AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6245
OFFERED BY MR. HILL OF ARKANSAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Holding Iranian Leaders Accountable Act of 2023”.

2 SEC. 2. FINDINGS.

The Congress finds the following:

(1) Iran is characterized by high levels of official and institutional corruption, and substantial involvement by Iran’s security forces, particularly the Islamic Revolutionary Guard Corps (IRGC), in the economy.

(2) The Department of Treasury in 2019 designated the Islamic Republic of Iran’s financial sector as a jurisdiction of primary money laundering concern, concluding, “Iran has developed covert methods for accessing the international financial system and pursuing its malign activities, including misusing banks and exchange houses, operating procurement networks that utilize front or shell compa-
nies, exploiting commercial shipping, and masking il-
licit transactions using senior officials, including
those at the Central Bank of Iran (CBI).”.

(3) In June 2019, the Financial Action Task
Force (FATF) urged all jurisdictions to require in-
creased supervisory examination for branches and
subsidiaries of financial institutions based in Iran.
The FATF later called upon its members to intro-
duce enhanced relevant reporting mechanisms or
systematic reporting of financial transactions, and
require increased external audit requirements, for fi-
nancial groups with respect to any of their branches
and subsidiaries located in Iran.

(4) According to the State Department’s
“Country Reports on Terrorism” in 2021, “Iran
continued to be the leading state sponsor of ter-
rorism, facilitating a wide range of terrorist and
other illicit activities around the world. Regionally,
Iran supported acts of terrorism in Bahrain, Iraq,
Lebanon, Syria, and Yemen through proxies and
partner groups such as Hizballah and Hamas.”.
SEC. 3. REPORT ON FINANCIAL INSTITUTIONS AND ASSETS CONNECTED TO CERTAIN IRANIAN OFFICIALS.

(a) FINANCIAL INSTITUTIONS AND ASSETS REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the President shall submit a report to the appropriate Members of Congress containing—

(A) the estimated total funds or assets that are under direct or indirect control by each of the natural persons described under subsection (b), and a description of such funds or assets, except that the President may limit coverage of the report to not fewer than 5 of such natural persons in order to meet the submission deadline described under this paragraph;

(B) a description of how such funds or assets were acquired, and how they have been used or employed;

(C) a list of any non-Iranian financial institutions that—

(i) maintain an account in connection with funds or assets described in subparagraph (A); or
(ii) knowingly provide significant financial services to a natural person covered by the report; and

(D) a description of any illicit or corrupt means employed to acquire or use such funds or assets.

(2) **EXEMPTIONS.**—The requirements described under paragraph (1) may not be applied with respect to a natural person or a financial institution, as the case may be, if the President determines:

(A) The funds or assets described under subparagraph (A) of paragraph (1) were acquired through legal or noncorrupt means.

(B) The natural person has agreed to provide significant cooperation to the United States for an important national security or law enforcement purpose with respect to Iran.

(C) A financial institution that would otherwise be listed in the report required by paragraph (1) has agreed to—

(i) no longer maintain an account described under subparagraph (C)(i) of paragraph (1);
(ii) no longer provide significant financial services to a natural person covered by the report; or

(iii) provide significant cooperation to the United States for an important national security or law enforcement purpose with respect to Iran.

(3) WAIVER.—The President may waive for up to 1 year at a time any requirement under paragraph (1) with respect to a natural person or a financial institution after reporting in writing to the appropriate Members of Congress that the waiver is in the national interest of the United States, with a detailed explanation of the reasons therefor.

(b) PERSONS DESCRIBED.—The natural persons described in this subsection are the following:

(1) The Supreme Leader of Iran.

(2) The President of Iran.

(3) The members of the Council of Guardians.

(4) The members of the Expediency Council.

(5) The Minister of Intelligence and Security.

(6) The Commander and the Deputy Commander of the IRGC.

(7) The Commander and the Deputy Commander of the IRGC Ground Forces.
(8) The Commander and the Deputy Commander of the IRGC Aerospace Force.

(9) The Commander and the Deputy Commander of the IRGC Navy.


(11) The Commander of the Qods Force.

(12) The Commander in Chief of the Police Force.

(13) The head of the IRGC Joint Staff.

(14) The Commander of the IRGC Intelligence.

(15) The head of the IRGC Imam Hussein University.

(16) The Supreme Leader’s Representative at the IRGC.

(17) The Chief Executive Officer and the Chairman of the IRGC Cooperative Foundation.

(18) The Commander of the Khatam-al-Anbia Construction Head Quarter.

(19) The Chief Executive Officer of the Basij Cooperative Foundation.

(20) The head of the Political Bureau of the IRGC.

(21) The senior leadership as determined by the President of the following groups:
(A) Hizballah.

(B) Hamas.

(C) Palestinian Islamic Jihad.

(D) Kata’ib Hizballah.

(c) FORM OF REPORT; PUBLIC AVAILABILITY.—

(1) FORM.—The report required under subsection (a) and any waiver under subsection (a)(3) shall be submitted in unclassified form but may contain a classified annex.

(2) PUBLIC AVAILABILITY.—The Secretary shall make the unclassified portion of such report public if the Secretary notifies the appropriate Members of Congress that the publication is in the national interest of the United States and would substantially promote—

(A) deterring or sanctioning official corruption in Iran;

(B) holding natural persons or financial institutions listed in the report accountable to the people of Iran;

(C) combating money laundering or the financing of terrorism; or

(D) achieving any other strategic objective with respect to the Government of Iran.
(3) Format of Publicly Available Reports.—If the Secretary makes the unclassified portion of a report public pursuant to paragraph (2), the Secretary shall make it available to the public on the website of the Department of the Treasury—

(A) in English, Farsi, Arabic, and Azeri; and

(B) in precompressed, easily downloadable versions that are made available in all appropriate formats.


(a) In General.—Not later than the date that is 90 days after submitting a report described under section 3(a)(1), the Secretary shall undertake the following with respect to a financial institution that is described under section 3(a)(1)(C) and listed in the report:

(1) If the financial institution is a United States financial institution, require the closure of any account described in section 3(a)(1)(C)(i), and prohibit the provision of significant financial services, directly or indirectly, to a natural person covered by the report.
(2) If the financial institution is a foreign financial institution, actively seek the closure of any account described in section 3(a)(1)(C)(i), and the cessation of significant financial services to a natural person covered by the report, using any existing authorities of the Secretary, as appropriate.

(b) SUSPENSION.—The Secretary may suspend the application of subsection (a) with respect to a financial institution upon reporting to the appropriate Members of Congress that the suspension is in the national interest of the United States, with a detailed explanation of the reasons therefor.

SEC. 5. EXCEPTIONS FOR NATIONAL SECURITY; IMPLEMENTATION AUTHORITY.

The following activities shall be exempt from requirements under sections 3 and 4:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United States.
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Nations, signed at Lake Success June 26, 1947, and
entered into force November 21, 1947, or under the
Convention on Consular Relations, done at Vienna
April 24, 1963, and entered into force March 19,
1967, or other applicable international obligations of
the United States.

(3) The conduct or facilitation of a transaction
for the sale of agricultural commodities, food, medi-
cine, or medical devices to Iran or for the provision
of humanitarian assistance to the people of Iran, in-
cluding engaging in a financial transaction relating
to humanitarian assistance or for humanitarian pur-
poses or transporting goods or services that are nec-
essary to carry out operations relating to humani-
tarian assistance or humanitarian purposes.

SEC. 6. SUNSET.

The provisions of this Act shall have no force or effect
on the earlier of—

(1) the date that is 5 years after the date of en-
actment of this Act; or

(2) 30 days after the Secretary reports in writ-
ing to the appropriate Members of Congress that—

(A) Iran is not a jurisdiction of primary
money laundering concern; or
(B) the Government of Iran is providing

significant cooperation to the United States for
the purpose of preventing acts of international
terrorism, or for the promotion of any other
strategic objective that is important to the na-
tional interest of the United States, as specified
in the report by the Secretary.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) APPROPRIATE MEMBERS OF CONGRESS.—

The term “appropriate Members of Congress”
means the Speaker and Minority Leader of the
House of Representatives, the Majority Leader and
Minority Leader of the Senate, the Chairman and
Ranking Member of the Committee on Financial
Services of the House of Representatives, and the
Chairman and Ranking Member of the Committee
on Banking, Housing, and Urban Affairs of the Sen-
ate.

(2) FINANCIAL INSTITUTION.—The term “fi-
nancial institution” means a United States financial
institution or a foreign financial institution.

(3) FOREIGN FINANCIAL INSTITUTION.—The
term “foreign financial institution” has the meaning
given that term in section 561.308 of title 31, Code of Federal Regulations.

(4) FUNDS.—The term “funds” means—

(A) cash;

(B) equity;

(C) any other asset whose value is derived from a contractual claim, including bank deposits, bonds, stocks, a security as defined in section 2(a) of the Securities Act of 1933 (15 U.S.C. 77b(a)), or a security or an equity security as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(D) anything else that the Secretary determines appropriate.

(5) KNOWINGLY.—The term “knowingly” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(7) UNITED STATES FINANCIAL INSTITUTION.— The term “United States financial institution” has the meaning given the term “U.S. financial institu-