

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 589
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

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

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

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

11 (2) The Supreme Leader holds ultimate author-
12 ity over Iran’s judiciary and security apparatus, in-
13 cluding the Ministry of Intelligence and Security,
14 law enforcement forces under the Interior Ministry,
15 the Islamic Revolutionary Guard Corps (IRGC), and
16 the Basij, a nationwide volunteer paramilitary group
17 subordinate to the IRGC, all of which have engaged
18 in human rights abuses in Iran. Additionally the

1 IRGC, a United States designated Foreign Terrorist
2 Organization, which reports to the Supreme Leader,
3 continues to perpetrate terrorism around the globe,
4 including attempts to kill and kidnap American citi-
5 zens on United States soil.

6 (3) The Supreme Leader appoints the head of
7 Iran's judiciary. International observers continue to
8 criticize the lack of independence of Iran's judicial
9 system and maintained that trials disregarded inter-
10 national standards of fairness.

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

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

22 (6) Iran's President, Ebrahim Raisi, sits at the
23 helm of the most sanctioned cabinet in Iranian his-
24 tory which includes internationally sanctioned rights
25 violators. Raisi has supported the recent crackdown

1 on protestors and is a rights violator himself, having
2 served on a “death commission” in 1988 that led to
3 the execution of several thousand political prisoners
4 in Iran. He most recently served as the head of
5 Iran’s judiciary, a position appointed by Iran’s cur-
6 rent Supreme Leader Ali Khamenei, and may likely
7 be a potential candidate to replace Khamenei as
8 Iran’s next Supreme Leader.

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

17 (8) In the course of the protests, the Iranian
18 security forces’ violent crackdown includes mass ar-
19 rests, well documented beating of protestors, throt-
20 tling of the internet and telecommunications serv-
21 ices, and shooting protestors with live ammunition.
22 Iranian security forces have reportedly killed hun-
23 dreds of protestors and other civilians, including
24 women and children, and wounded many more.

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

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the United States shall stand with and sup-
10 port the people of Iran in their demand for funda-
11 mental human rights;

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

17 (3) Iran must immediately end its gross viola-
18 tions of internationally recognized human rights.

19 (c) IN GENERAL.—

20 (1) DETERMINATION AND REPORT RE-
21 QUIRED.—Not later than 90 days after the date of
22 the enactment of this Act, and annually thereafter,
23 the President shall—

24 (A) determine whether each foreign person
25 described in subsection (d) meets the criteria

1 for imposition of sanctions under one or more
2 of the sanctions programs and authorities listed
3 in paragraph (2);

4 (B) pursue applicable sanctions against
5 any foreign person determined to meet the cri-
6 teria for imposition of sanctions pursuant to
7 subparagraph (A); and

8 (C) submit to the appropriate congres-
9 sional committees a report in unclassified form,
10 with a classified annex provided separately if
11 needed, containing—

12 (i) a list of all foreign persons de-
13 scribed in subsection (d) that meet the cri-
14 teria for imposition of sanctions under one
15 or more of the sanctions programs and au-
16 thorities listed in paragraph (2); and

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

19 (I) a list of each sanctions pro-
20 gram or authority listed in paragraph
21 (2) for which the person meets the
22 criteria for imposition of sanctions;

23 (II) a statement which, if any, of
24 the sanctions authorized by any of the
25 sanctions programs and authorities

1 identified pursuant to subclause (I)
2 have been imposed or will be imposed
3 within 30 days of the submission of
4 the report; and

5 (III) with respect to which any of
6 the sanctions authorized by any of the
7 sanctions programs and authorities
8 identified pursuant to subclause (I)
9 have not been imposed and will not be
10 imposed within 30 days of the submis-
11 sion of the report, the specific author-
12 ity under which otherwise applicable
13 sanctions are being waived, have oth-
14 erwise been determined not to apply,
15 or are not being imposed and a com-
16 plete justification of the decision to
17 waive or otherwise not apply the sanc-
18 tions authorized by such sanctions
19 programs and authorities.

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

22 (A) Sanctions described in section 105(c)
23 of the Comprehensive Iran Sanctions, Account-
24 ability, and Divestment Act of 2010 (22 U.S.C.
25 8514(c)).

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

7 (C) Sanctions applicable with respect to a
8 person pursuant to Executive Order 13224 (50
9 U.S.C. 1701 note; relating to blocking property
10 and prohibiting transactions with persons who
11 commit, threaten to commit, or support ter-
12 rorism).

13 (D) Sanctions applicable with respect to a
14 person pursuant to Executive Order 13818 (re-
15 lating to blocking the property of persons in-
16 volved in serious human rights abuse or corrup-
17 tion).

18 (E) Sanctions applicable with respect to a
19 person pursuant to Executive Order 13876 (re-
20 lating to imposing sanctions with respect to
21 Iran).

22 (F) Penalties and visa bans applicable with
23 respect to a person pursuant to section 7031(c)
24 of the Department of State, Foreign Oper-

1 ations, and Related Programs Appropriations
2 Act, 2021.

3 (3) FORM OF DETERMINATION.—The deter-
4 mination required by paragraph (1) shall be pro-
5 vided in an unclassified form but may contain a clas-
6 sified annex provided separately containing addi-
7 tional contextual information pertaining to justifica-
8 tion for the issuance of any waiver issued, as de-
9 scribed in paragraph (1)(C)(ii). The unclassified por-
10 tion of such determination shall be made available
11 on a publicly available internet website of the Fed-
12 eral Government.

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

15 (1) The Supreme Leader of Iran and any offi-
16 cial in the Office of the Supreme Leader of Iran.

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

21 (3) Any entity, including foundations and eco-
22 nomic conglomerates, overseen by the Office of the
23 Supreme Leader of Iran which is complicit in financ-
24 ing or resourcing of human rights abuses or support
25 for terrorism.

1 (4) Any official of any entity owned or con-
2 trolled by the Supreme Leader of Iran or the Office
3 of the Supreme Leader of Iran.

4 (5) Any person determined by the President—

5 (A) to be a person appointed by the Su-
6 preme Leader of Iran, the Office of the Su-
7 preme Leader of Iran, the President of Iran, or
8 the Office of the President of Iran to a position
9 as a state official of Iran, or as the head of any
10 entity located in Iran or any entity located out-
11 side of Iran that is owned or controlled by one
12 or more entities in Iran;

13 (B) to have materially assisted, sponsored,
14 or provided financial, material, or technological
15 support for, or goods or services to or in sup-
16 port of any person whose property and interests
17 in property are blocked pursuant to any sanc-
18 tions program or authority listed in subsection
19 (c)(2);

20 (C) to be owned or controlled by, or to
21 have acted or purported to act for or on behalf
22 of, directly or indirectly any person whose prop-
23 erty and interests in property are blocked pur-
24 suant to any sanctions program or authority
25 listed in subsection (c)(2); or

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

6 (e) CONGRESSIONAL OVERSIGHT.—

7 (1) IN GENERAL.—Not later than 60 days after
8 receiving a request from the chairman and ranking
9 member of one of the appropriate congressional com-
10 mittees with respect to whether a foreign person
11 meets the criteria of a person described in sub-
12 section (d)(5), the President shall—

13 (A) determine if the person meets such cri-
14 teria; and

15 (B) submit an unclassified report, with a
16 classified annex provided separately if needed,
17 to such chairman and ranking member with re-
18 spect to such determination that includes a
19 statement of whether or not the President im-
20 posed or intends to impose sanctions with re-
21 spect to the person pursuant to any sanctions
22 program or authority listed in subsection (c)(2).

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES DEFINED.—In this subsection, the term “ap-
25 propriate congressional committees” means—

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

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

5 **SEC. 3. SEVERABILITY.**

6 If any provision of this Act, or the application of such
7 provision to any person or circumstance, is found to be
8 unconstitutional, the remainder of this Act, or the applica-
9 tion of that provision to other persons or circumstances,
10 shall not be affected.

