

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 2626

To impose sanctions with respect to the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. RUBIO

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) ADMISSION; ADMITTED; ALIEN; LAWFULLY
10 ADMITTED FOR PERMANENT RESIDENCE.—The
11 terms “admission”, “admitted”, “alien”, and “law-

1 fully admitted for permanent residence” have the
2 meanings given those terms in section 101 of the
3 Immigration and Nationality Act (8 U.S.C. 1101).

4 (2) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Relations
8 and the Committee on Banking, Housing, and
9 Urban Affairs of the Senate; and

10 (B) the Committee on Foreign Affairs and
11 the Committee on Financial Services of the
12 House of Representatives.

13 (3) FOREIGN PERSON.—The term “foreign per-
14 son” means an individual or entity that is not a
15 United States person.

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

21 (5) UNITED STATES PERSON.—The term
22 “United States person” means—

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States, including a foreign branch of
4 such an entity.

5 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO THE**
6 **OFFICES OF THE SUPREME LEADER AND**
7 **PRESIDENT OF IRAN AND AFFILIATED PER-**
8 **SONS.**

9 (a) IN GENERAL.—

10 (1) DETERMINATIONS AND REPORT RE-
11 QUIRED.—Not later than 120 days after the date of
12 the enactment of this Act, and annually thereafter,
13 the President shall—

14 (A) determine whether each foreign person
15 described in subsection (b) meets the criteria,
16 on or after such date of enactment, for imposi-
17 tion of sanctions under one or more of the sanc-
18 tions programs and authorities listed in para-
19 graph (2);

20 (B) determine whether each foreign person
21 described in subsection (b) meets the criteria
22 for imposition of sanctions under one or more
23 of the sanctions programs and authorities listed
24 in paragraph (2) based on actions taken by that
25 foreign person in response to the protests

1 authorities identified pursuant to sub-
2 clause (I) have not been imposed and
3 will not be imposed within 30 days of
4 the submission of the report—

5 (aa) the specific authority
6 under which otherwise applicable
7 sanctions are being waived, have
8 otherwise been determined not to
9 apply, or are not being imposed;
10 and

11 (bb) a complete justification
12 of the decision to waive or other-
13 wise not apply the sanctions au-
14 thorized by such sanctions pro-
15 grams and authorities.

16 (2) SANCTIONS PROGRAMS AND AUTHORITIES
17 LISTED.—The sanctions programs and authorities
18 listed in this paragraph are sanctions programs and
19 authorities pursuant to the following:

20 (A) Section 105(c) of the Comprehensive
21 Iran Sanctions, Accountability, and Divestment
22 Act of 2010 (22 U.S.C. 8514(c)).

23 (B) Executive Order 13553 (50 U.S.C.
24 1701 note; relating to blocking property of cer-

1 tain persons with respect to serious human
2 rights abuses by the Government of Iran).

3 (C) Executive Order 13224 (50 U.S.C.
4 1701 note; relating to blocking property and
5 prohibiting transactions with persons who com-
6 mit, threaten to commit, or support terrorism).

7 (D) Executive Order 13818 (50 U.S.C.
8 1701 note; relating to blocking the property of
9 persons involved in serious human rights abuse
10 or corruption).

11 (E) Executive Order 13876 (50 U.S.C.
12 1701 note; relating to imposing sanctions with
13 respect to Iran).

14 (F) Penalties and visa bans applicable with
15 respect to a person pursuant to section 7031(c)
16 of the Department of State, Foreign Oper-
17 ations, and Related Programs Appropriations
18 Act, 2023 (division K of Public Law 117–328).

19 (3) FORM OF REPORT.—The report required by
20 paragraph (1)(D) shall be submitted in an unclassi-
21 fied form but may contain a classified annex pro-
22 vided separately containing additional contextual in-
23 formation pertaining to justification for the issuance
24 of any waiver issued, as described in paragraph
25 (1)(D)(ii). The unclassified portion of such report

1 shall be made available on a publicly available inter-
2 net website of the Federal Government.

3 (b) FOREIGN PERSONS DESCRIBED.—The foreign
4 persons described in this subsection are the following:

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

7 (2) The President of Iran and any official in
8 the Office of the President of Iran or the President's
9 cabinet, including cabinet ministers and executive
10 vice presidents.

11 (3) Any entity, including foundations and eco-
12 nomic conglomerates, overseen by the Office of the
13 Supreme Leader of Iran that is complicit in financ-
14 ing or resourcing of human rights abuses or support
15 for terrorism.

16 (4) Any official of any entity owned or con-
17 trolled by the Supreme Leader of Iran or the Office
18 of the Supreme Leader of Iran.

19 (5) Any person determined by the President—

20 (A) to be a person appointed by the Su-
21 preme Leader of Iran, the Office of the Su-
22 preme Leader of Iran, the President of Iran, or
23 the Office of the President of Iran to a position
24 as a state official of Iran, or as the head of any
25 entity located in Iran or any entity located out-

1 side of Iran that is owned or controlled by one
2 or more entities in Iran;

3 (B) to have knowingly and significantly as-
4 sisted, sponsored, or provided significant finan-
5 cial, material, or technological support for, or
6 goods or services to or in support of, any per-
7 son the property and interests in property of
8 which are blocked pursuant to any sanctions
9 program or authority listed in subsection (a)(2);

10 (C) to be owned or controlled by, or to
11 have acted or purported to act for or on behalf
12 of, directly or indirectly, any person the prop-
13 erty and interests in property of which are
14 blocked pursuant to any sanctions program or
15 authority listed in subsection (a)(2); or

16 (D) to be a member of the board of direc-
17 tors or a senior executive officer of any entity
18 the property and interests in property of which
19 are blocked pursuant to any sanctions program
20 or authority listed in subsection (a)(2).

21 (c) CONGRESSIONAL OVERSIGHT.—Not later than
22 120 days after receiving a request from the chairman and
23 ranking member of one of the appropriate congressional
24 committees with respect to whether a foreign person meets

1 the criteria of a person described in subsection (b)(5), the
2 President shall—

3 (1) determine if the person meets such criteria;

4 and

5 (2) submit an unclassified report, with a classi-
6 fied annex provided separately if needed, to such
7 chairman and ranking member with respect to such
8 determination that includes a statement of whether
9 or not the President imposed or intends to impose
10 sanctions with respect to the person pursuant to any
11 sanctions program or authority listed in subsection
12 (a)(2).

13 (d) WAIVERS.—

14 (1) IN GENERAL.—The President may waive
15 the application of sanctions under this section for re-
16 newable periods not to exceed 180 days if the Presi-
17 dent—

18 (A) determines that such a waiver is in the
19 national security interests of the United States;
20 and

21 (B) not less than 15 days before the grant-
22 ing of the waiver, submits to the appropriate
23 congressional committees a notice of and jus-
24 tification for the waiver.

1 (2) FORM.—The waiver described in paragraph
2 (1) may be transmitted in classified form.

3 (e) SUNSET.—This section shall cease to have effect
4 on the date that is 4 years after the date of the enactment
5 of this Act.

6 **SEC. 4. MODIFICATION AND EXTENSION OF SANCTIONING**
7 **THE USE OF CIVILIANS AS DEFENSELESS**
8 **SHIELDS ACT.**

9 (a) IN GENERAL.—Section 3 of the Sanctioning the
10 Use of Civilians as Defenseless Shields Act (Public Law
11 115–348; 50 U.S.C. 1701 note) is amended—

12 (1) in subsection (b)—

13 (A) by redesignating paragraph (3) as
14 paragraph (4); and

15 (B) by inserting after paragraph (2) the
16 following:

17 “(3) Each foreign person that the President de-
18 termines, on or after the date of the enactment of
19 the Stop Harboring Iranian Petroleum Act of
20 2024—

21 “(A) is a member of Palestine Islamic
22 Jihad or is knowingly acting on behalf of Pal-
23 estine Islamic Jihad; and

24 “(B) knowingly orders, controls, or other-
25 wise directs the use of civilians protected as

1 such by the law of war to shield military objec-
2 tives from attack.”;

3 (2) by redesignating subsections (e), (f), (g),
4 (h), and (i) as subsections (f), (g), (h), (i), and (j),
5 respectively; and

6 (3) by inserting after subsection (d) the fol-
7 lowing:

8 “(e) CONGRESSIONAL REQUESTS.—Not later than
9 120 days after receiving a request from the chairman and
10 ranking member of one of the appropriate congressional
11 committees with respect to whether a foreign person meets
12 the criteria of a person described in subsection (b) or (c),
13 the President shall—

14 “(1) determine if the person meets such cri-
15 teria; and

16 “(2) submit a written justification to the chair-
17 man and ranking member detailing whether or not
18 the President imposed or intends to impose sanc-
19 tions described in subsection (b) or (c) with respect
20 to such person.”.

21 (b) DEFINITIONS.—Section 4 of the Sanctioning the
22 Use of Civilians as Defenseless Shields Act (Public Law
23 115–348; 50 U.S.C. 1701 note) is amended—

24 (1) by redesignating paragraph (7) as para-
25 graph (8); and

1 (2) by inserting after paragraph (6) the fol-
2 lowing:

3 “(7) PALESTINE ISLAMIC JIHAD.—The term
4 ‘Palestine Islamic Jihad’ means—

5 “(A) the entity known as Palestine Islamic
6 Jihad and designated by the Secretary of State
7 as a foreign terrorist organization pursuant to
8 section 219 of the Immigration and Nationality
9 Act (8 U.S.C. 1189); or

10 “(B) any person identified as an agent or
11 instrumentality of Palestine Islamic Jihad on
12 the list of specially designated nationals and
13 blocked persons maintained by the Office of
14 Foreign Asset Control of the Department of the
15 Treasury, the property or interests in property
16 of which are blocked pursuant to the Inter-
17 national Emergency Economic Powers Act (50
18 U.S.C. 1701 et seq.).”.

19 (c) SUNSET.—Section 5 of the Sanctioning the Use
20 of Civilians as Defenseless Shields Act (Public Law 115–
21 348; 50 U.S.C. 1701 note) is amended by striking “De-
22 cember 31, 2023” and inserting “December 31, 2030”.

1 **SEC. 5. CONFRONTING ASYMMETRIC AND MALICIOUS**
2 **CYBER ACTIVITIES.**

3 (a) IN GENERAL.—On and after the date that is 180
4 days after the date of the enactment of this Act, the Presi-
5 dent may impose the sanctions described in subsection (b)
6 with respect to any foreign person that the President de-
7 termines, on or after such date of enactment—

8 (1) is responsible for or complicit in, or has en-
9 gaged knowingly in, significant cyber-enabled activi-
10 ties originating from, or directed by persons located,
11 in whole or in substantial part, outside the United
12 States that are reasonably likely to result in, or have
13 materially contributed to, a significant threat to the
14 national security, foreign policy, or economic health
15 or financial stability of the United States;

16 (2) materially assisted, sponsored, or provided
17 financial, material, or technological support for, or
18 goods or services to or in support of, any activity de-
19 scribed in this subsection or any person whose prop-
20 erty and interests in property are blocked pursuant
21 to this section;

22 (3) is owned or controlled by, or has acted or
23 purported to act for or on behalf of, directly or indi-
24 rectly, any person whose property and interests in
25 property are blocked pursuant to this section; or

1 (4) has attempted to engage in any of the ac-
2 tivities described in paragraph (1), (2), or (3).

3 (b) SANCTIONS DESCRIBED.—The sanctions de-
4 scribed in this subsection are the following:

5 (1) INADMISSIBILITY TO UNITED STATES.—In
6 the case of an alien—

7 (A) ineligibility to receive a visa to enter
8 the United States or to be admitted to the
9 United States; or

10 (B) if the individual has been issued a visa
11 or other documentation, revocation, in accord-
12 ance with section 221(i) of the Immigration and
13 Nationality Act (8 U.S.C. 1201(i)), of the visa
14 or other documentation.

15 (2) BLOCKING OF PROPERTY.—The blocking, in
16 accordance with the International Emergency Eco-
17 nomic Powers Act (50 U.S.C. 1701 et seq.), of all
18 transactions in all property and interests in property
19 of a foreign person if such property and interests in
20 property are in the United States, come within the
21 United States, or are or come within the possession
22 or control of a United States person.

23 (c) REQUESTS BY APPROPRIATE CONGRESSIONAL
24 COMMITTEES.—

1 (1) IN GENERAL.—Not later than 120 days
2 after receiving a request that meets the require-
3 ments of paragraph (2) with respect to whether a
4 foreign person has engaged in an activity described
5 in subsection (a), the President shall—

6 (A) determine if that person has engaged
7 in such an activity; and

8 (B) submit a classified or unclassified re-
9 port to the chairperson and ranking member of
10 the committee or committees that submitted the
11 request with respect to that determination that
12 includes—

13 (i) a statement of whether or not the
14 President imposed or intends to impose
15 sanctions with respect to the person;

16 (ii) if the President imposed or in-
17 tends to impose sanctions, a description of
18 those sanctions; and

19 (iii) if the President does not intend
20 to impose sanctions, a description of ac-
21 tions that meet the threshold for the Presi-
22 dent to impose sanctions.

23 (2) REQUIREMENTS.—A request under para-
24 graph (1) with respect to whether a foreign person
25 has engaged in an activity described in subsection

1 (a) shall be submitted to the President in writing
2 jointly by the chairperson and ranking member of
3 one of the appropriate congressional committees.

4 **SEC. 6. SANCTIONS WITH RESPECT TO THREATS TO CUR-**
5 **RENT OR FORMER UNITED STATES OFFI-**
6 **CIALS.**

7 (a) IN GENERAL.—On and after the date that is 180
8 days after the date of the enactment of this Act, the Presi-
9 dent shall impose the sanctions described in subsection (b)
10 with respect to any foreign person the President deter-
11 mines has, on or after such date of enactment, ordered,
12 directed, or taken material steps to carry out any use of
13 violence or has attempted or threatened to use violence
14 against any current or former official of the Government
15 of the United States.

16 (b) SANCTIONS DESCRIBED.—The sanctions de-
17 scribed in this subsection are the following:

18 (1) INADMISSIBILITY TO UNITED STATES.—In
19 the case of a foreign person who is an individual—

20 (A) ineligibility to receive a visa to enter
21 the United States or to be admitted to the
22 United States; or

23 (B) if the individual has been issued a visa
24 or other documentation, revocation, in accord-
25 ance with section 221(i) of the Immigration and

1 Nationality Act (8 U.S.C. 1201(i)), of the visa
2 or other documentation.

3 (2) BLOCKING OF PROPERTY.—The blocking, in
4 accordance with the International Emergency Eco-
5 nomic Powers Act (50 U.S.C. 1701 et seq.), of all
6 transactions in all property and interests in property
7 of a foreign person if such property and interests in
8 property are in the United States, come within the
9 United States, or are or come within the possession
10 or control of a United States person.

11 (c) ENFORCEMENT OF BLOCKING OF PROPERTY.—
12 A person that violates, attempts to violate, conspires to
13 violate, or causes a violation of a sanction described in
14 subsection (b)(2) that is imposed by the President or any
15 regulation, license, or order issued to carry out such a
16 sanction shall be subject to the penalties set forth in sub-
17 sections (b) and (c) of section 206 of the International
18 Emergency Economic Powers Act (50 U.S.C. 1705) to the
19 same extent as a person that commits an unlawful act de-
20 scribed in subsection (a) of that section.

21 (d) WAIVER.—

22 (1) IN GENERAL.—The President may waive
23 the application of sanctions under this section for re-
24 newable periods not to exceed 180 days if the Presi-
25 dent—

1 (A) determines that such a waiver is in the
2 vital national security interests of the United
3 States; and

4 (B) not less than 15 days before the grant-
5 ing of the waiver, submits to the appropriate
6 congressional committees a notice of and jus-
7 tification for the waiver.

8 (e) TERMINATION AND SUNSET.—

9 (1) TERMINATION OF SANCTIONS.—The Presi-
10 dent may terminate the application of sanctions
11 under this section with respect to a person if the
12 President determines and reports to the appropriate
13 congressional committees not later than 15 days be-
14 fore the termination of the sanctions that—

15 (A) credible information exists that the
16 person did not engage in the activity for which
17 sanctions were imposed;

18 (B) the person has credibly demonstrated
19 a significant change in behavior, has paid an
20 appropriate consequence for the activity for
21 which sanctions were imposed, and has credibly
22 committed to not engage in an activity de-
23 scribed in subsection (a) in the future; or

1 (C) the termination of the sanctions is in
2 the vital national security interests of the
3 United States.

4 (2) SUNSET.—The requirement to impose sanc-
5 tions under this section shall terminate on the date
6 that is 4 years after the date of the enactment of
7 this Act.

8 **SEC. 7. RESOURCES FOR SANCTIONS IMPLEMENTATION AT**
9 **THE DEPARTMENT OF STATE.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that sanctions are a vital foreign policy and national
12 security tool, and as such, it is critical that the Depart-
13 ment of State and other agencies with responsibilities re-
14 lating to sanctions across the executive branch—

15 (1) are fully staffed, including through the
16 prompt confirmation by the Senate of a qualified
17 head of the Office of Sanctions Coordination of the
18 Department of State; and

19 (2) have the resources and infrastructure nec-
20 essary for the successful development and implemen-
21 tation of sanctions.

22 (b) INCREASING RESOURCES AND IMPROVING MOD-
23 ERNIZATION FOR SANCTIONS IMPLEMENTATION.—The
24 Secretary of State shall take steps to modernize the sanc-

1 tions infrastructure and increase resources dedicated to
2 implementing sanctions, including by—

3 (1) ensuring the Department of State has nec-
4 essary subscriptions and access to open-source data-
5 bases for purposes of making determinations to sup-
6 port the designation of persons for the imposition of
7 sanctions;

8 (2) equipping bureaus involved in drafting and
9 reviewing evidentiary packages to support such des-
10 ignations with sufficient technical resources to do so,
11 including an adequate number of workstations that
12 can be used to review classified information; and

13 (3) increasing the number of personnel dedi-
14 cated to making and reviewing such designations.

15 (c) REPORT ON MODERNIZATION EFFORTS.—Not
16 later than 180 days after the date of the enactment of
17 this Act, the Secretary of State shall submit to the Com-
18 mittee on Foreign Relations of the Senate and the Com-
19 mittee on Foreign Affairs of the House of Representatives
20 a report describing steps the Department of State is tak-
21 ing to address challenges in the ability of the Department
22 to support the designation of persons for the imposition
23 of sanctions.

1 (d) AUTHORIZATION OF APPROPRIATION.—There is
2 authorized to be appropriated to the Secretary of State
3 for fiscal year 2025 \$15,000,000 to carry out this section.

4 **SEC. 8. EXCEPTIONS.**

5 (a) EXCEPTION RELATING TO IMPORTATION OF
6 GOODS.—

7 (1) IN GENERAL.—A requirement to block and
8 prohibit all transactions in all property and interests
9 in property under this Act shall not include the au-
10 thority or a requirement to impose sanctions on the
11 importation of goods.

12 (2) GOOD.—In this subsection, the term “good”
13 means any article, natural or manmade substance,
14 material, supply, or manufactured product, including
15 inspection and test equipment, and excluding tech-
16 nical data.

17 (b) EXCEPTION TO COMPLY WITH UNITED NATIONS
18 HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT
19 ACTIVITIES.—Sanctions under this Act shall not apply
20 with respect to the admission of an alien to the United
21 States if admitting or paroling the alien into the United
22 States is necessary—

23 (1) to permit the United States to comply with
24 the Agreement regarding the Headquarters of the
25 United Nations, signed at Lake Success June 26,

1 1947, and entered into force November 21, 1947,
2 between the United Nations and the United States,
3 or other applicable international obligations of the
4 United States; or

5 (2) to carry out or assist authorized law en-
6 forcement activity in the United States.

7 (c) EXCEPTION TO COMPLY WITH INTELLIGENCE
8 ACTIVITIES.—Sanctions under this Act shall not apply to
9 any activity subject to the reporting requirements under
10 title V of the National Security Act of 1947 (50 U.S.C.
11 3091 et seq.) or any authorized intelligence activities of
12 the United States.

13 (d) HUMANITARIAN ASSISTANCE.—

14 (1) IN GENERAL.—Sanctions under this Act
15 shall not apply to—

16 (A) the conduct or facilitation of a trans-
17 action for the provision of agricultural commod-
18 ities, food, medicine, medical devices, humani-
19 tarian assistance, or for humanitarian purposes;
20 or

21 (B) transactions that are necessary for or
22 related to the activities described in paragraph
23 (A).

24 (2) DEFINITIONS.—In this subsection:

1 (A) AGRICULTURAL COMMODITY.—The
2 term “agricultural commodity” has the meaning
3 given that term in section 102 of the Agricul-
4 tural Trade Act of 1978 (7 U.S.C. 5602).

5 (B) MEDICAL DEVICE.—The term “med-
6 ical device” has the meaning given the term
7 “device” in section 201 of the Federal Food,
8 Drug, and Cosmetic Act (21 U.S.C. 321).

9 (C) MEDICINE.—The term “medicine” has
10 the meaning given the term “drug” in section
11 201 of the Federal Food, Drug, and Cosmetic
12 Act (21 U.S.C. 321).

13 (e) REPORT ON EXCEPTIONS.—Not later than one
14 year after the date of the enactment of this Act, and annu-
15 ally thereafter, the President shall submit to the appro-
16 priate congressional committees a report that describes
17 each activity that would be subject to sanctions under this
18 Act if not excepted pursuant to subsection (b) or (c).