.S. House of Representatives
2170 Rayburn Building
Washington, DC 20515

Dear Chairman McCaul:

Thank you for consulting with the Committee on Financial Services regarding H.R. 589, the *Mahsa Amini Human Rights and Security Accountability Act*. I agree that the Committee shall be discharged from further consideration of the bill so that it may proceed expeditiously to the House Floor. The Committee takes this action with the mutual understanding that, by foregoing consideration of H.R. 589 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved on this or similar legislation as it moves forward. The Committee also reserves the right to see appointment of an appropriate number of conferees to any conference with the Senate involving this or similar legislation, and we request your support for any such request.

Finally, as you mentioned in your letter, I ask that a copy of our exchange of letters on this bill be included in your Committee's report to accompany the legislation, as well as in the *Congressional Record* during floor consideration.

Sincerely,

Patrick McHenry
Chairman
Committee on Financial Services

cc: The Honorable Kevin McCarthy, Speaker
The Honorable Maxine Waters, Ranking Member, Committee on Financial Services
The Honorable Gregory Meeks, Ranking Member, Committee Foreign Affairs
The Honorable Jason Smith, Parliamentarian, U.S. House of Representatives

MICHAEL T. McCAUL, TEXAS
CHAIRMAN

GREGORY W. MEEKS, NEW YORK
RANKING MEMBER



One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

February 9, 2023

The Honorable Patrick McHenry
Chairman
Committee on Financial Services
2129 Rayburn House Office Building
Washington, DC 20515

Dear Chairman McHenry:

Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 589, the Mahsa Amini Human Rights and Security Accountability Act, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will place our letters on H.R. 589 into our committee report on this bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

MICHAEL T. McCAUL
Chairman

CC: Hon. Kevin McCarthy, Speaker
Hon. Gregory Meeks, Ranking Member, Committee on Foreign Affairs
Hon. Maxine Waters, Ranking Member, Committee on Financial Services
Hon. Jason Smith, Parliamentarian, U.S. House of Representatives

JASON SMITH
MISSOURI
CHAIRMAN
MADISONIAN STAFF DIRECTOR
(202) 225-3033



RICHARD E. NEAL
MASSACHUSETTS
RANKING MEMBER
BRANDON CASEY, STAFF DIRECTOR
(202) 225-4621

U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS
1139 LONGWORTH HOUSE OFFICE BUILDING
Washington, DC 20515

June 22, 2023

The Honorable Michael McCaul
Chairman
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, D.C. 20515

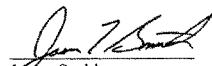
Dear Chairman McCaul,

I am writing with respect to H.R. 589, the "Mahsa Amini Human rights and Security Accountability Act." As a result of your having consulted with us on provisions on which the Committee on Ways and Means has a jurisdictional interest, I will not request a sequential referral on this measure.

The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding and would ask that a copy of our exchange of letters on this matter be included in the *Congressional Record* during floor consideration of H.R. 589.

Sincerely,


Jason Smith
Chairman

cc: The Honorable Kevin McCarthy, Speaker, U.S. House of Representatives
The Honorable Gregory Meeks, Ranking Member, Committee on Foreign Affairs
The Honorable Richard Neal, Ranking Member, Committee on Ways and Means
Mr. Jason Smith, Parliamentarian, U.S. House of Representatives

MICHAEL T. McCAUL, TEXAS
CHAIRMAN

GREGORY W. MEEKS, NEW YORK
RANKING MEMBER



One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

June 15, 2023

The Honorable Jason Smith
Chairman
Committee on Ways and Means
1139 Longworth House Office Building
Washington, DC 20515

Dear Chairman Smith:

Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 589, the *Mahsa Amini Human Rights and Security Accountability Act*, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on this bill into the *Congressional Record* during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

MICHAEL T. McCAUL
Chairman

CC: Hon. Kevin McCarthy, Speaker, U.S. House of Representatives
Hon. Gregory Meeks, Ranking Member, Committee on Foreign Affairs
Hon. Richard Neal, Ranking Member, Committee on Ways and Means
Hon. Jason Smith, Parliamentarian, U.S. House of Representatives

ADDITIONAL VIEWS

There is no debate in Congress about the nature of the Iranian government. The Supreme Leader of Iran murders, tortures and abuses his own people. He denies Iranian citizens freedom and democracy. He guides proxy forces meant to destabilize numerous regional countries. He has threatened to wipe Israel off the map. And he is developing a nuclear program that has stockpiled enough highly enriched uranium for several nuclear warheads. We believe there must be costs associated with this behavior. And the United States is delivering those costs.

The Mahsa Amini Human Rights and Security Accountability Act, or the MAHSA Act, is a bill that would require the President of the United States to determine whether high-ranking officials of the Islamic Republic regime in Iran should be listed under existing US sanctions for human rights abuses and support of terrorism. If an Iranian person or entity is found to meet these criteria, the legislation strongly encourages the Executive Branch to fully sanction that person, or entity, to the fullest extent of the law.

Committee Democrats understand the despicable nature of Iran's Supreme Leader and his regime—and the need to hold them accountable. The Supreme Leader is currently sanctioned under E.O. 13876, which blocks the property of the Supreme Leader and his office, as well as persons determined to have provided material support to the Supreme Leader or his office. As of April 20, 2023, 112 persons have been designated for sanctions pursuant to this order—75 entities, 36 individuals, and one vessel. Some of these designations were made by the Trump Administration and some have been made by the Biden Administration. The Supreme Leader is fully cut off from the American financial system and is not allowed to travel to the United States.

Other prominent Iranian leaders currently under strict American sanctions include President Raisi; two of Iran's vice presidents; and 7 cabinet ministers to include the Ministers of Communication, Culture, Defense, Intelligence, Interior and Petroleum. Companies and subsidiaries tied to the Supreme Leader in the sectors of energy, textiles, mining, chemicals, and financial services are all under strict sanctions as well.

There are more sanctions on the Supreme Leader and his cronies today than there were a year and a half ago. Applying maximum pressure on the Supreme Leader is an entirely bipartisan priority. We know the United States cannot relent on its pressure towards the Iranian regime. We must always do more; enforcement can always be tighter. Legislation with transparency mechanisms such as the MAHSA Act provide value to the Congress and our Iran policy oversight efforts.

Committee Democrats supported moving the MAHSA Act from Committee to the House floor despite having reservations that the

text as currently drafted could damage national security waivers found in underlying statute. Though the bill improved throughout the negotiations process, the Mills Amendment which was adopted over Committee Democrats objections, undermined some of the progress achieved before markup.

Unfortunately, this bill was noticed for markup even though the Foreign Affairs Committee has yet to hold a full committee hearing, subcommittee hearing, Member briefing, or staff briefing, on the issue of Iran this Congress. This legislation was not subject to negotiations before introduction, unlike past and future Iran related measures that have moved or will move in a bipartisan manner. Open hearings and bipartisan discussions before introduction would have yielded a more thoughtful approach that would have fewer unintended consequences.

During a future conference process we want to assure this legislative text will not harm any President's ability to adjust to any potential national security event vis-à-vis Iran—including addressing the nuclear issue. We also hope to streamline the reporting requirements to make them feasible for OFAC and the Treasury Department to deliver to Congress.

We look forward to continuing to work in a bipartisan manner to craft a final bill that continues to put pressure on the Supreme Leader of Iran and those who support his nefarious efforts.

Sincerely,

GREGORY W. MEEKS,
Ranking Member.

○