

115TH CONGRESS
2D SESSION

S. 3243

To impose sanctions with respect to Iranian persons who engage in politically-motivated harassment, abuse, extortion, or extended detention or trial of individuals in Iran, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2018

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To impose sanctions with respect to Iranian persons who engage in politically-motivated harassment, abuse, extortion, or extended detention or trial of individuals in 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 Hostage Act”.

5 **SEC. 2. UNITED STATES POLICY ON HOSTAGE-TAKING BY**
6 **THE GOVERNMENT OF IRAN.**

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

1 (1) Since 1979 the Iranian regime has engaged
2 in various destabilizing activities that undermine the
3 national security of the United States and its allies
4 and partners.

5 (2) Those activities include the hostage-taking
6 or prolonged unlawful or wrongful detentions of
7 United States citizens and lawful permanent resi-
8 dent aliens with significant ties to the United States.

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

15 (4) The Iranian regime has not provided infor-
16 mation on the whereabouts of or assistance in ensur-
17 ing the prompt and safe return of Robert Levinson,
18 despite repeated promises to do so, after he was kid-
19 napped while visiting Iran's Kish Island on March 9,
20 2007—making him the longest held hostage in
21 United States history.

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

1 (6) The type of hostage-taking enterprise put in
2 place by the Iranian regime is a crime against hu-
3 manity and a violation of customary international
4 law.

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

7 (1) the United States Government should fully
8 utilize all necessary and appropriate measures to
9 prevent the Iranian regime from engaging in hos-
10 tage-taking or the prolonged unlawful or wrongful
11 detention of United States citizens or lawful perma-
12 nent resident aliens with significant ties to the
13 United States, to include—

14 (A) the use of extradition to try and con-
15 vict those individuals responsible for ordering or
16 controlling the hostage-taking or unlawful or
17 wrongful detention of United States citizens;
18 and

19 (B) the use of the Human Rights Violators
20 and War Crimes Center of the Department of
21 Homeland Security to target such individuals;
22 and

23 (2) the United States should encourage its al-
24 lies and other affected countries to pursue the crimi-
25 nal prosecution and extradition of state and non-

1 state actors in Iran that assist in or benefit from
2 such hostage-taking to prevent such state and non-
3 state actors from engaging in that practice in the fu-
4 ture.

5 (c) STATEMENT OF POLICY.—It is the policy of the
6 United States Government not to pay ransom for the pur-
7 pose of securing the release of United States citizens or
8 lawful permanent resident aliens taken hostage abroad.

9 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO IRA-**
10 **NIAN PERSONS WHO ENGAGE IN CERTAIN AC-**
11 **TIONS AGAINST UNITED STATES CITIZENS OR**
12 **LAWFUL PERMANENT RESIDENTS.**

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

21 (b) IN GENERAL.—Title I of the Comprehensive Iran
22 Sanctions, Accountability, and Divestment Act of 2010
23 (22 U.S.C. 8511 et seq.) is amended by inserting after
24 section 105C (22 U.S.C. 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 LAWFUL PERMANENT RESIDENTS.**

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 LAWFUL PERMANENT RESIDENTS.—

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of the Iran Hostage
13 Act, the President shall submit to the appropriate
14 congressional committees a list of Iranian persons
15 that the President determines are knowingly respon-
16 sible for or complicit in, or responsible for ordering
17 or otherwise directing, the politically-motivated har-
18 assment, abuse, extortion, arrest, trial, conviction,
19 sentencing, or imprisonment of citizens of the
20 United States or lawful permanent resident aliens
21 with significant ties to the United States, regardless
22 of whether such actions occurred in Iran.

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

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

4 “(B) as new information becomes avail-
 5 able.

6 “(3) FORM OF REPORT; PUBLIC AVAIL-
 7 ABILITY.—

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

11 “(B) PUBLIC AVAILABILITY.—The unclas-
 12 sified portion of the list required by paragraph
 13 (1) shall be made available to the public and
 14 posted on the websites of the Department of the
 15 Treasury and the Department of State.

16 “(c) APPLICATION OF SANCTIONS TO FAMILY MEM-
 17 BERS.—

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

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

24 “(A) VISAS, ADMISSION, OR PAROLE.—If
 25 the President imposes sanctions described in

1 this paragraph, an alien who the Secretary of
2 State or the Secretary of Homeland Security
3 (or a designee of one of such Secretaries)
4 knows, or has reason to believe, is a family
5 member of any person on the list required by
6 subsection (b) is—

7 “(i) inadmissible to the United States;

8 “(ii) ineligible to receive a visa or
9 other documentation to enter the United
10 States; and

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

16 “(B) CURRENT VISAS REVOKED.—

17 “(i) IN GENERAL.—If the President
18 imposes sanctions described in this para-
19 graph, the issuing consular officer, the
20 Secretary of State, or the Secretary of
21 Homeland Security (or a designee of one of
22 such Secretaries) shall revoke any visa or
23 other entry documentation issued to an
24 alien who is a family member of any per-

1 son on the list required by subsection (b)
2 regardless of when issued.

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

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

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

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
16 the Agreement regarding the Headquarters of the
17 United Nations, signed at Lake Success June 26,
18 1947, and entered into force November 21, 1947,
19 between the United Nations and the United States,
20 or other applicable international obligations.

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

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

4 “(B) a child, parent, or sibling of the
5 spouse of the individual.

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

9 “(1) determines and certifies to the appropriate
10 congressional committees that the Government of
11 Iran is no longer complicit in or responsible for the
12 wrongful and unlawful detention of United States
13 citizens or lawful permanent resident aliens with sig-
14 nificant ties to the United States; and

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

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

22 “(d) AMENDMENTS TO GENERAL PROVISIONS.—Sec-
23 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), in the matter preceding
4 paragraph (1), by striking “and 305” and inserting
5 “, 105D, and 305”; and

6 (2) in subsection (b)(1)—

7 (A) by striking “or 105C(a)” and inserting
8 “105C(a), or 105D(a)”; and

9 (B) by striking “or 105C(b)” and inserting
10 “105C(b), or 105D(b)”.

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