

# Union Calendar No. 491

115TH CONGRESS  
2D SESSION

# H. R. 4744

**[Report No. 115–642, Part I]**

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

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## 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

APRIL 18, 2018

Additional sponsors: Mr. MEEHAN, Mr. KING of New York, Mr. LANCE, Mr. MEADOWS, Mr. WALKER, Mr. SESSIONS, Ms. STEFANIK, Mr. POSEY, Mr. CHABOT, Mr. SIRES, Mr. WEBER of Texas, Mr. SHERMAN, Mr. CICILLINE, Mr. TED LIEU of California, Ms. WASSERMAN SCHULTZ, Mr. SUOZZI, Mr. DONOVAN, Ms. FRANKEL of Florida, Mr. FITZPATRICK, Mr. RUSH, Mr. FRANCIS ROONEY of Florida, Mr. COOK, Mr. RENACCI, Mr. MAST, Mr. SAM JOHNSON of Texas, Mr. CONNOLLY, Mrs. LOWEY, Mr. OLSON, Mr. HUDSON, Mrs. TORRES, Ms. ROSEN, Mr. KENNEDY, Mr. ROSKAM, Mr. ESPAILLAT, Mr. WENSTRUP, Mr. McCLINTOCK, Mr. JOHNSON of Ohio, Ms. ROS-LEHTINEN, Mr. JOYCE of Ohio, Mr. KINZINGER, Mr. SCHNEIDER, Mr. POE of Texas, and Mr. GROTHMAN

APRIL 18, 2018

Reported from the Committee on Foreign Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

APRIL 18, 2018

The Committees on the Judiciary, Financial Services, and Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on January 9, 2018]

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# **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:*

9            *(1) Iran is a member of the United Nations,*  
10 *voted for the Universal Declaration of Human Rights,*  
11 *and is a signatory to the International Covenant on*  
12 *Civil and Political Rights, among other international*  
13 *human rights treaties.*

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

18            *(3) The Iranian regime persecutes ethnic and re-*  
19 *ligious minority groups, such as the Baha’is, Chris-*  
20 *tians, Sufi, Sunni, and dissenting Shi’a Muslims*  
21 *(such as imprisoned Ayatollah Hossein Kazemeyni*  
22 *Boroujerdi), through harassment, arrests, and impris-*  
23 *onment, during which detainees have routinely been*  
24 *beaten, tortured, and killed.*

1           (4) *Following voting irregularities that resulted*  
2 *in the 2009 election of President Mahmoud*  
3 *Ahmadinejad, the Iranian regime brutally suppressed*  
4 *peaceful political dissent from wide segments of civil*  
5 *society during the Green Revolution in a cynical at-*  
6 *tempt to retain its undemocratic grip on power.*

7           (5) *Since February 2011 the leaders of Iran's*  
8 *Green Movement, former Prime Minister Mir Hossein*  
9 *Mousavi, his wife Dr. Zahra Rahnavard, and former*  
10 *Speaker of the Majles (parliament) Mehdi Karroubi,*  
11 *have lived under strict house arrest, ordered by Iran's*  
12 *Supreme National Security Council.*

13           (6) *In 1999 the Iranian regime brutally sup-*  
14 *pressed a student revolt that was one of the largest*  
15 *mass uprisings up until that point in the country*  
16 *since 1979.*

17           (7) *Over a 4-month period in 1988, the Iranian*  
18 *regime carried out the barbaric mass executions of*  
19 *thousands of political prisoners by hanging and fir-*  
20 *ing squad for refusing to renounce their political af-*  
21 *filiations and in some cases for possessing political*  
22 *reading material, including prisoners of conscience,*  
23 *teenagers, and pregnant women. In a recently dis-*  
24 *closed audiotape, the late Hussein Ali Montazeri, a*  
25 *grand ayatollah who served as former Supreme leader*

1 *Khomeini's chief deputy, said that the 1988 mass*  
2 *killings were "the greatest crime committed during*  
3 *the Islamic Republic, for which history will condemn*  
4 *us".*

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

10 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*  
11 *gress that the United States should—*

12 *(1) deny the Government of Iran the ability to*  
13 *continue to oppress the people of Iran and to use vio-*  
14 *lence and executions to silence pro-democracy*  
15 *protestors;*

16 *(2) work with international partners to inves-*  
17 *tigate human rights violations by senior officials of*  
18 *the Government of Iran, regardless of where or when*  
19 *such violations took place;*

20 *(3) support efforts made by the people of Iran to*  
21 *promote the establishment of basic freedoms that build*  
22 *the foundation for the emergence of a freely elected,*  
23 *open, non-corrupt and democratic political system;*

24 *(4) condemn Iranian human rights abuses*  
25 *against dissidents, including the massacre in 1988*

1        *and the suppression of political demonstrations in*  
2        *1999, 2009, and 2017, and pressure the Government*  
3        *of Iran to provide family members detailed informa-*  
4        *tion that they were denied about the final resting*  
5        *places of any missing victims of such abuses; and*

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

9        *(c) STATEMENT OF POLICY.—It shall be the policy of*  
10        *the United States to stand with the people of Iran who seek*  
11        *the opportunity to freely elect a government of their choos-*  
12        *ing, and increase the utilization of all available authorities*  
13        *to impose sanctions on officials of the Government of Iran*  
14        *and other individuals responsible for serious human rights*  
15        *abuses.*

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

23                *(a) IN GENERAL.—Not later than 270 days after the*  
24        *date of the enactment of this Act, the President shall submit*  
25        *to the appropriate congressional committees a report con-*

1 *taining a determination of whether any senior officials of*  
2 *the Government of Iran or other Iranian persons meet the*  
3 *criteria described in—*

4 *(1) subsection (b) of section 105D of the Com-*  
5 *prehensive Iran Sanctions, Accountability, and Di-*  
6 *vestment Act of 2010, as added by section 5 of this*  
7 *Act; or*

8 *(2) paragraph (3) or (4) of section 1263(a) of the*  
9 *National Defense Authorization Act for Fiscal Year*  
10 *2017 (Public Law 114–328; 22 U.S.C. 2656 note).*

11 *(b) REVIEW OF CERTAIN ENTITIES.—The report re-*  
12 *quired under subsection (a) shall contain a review of any*  
13 *activities of cooperative foundations or bonyads in Iran*  
14 *with a capitalization that exceeds \$200,000,000 and that*  
15 *meet the criteria in paragraph (3) or (4) of section 1263(a)*  
16 *of the National Defense Authorization Act for Fiscal Year*  
17 *2017 (Public Law 114–328; 22 U.S.C. 2656 note) for pur-*  
18 *poses of corruption.*

19 *(c) FORM OF REPORT; PUBLIC AVAILABILITY.—*

20 *(1) FORM.—The report required under subsection*  
21 *(a) shall be submitted in unclassified form, but may*  
22 *contain a classified annex.*

23 *(2) PUBLIC AVAILABILITY.—The unclassified por-*  
24 *tion of such report shall be made available to the pub-*

1        *lic and posted on the internet website of the Depart-*  
2        *ment of the Treasury—*

3                *(A) in English, Farsi, Arabic, and Azeri;*  
4                *and*

5                *(B) in precompressed, easily downloadable*  
6                *versions that are made available in all appro-*  
7                *priate formats.*

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

10                *(1) the Committee on Financial Services and the*  
11                *Committee on Foreign Affairs of the House of Rep-*  
12                *resentatives; and*

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

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

18        *(a) FINDINGS.—Congress finds the following:*

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

23                *(2) These activities include the hostage-taking or*  
24                *prolonged arbitrary detentions of United States citi-*  
25                *zens and other persons with connections to Canada,*



1 *the United Kingdom, France, and other nations allied*  
2 *with the United States.*

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

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

16 (5) *The Iranian regime reportedly uses hostages*  
17 *as leverage against foreign investors to exact business*  
18 *concessions in foreign investment deals.*

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

23 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
24 *gress that—*

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

7                     (A) *the use of extradition to try and convict*  
8                     *those individuals responsible for ordering or con-*  
9                     *trolling the hostage-taking or arbitrary detention*  
10                    *of United States citizens; and*

11                   (B) *the use of the Department of Homeland*  
12                    *Security’s Human Rights Violators and War*  
13                    *Crimes Center to target such individuals; and*

14           (2) *the United States should encourage its allies*  
15           *and other affected countries to pursue the criminal*  
16           *prosecution and extradition of state and non-state ac-*  
17           *tors in Iran that assist in or benefit from such hos-*  
18           *tage-taking to prevent such state and non-state actors*  
19           *from engaging in this practice in the future.*

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

24           (d) *STRATEGY.—Not later than 120 days after the date*  
25           *of the enactment of this Act, the Secretary of State shall*

1 *submit to the Committee on Foreign Affairs of the House*  
2 *of Representatives and the Committee on Foreign Relations*  
3 *of the Senate a report that contains a strategy to prevent*  
4 *elements of the Iranian regime from engaging in hostage-*  
5 *taking or the prolonged arbitrary detention of United States*  
6 *citizens or legal permanent resident aliens.*

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

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

18 (b) *IN GENERAL.—Title I of the Comprehensive Iran*  
19 *Sanctions, Accountability, and Divestment Act of 2010 is*  
20 *amended by inserting after section 105C (22 U.S.C. 8514c)*  
21 *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 person*  
7 *on the list required by subsection (b).*

8 “(b) *LIST OF IRANIAN PERSONS WHO ENGAGE IN*  
9 *CERTAIN ACTIONS AGAINST UNITED STATES CITIZENS OR*  
10 *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, the*  
18 *politically-motivated harassment, abuse, extor-*  
19 *tion, or extended detention or trial of citizens of*  
20 *the United States or United States legal perma-*  
21 *nent resident aliens, regardless of whether such*  
22 *actions occurred in Iran; or*

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

1           *Iranian residents, or persons of Iranian origin*  
2           *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 under*  
8                     *section 105(b)(2)(A); and*

9                     “(B) *as new information becomes available.*

10           “(3) *FORM OF REPORT; PUBLIC AVAILABILITY.—*

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

14                     “(B) *PUBLIC AVAILABILITY.—The unclassi-*  
15                     *fied portion of the list required by paragraph (1)*  
16                     *shall be made available to the public and posted*  
17                     *on the websites of the Department of the Treas-*  
18                     *ury and the Department of State.*

19           “(c) *APPLICATION OF SANCTIONS TO IMMEDIATE FAM-*  
20           *ILY MEMBERS.—*

21                     “(1) *IN GENERAL.—The President is authorized*  
22                     *to impose sanctions described in paragraph (2) with*  
23                     *respect to each person that is a family member of any*  
24                     *person on the list required by subsection (b).*

1           “(2) *ALIENS INELIGIBLE FOR VISAS, ADMISSION,*  
2           *OR PAROLE.*—

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

9           “(i) *inadmissible to the United States;*

10           “(ii) *ineligible to receive a visa or*  
11           *other documentation to enter the United*  
12           *States; and*

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

18           “(B) *CURRENT VISAS REVOKED.*—

19           “(i) *IN GENERAL.*—*The issuing con-*  
20           *sular officer, the Secretary of State, or the*  
21           *Secretary of Homeland Security (or a des-*  
22           *ignee of one of such Secretaries) shall revoke*  
23           *any visa or other entry documentation*  
24           *issued to an alien who is a family member*

1                   of any person on the list required by sub-  
2                   section (b) regardless of when issued.

3                   “(ii) *EFFECT OF REVOCATION.*—A rev-  
4                   ocation under clause (i)—

5                                 “(I) shall take effect immediately;  
6                                 and

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

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

21                   “(4) *DEFINITION OF FAMILY MEMBER.*—In this  
22                   section, the term ‘family member’ means, with respect  
23                   to an individual—

24                                 “(A) a spouse, child, parent, sibling, grand-  
25                                 child, or grandparent of the individual; and

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

2                   “(d) *TERMINATION OF SANCTIONS.*—The provisions of  
3 *this section shall terminate on the date that is 30 days after*  
4 *the date on which the President—*

5                   “(1) *determines and certifies to the appropriate*  
6 *congressional committees that the Government of Iran*  
7 *is no longer complicit in or responsible for the wrong-*  
8 *ful and unlawful detention of United States citizens*  
9 *or legal permanent resident aliens; and*

10                   “(2) *transmits to the appropriate congressional*  
11 *committees the certification described in section*  
12 *105(d) of this Act.”.*

13                   “(c) *CLERICAL AMENDMENT.*—The table of contents for  
14 *the Comprehensive Iran Sanctions, Accountability, and Di-*  
15 *vestment Act of 2010 is amended by inserting after the item*  
16 *relating to section 105C the following new item:*

*“Sec. 105D. Imposition of sanctions with respect to Iranian persons who engage  
in certain actions against United States citizens or Iranian persons.”.*

17                   “(d) *AMENDMENTS TO GENERAL PROVISIONS.*—Section  
18 *401 of the Comprehensive Iran Sanctions, Accountability,*  
19 *and Divestment Act of 2010 (22 U.S.C. 8551) is amended—*

20                   (1) *in subsection (a), by striking “and 305” and*  
21 *inserting “, 105D, and 305”; and*

22                   (2) *in subsection (b)(1)—*

23                   (A) *by striking “or 105C(a)” and inserting*  
24 *“105C(a), or 105D(a)”;* and



1                   (B) by striking “or 105C(b)” and inserting  
2                   “105C(b), or 105D(b)”.

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

4           (a) *IN GENERAL.*—Any and all reports required to be  
5 submitted to Congress under this Act, any amendment made  
6 by this Act, or a covered provision of law that are subject  
7 to a deadline for submission consisting of the same unit  
8 of time may be consolidated into a single report that is sub-  
9 mitted to Congress pursuant to such deadline.

10           (b) *MATTERS TO BE INCLUDED.*—The consolidated re-  
11 ports shall contain all information required under this Act,  
12 any amendment made by this Act, or a covered provision  
13 of law, in addition to all other elements required by pre-  
14 vious law.

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

17                   (1) *The Iran Sanctions Act of 1996 (Public Law*  
18                   *104–172; 50 U.S.C. 1701 note).*

19                   (2) *The Comprehensive Iran Sanctions, Account-*  
20                   *ability, and Divestment Act of 2010 (Public Law*  
21                   *111–195; 22 U.S.C. 8501 et seq.).*

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

1           (4) *The Iran Freedom and Counter-Proliferation*  
2           *Act of 2012 (subtitle D of title XII of the National*  
3           *Defense Authorization Act for Fiscal Year 2013; 22*  
4           *U.S.C. 8801 et seq.).*

5           (5) *Section 1245 of the National Defense Author-*  
6           *ization Act for Fiscal Year 2012 (22 U.S.C. 8513a).*



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