

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MR. BANKS OF INDIANA

At the end of subtitle C of title XII, insert the following:

1 **SEC. 12___ . HOLDING THE GOVERNMENT OF IRAN AC-**
2 **COUNTABLE FOR TERRORISM.**

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

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

6 (2) The Islamic Republic of Iran is the world's
7 leading state sponsor of terrorism and has been des-
8 ignated as a state sponsor of terrorism by the
9 United States since 1984.

10 (3) Iran's Islamic Revolutionary Guard Corps
11 (IRGC), acting through affiliated entities and indi-
12 viduals, raise significant funds outside of the United
13 States for conduct directed and targeted at the
14 United States and its citizens.

15 (4) The IRGC has been directly involved in ter-
16 rorist plotting; its support for terrorism is
17 foundational and institutional, and it has killed
18 United States citizens. It is also responsible for tak-

1 ing hostages and wrongfully detaining numerous
2 United States persons, several of whom remain in
3 captivity in Iran today.

4 (5) The United States Government has des-
5 ignated the IRGC as a foreign terrorist organization
6 under section 219(a) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1189(a)) and a specially des-
8 ignated global terrorist entity pursuant to Executive
9 Order 13224 (50 U.S.C. 1701 note; relating to
10 blocking property and prohibiting transactions with
11 persons who commit, threaten to commit, or support
12 terrorism).

13 (6) By a vote of 98–2 in the Senate and 419–
14 3 in the House of Representatives, Congress re-
15 quired the imposition of terrorism-related sanctions
16 against the IRGC as part of the Countering Amer-
17 ica’s Adversaries Through Sanctions Act (22 U.S.C.
18 9401 et seq.).

19 (7) The United States has a vital interest in
20 providing American citizens injured because of ter-
21 rorist attacks planned, authorized, facilitated, or
22 committed by state sponsors of terrorism with full
23 access to the court system in order to pursue civil
24 claims against those state sponsors of terrorism that
25 have knowingly provided material support or re-

1 sources, directly or indirectly, to the persons or or-
2 ganizations responsible for their injuries.

3 (8) The terrorism exception to the Foreign Sov-
4 ereign Immunities Act under section 1605A of title
5 28, United States Code (initially enacted as section
6 1605(a)(7) of such title 28) is an important tool for
7 vindicating the rights of United States citizens and
8 United States Government employees killed and in-
9 jured because of terrorist attacks planned, author-
10 ized, facilitated, or committed by state sponsors of
11 terrorism.

12 (9) The Biden administration was reportedly
13 considering an Iranian proposal to rescind, fully or
14 partially, or otherwise weaken or reduce the IRGC's
15 foreign terrorist organization and specially des-
16 igned global terrorist designations without a sig-
17 nificant change in the IRGC's conduct.

18 (10) Consistent with the Biden administration's
19 criteria for delisting the Revolutionary Armed
20 Forces of Colombia as a foreign terrorist organiza-
21 tion in November 2021, the IRGC should be "for-
22 mally dissolved and disarmed," and no longer exist
23 "as a unified organization that engages in terrorism
24 or terrorist activity or has the capability or intent to
25 do so."

1 (11) Congress has conditioned terminating
2 sanctions against Iran in section 401(a) of the Com-
3 prehensive Iran Sanctions, Accountability, and Di-
4 vestment Act of 2010 (22 U.S.C. 8551(a)), includ-
5 ing those against the Central Bank of Iran and
6 other Iranian financial institutions, on the President
7 certifying that “the Government of Iran . . . no
8 longer satisfies the requirements for designation as
9 a state sponsor of terrorism” supports this position.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Government of Iran and the IRGC should
12 pay due compensation to United States victims of terrorist
13 acts that they or their agents or instrumentalities carried
14 out.

15 (c) STATEMENT OF POLICY.—It shall be the policy
16 of the United States to—

17 (1) maintain the designation of Iran’s Islamic
18 Revolutionary Guard Corps as a foreign terrorist or-
19 ganization and as a specially designated global ter-
20 rorist until such time that IRGC is formally dis-
21 solved and disarmed, or no longer exist as a unified
22 organization that engages in terrorism or terrorist
23 activity or has the capability or intent to do so; and

24 (2) safeguard the legal rights of United States
25 citizens, United States Government employees, and

1 their family members with judgments under section
2 1605(a)(7) (as such section was in effect on January
3 27, 2008) or 1605A or of title 28, United States
4 Code, who seek to hold the Islamic Republic of Iran
5 responsible under the rule of law for providing mate-
6 rial support, directly or indirectly, to foreign organi-
7 zations or persons that have engaged in terrorist ac-
8 tivities against the United States and its citizens.

9 (d) LIMITATIONS ON REMOVAL OF DESIGNATIONS.—

10 (1) IN GENERAL.—The Secretary of State may
11 not rescind, revoke, terminate, or otherwise signifi-
12 cantly alter the designation of the Islamic Revolu-
13 tionary Guard Corps as a foreign organization pur-
14 suant to section 219 of the Immigration and Nation-
15 ality Act (8 U.S.C. 1189) until 120 days after the
16 date on which the Secretary of State certifies to the
17 appropriate congressional committees that the Is-
18 lamic Revolutionary Guard Corps no longer—

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

21 (B) has permanently and verifiably dis-
22 mantled its terrorist infrastructure.

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES DEFINED.—For purposes of this subsection,

1 the term “appropriate congressional committees”
2 means—

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

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

9 (e) LIMITATION ON CERTAIN SANCTIONS RELIEF.—

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

13 (A) suspend or waive any sanction;

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

22 (C) issue any license or other authorization
23 to conduct transactions with such person or
24 otherwise reduce or provide any relief from, any
25 penalty or fine.

1 (2) PROHIBITED RELIEF.—The limitation im-
2 posed by paragraph (1) shall apply only with respect
3 to any relief described in such paragraph that would,
4 in any way—

5 (A) permit, enable, or facilitate the Gov-
6 ernment of Iran, any agency or instrumentality
7 of Iran, or any foreign person owned or con-
8 trolled by the Government of Iran or acting for
9 or on behalf of the Government of Iran to di-
10 rectly or indirectly access accounts described in
11 section 1245(d)(4)(D)(ii)(II) of the National
12 Defense Authorization Act for Fiscal Year 2012
13 (22 U.S.C. 8513a note), other than to use the
14 funds in such accounts to provide due com-
15 pensation in accordance with subsection (b); or

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

1 Immigration and Nationality Act (8 U.S.C.
2 1189).

