AMENDMENT TO

RULES COMM. PRINT 118–10

OFFERED BY MR. BANKS OF INDIANA

At the end of subtitle B of title XII, add the following:

SEC. 12. HOLDING THE GOVERNMENT OF IRAN ACCOUNTABLE FOR TERRORISM.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism threatens the vital national security interests of the United States.

(2) The Islamic Republic of Iran is the world’s leading state sponsor of terrorism and has been designated as a state sponsor of terrorism by the United States since 1984.

(3) Iran’s Islamic Revolutionary Guard Corps (IRGC), acting through affiliated entities and individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States and its citizens.

(4) The IRGC has been directly involved in terrorist plotting; its support for terrorism is foundational and institutional, and it has killed United States citizens. It is also responsible for tak-
ing hostages and wrongfully detaining numerous
United States persons, several of whom remain in
captivity in Iran today.

(5) The United States Government has des-
ignated the IRGC as a foreign terrorist organization
under section 219(a) of the Immigration and Na-
tionality Act (8 U.S.C. 1189(a)) and a specially des-
ignated global terrorist entity 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).

(6) By a vote of 98–2 in the Senate and 419–
3 in the House of Representatives, Congress re-
quired the imposition of terrorism-related sanctions
against the IRGC as part of the Countering Amer-
ica’s Adversaries Through Sanctions Act (22 U.S.C.
9401 et seq.).

(7) The United States has a vital interest in
providing American citizens injured because of ter-
rorist attacks planned, authorized, facilitated, or
committed by state sponsors of terrorism with full
access to the court system in order to pursue civil
claims against those state sponsors of terrorism that
have knowingly provided material support or re-
sources, directly or indirectly, to the persons or organizations responsible for their injuries.

(8) The terrorism exception to the Foreign Sovereign Immunities Act under section 1605A of title 28, United States Code (initially enacted as section 1605(a)(7) of such title 28) is an important tool for vindicating the rights of United States citizens and United States Government employees killed and injured because of terrorist attacks planned, authorized, facilitated, or committed by state sponsors of terrorism.

(9) The Biden administration was reportedly considering an Iranian proposal to rescind, fully or partially, or otherwise weaken or reduce the IRGC’s foreign terrorist organization and specially designated global terrorist designations without a significant change in the IRGC’s conduct.

(10) Consistent with the Biden administration’s criteria for delisting the Revolutionary Armed Forces of Colombia as a foreign terrorist organization in November 2021, the IRGC should be “formally dissolved and disarmed,” and no longer exist “as a unified organization that engages in terrorism or terrorist activity or has the capability or intent to do so.”
(11) Congress has conditioned terminating sanctions against Iran in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)), including those against the Central Bank of Iran and other Iranian financial institutions, on the President certifying that “the Government of Iran . . . no longer satisfies the requirements for designation as a state sponsor of terrorism” supports this position.

(b) Sense of Congress.—It is the sense of Congress that the Government of Iran and the IRGC should pay due compensation to United States victims of terrorist acts that they or their agents or instrumentalities carried out.

(c) Statement of Policy.—It shall be the policy of the United States to—

(1) maintain the designation of Iran’s Islamic Revolutionary Guard Corps as a foreign terrorist organization and as a specially designated global terrorist until such time that IRGC is formally dissolved and disarmed, or no longer exist as a unified organization that engages in terrorism or terrorist activity or has the capability or intent to do so; and

(2) safeguard the legal rights of United States citizens, United States Government employees, and
their family members with judgments under section 1605(a)(7) (as such section was in effect on January 27, 2008) or 1605A or of title 28, United States Code, who seek to hold the Islamic Republic of Iran responsible under the rule of law for providing material support, directly or indirectly, to foreign organizations or persons that have engaged in terrorist activities against the United States and its citizens.

(d) Limitations on Removal of Designations.—

(1) In General.—The Secretary of State may not rescind, revoke, terminate, or otherwise significantly alter the designation of the Islamic Revolutionary Guard Corps as a foreign organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) until 120 days after the date on which the Secretary of State certifies to the appropriate congressional committees that the Islamic Revolutionary Guard Corps no longer—

(A) exists as an organization that engages in terrorism or terrorist activity; or

(B) has permanently and verifiably dismantled its terrorist infrastructure.

(2) Appropriate Congressional Committees Defined.—For purposes of this subsection,
the term "appropriate congressional committees"
means—

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

(B) the Committee on the Judiciary and
the Committee on Foreign Relations of the Sen-
ate.

(e) LIMITATION ON CERTAIN SANCTIONS RELIEF.—

(1) IN GENERAL.—Subject to paragraph (2),
the President may not, with respect to any Iranian
person—

(A) suspend or waive any sanction;

(B) remove any person from the list of
specially designated nationals and blocked per-
sons maintained by the Office of Foreign Assets
Control of the Department of the Treasury, the
property and interests in property of which are
blocked pursuant to the authorities provided by
the International Emergency Economic Powers
Act (50 U.S.C. 1701 et seq.); or

(C) issue any license or other authorization
to conduct transactions with such person or
otherwise reduce or provide any relief from, any
penalty or fine.
(2) PROHIBITED RELIEF.—The limitation imposed by paragraph (1) shall apply only with respect to any relief described in such paragraph that would, in any way—

(A) permit, enable, or facilitate the Government of Iran, any agency or instrumentality of Iran, or any foreign person owned or controlled by the Government of Iran or acting for or on behalf of the Government of Iran to directly or indirectly access accounts described in section 1245(d)(4)(D)(ii)(II) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a note), other than to use the funds in such accounts to provide due compensation in accordance with subsection (b); or

(B) otherwise allow any funds associated with or controlled by a person included on the list of specially designated nationals and blocked persons to be unfrozen, unless such funds are to be used to provide due compensation in accordance with subsection (b) and the Secretary of State has made the certification described in subsection (d)(1) with respect to the designation of the Iranian Revolutionary Guard Corps pursuant to section 219 of the