

109TH CONGRESS
1ST SESSION

H. R. 282

To hold the current regime in Iran accountable for its threatening behavior
and to support a transition to democracy in Iran.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2005

Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, Mr. CHABOT, Mr. BERMAN, Mr. CANTOR, Mr. ACKERMAN, Mr. ANDREWS, Mr. BACHUS, Ms. BERKLEY, Mrs. BIGGERT, Mr. BOEHLERT, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. COX, Mr. CROWLEY, Mrs. JO ANN DAVIS of Virginia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. FOLEY, Mr. GARRETT of New Jersey, Mr. GREEN of Wisconsin, Ms. HARRIS, Mr. ISRAEL, Mr. JOHNSON of Illinois, Mr. KIRK, Mr. LARSEN of Washington, Mr. McCOTTER, Mr. MENENDEZ, Mr. MICA, Mrs. MYRICK, Mr. NADLER, Mr. NORWOOD, Mr. NUNES, Mr. PENCE, Mr. PLATTS, Mr. PORTER, Mr. ROTHMAN, Mr. ROHRABACHER, Mr. RYAN of Wisconsin, Mr. SAXTON, Mr. SHERMAN, Mr. SHIMKUS, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. SULLIVAN, Mr. TANCREDO, Mr. WELLER, Mr. WEXLER, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Iran Freedom Support
3 Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—CODIFICATION OF SANCTIONS AGAINST IRAN

Sec. 101. Codification of sanctions.

TITLE II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS
ACT OF 1996

Sec. 201. Multilateral regime.
Sec. 202. Imposition of sanctions.
Sec. 203. Termination of sanctions.
Sec. 204. Sunset.
Sec. 205. Clarification and expansion of definitions.

TITLE III—DEMOCRACY IN IRAN

Sec. 301. Declaration of Congress regarding United States policy toward Iran.
Sec. 302. Assistance to support democracy in Iran.
Sec. 303. Sense of Congress regarding designation of democratic opposition or-
ganizations.

5 **TITLE I—CODIFICATION OF**
6 **SANCTIONS AGAINST IRAN**

7 **SEC. 101. CODIFICATION OF SANCTIONS.**

8 (a) CODIFICATION OF SANCTIONS RELATED TO
9 WEAPONS OF MASS DESTRUCTION.—United States sanc-
10 tions, controls, and regulations relating to weapons of
11 mass destruction with respect to Iran, as in effect on the
12 date of enactment of this Act, shall remain in effect, until
13 the President certifies to the Committee on International
14 Relations of the House of Representatives and the Com-
15 mittee on Foreign Relations of the Senate that the Gov-
16 ernment of Iran has permanently and verifiably disman-

1 tled its weapons of mass destruction programs and has
2 committed to combating the proliferation of such weapons.

3 (b) NO EFFECT ON OTHER SANCTIONS RELATING TO
4 SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—
5 Notwithstanding a certification by the President under
6 subsection (a), United States sanctions, controls, and reg-
7 ulations relating to a determination under section
8 6(j)(1)(A) of the Export Administration Act of 1979 (50
9 U.S.C. App. 2405(j)(1)(A)), section 620A(a) of the For-
10 eign Assistance Act of 1961 (22 U.S.C. 2371(a)), or sec-
11 tion 40(d) of the Arms Export Control Act (22 U.S.C.
12 2780(d)) relating to support for acts of international ter-
13 rorism by the Government of Iran, as in effect on the date
14 of the enactment of this Act, shall remain in effect.

15 **TITLE II—AMENDMENTS TO THE**
16 **IRAN AND LIBYA SANCTIONS**
17 **ACT OF 1996**

18 **SEC. 201. MULTILATERAL REGIME.**

19 (a) REPORTS TO CONGRESS.—Section 4(b) of the
20 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
21 note) is amended to read as follows:

22 “(b) REPORTS TO CONGRESS.—Not later than six
23 months after the date of the enactment of the Iran Free-
24 dom Support Act and every six months thereafter, the
25 President shall submit to the appropriate congressional

1 committees a report regarding specific diplomatic efforts
2 undertaken pursuant to subsection (a), the results of those
3 efforts, and a description of proposed diplomatic efforts
4 pursuant to such subsection. Each report shall include—

5 “(1) a list of the countries that have agreed to
6 undertake measures to further the objectives of sec-
7 tion 3 with respect to Iran;

8 “(2) a description of those measures, includ-
9 ing—

10 “(A) government actions with respect to
11 public or private entities (or their subsidiaries)
12 located in their territories, that are engaged in
13 Iran;

14 “(B) any decisions by the governments of
15 these countries to rescind or continue the provi-
16 sion of credits, guarantees, or other govern-
17 mental assistance to these entities; and

18 “(C) actions taken in international fora to
19 further the objectives of section 3;

20 “(3) a list of the countries that have not agreed
21 to undertake measures to further the objectives of
22 section 3 with respect to Iran, and the reasons
23 therefor; and

24 “(4) a description of any memorandums of un-
25 derstanding, political understandings, or inter-

1 national agreements to which the United States has
2 acceded which affect implementation of this section
3 or section 5(a).”.

4 (b) WAIVER.—Section 4(c) of such Act (50 U.S.C.
5 1701 note) is amended to read as follows:

6 “(c) WAIVER.—

7 “(1) IN GENERAL.—The President may, on a
8 case by case basis, waive for a period of not more
9 than six months the application of section 5(a) with
10 respect to a national of a country, if the President
11 certifies to the appropriate congressional committees
12 at least 30 days before such waiver is to take effect
13 that—

14 “(A) such waiver is vital to the national se-
15 curity of the United States; and

16 “(B) the country of the national has un-
17 dertaken substantial measures to prevent the
18 acquisition and development of weapons of mass
19 destruction by the Government of Iran.

20 “(2) SUBSEQUENT RENEWAL OF WAIVER.—If
21 the President determines that such is appropriate,
22 the President may, at the conclusion of the period
23 of a waiver under paragraph (1), renew such waiver
24 for a subsequent period of not more than six
25 months.”.

1 (c) INVESTIGATIONS.—Section 4 of such Act (50
2 U.S.C. 1701 note) is amended by adding at the end the
3 following new subsection:

4 “(f) INVESTIGATIONS.—

5 “(1) IN GENERAL.—Upon public or private dis-
6 closure of activity related to investment in Iran by
7 a person as described in this Act, the President shall
8 direct the Secretary of the Treasury to initiate an
9 investigation into the possible imposition of sanc-
10 tions against such person as a result of such activ-
11 ity, to notify such person of such investigation, and
12 to provide a recommendation to the President for
13 such purposes.

14 “(2) DETERMINATION AND NOTIFICATION.—
15 Not later than 90 days after the date of the dislo-
16 sure of the activity described in paragraph (1), the
17 President shall determine whether or not to impose
18 sanctions against such person as a result of such ac-
19 tivity and shall notify the appropriate congressional
20 committees of the basis for such determination.

21 “(3) PUBLICATION.—Not later than 10 days
22 after the President notifies the appropriate congres-
23 sional committees under paragraph (2), the Presi-
24 dent shall ensure publication in the Federal Register
25 of—

1 “(A) the identification of the persons
2 against which the President has made a deter-
3 mination that the imposition of sanctions is ap-
4 propriate, together with an explanation for such
5 determination; and

6 “(B) the identification of the persons
7 against which the President has made a deter-
8 mination that the imposition of sanctions is not
9 appropriate, together with an explanation for
10 such determination.”.

11 **SEC. 202. IMPOSITION OF SANCTIONS.**

12 (a) SANCTIONS WITH RESPECT TO DEVELOPMENT
13 OF PETROLEUM RESOURCES.—Section 5(a) of the Iran
14 and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
15 is amended—

16 (1) in the heading, by striking “to Iran” and
17 inserting “to the Development of Petroleum Re-
18 sources of Iran”;

19 (2) by striking “(6)” and inserting “(5)”; and

20 (3) by striking “with actual knowledge,”.

21 (b) SANCTIONS WITH RESPECT TO DEVELOPMENT
22 OF WEAPONS OF MASS DESTRUCTION OR OTHER MILI-
23 TARY CAPABILITIES.—Section 5(b) of such Act (50 U.S.C.
24 1701 note) is amended to read as follows:

1 “(b) MANDATORY SANCTIONS WITH RESPECT TO
2 DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR
3 OTHER MILITARY CAPABILITIES.—Notwithstanding any
4 other provision of law, the President shall impose two or
5 more of the sanctions described in paragraphs (1) through
6 (5) of section 6 if the President determines that a person
7 has, on or after the date of the enactment of this Act,
8 exported, transferred, or otherwise provided to Iran any
9 goods, services, technology, or other items the provision
10 of which has contributed to the ability of Iran to—

11 “(1) acquire or develop chemical, biological, or
12 nuclear weapons or related technologies; or

13 “(2) acquire or develop destabilizing numbers
14 and types of advanced conventional weapons.”.

15 (c) PERSONS AGAINST WHICH THE SANCTIONS ARE
16 TO BE IMPOSED.—Section 5(c)(2) of such Act (50 U.S.C.
17 1701 note) is amended—

18 (1) in subparagraph (B), by striking “or” at
19 the end;

20 (2) in subparagraph (C), by striking the period
21 at the end and inserting “; or”; and

22 (3) by adding at the end the following new sub-
23 paragraph:

24 “(D) is a private or government lender, in-
25 surer, underwriter, re-insurer, or guarantor of

1 the person referred to in paragraph (1) if that
2 private or government lender, insurer, under-
3 writer, re-insurer, or guarantor, with actual
4 knowledge, engaged in the activities referred to
5 in paragraph (1).”.

6 (d) **EFFECTIVE DATE.**—Sanctions imposed pursuant
7 to the amendments made by this section shall apply with
8 respect to investments made in Iran on or after the date
9 of the enactment of this Act.

10 **SEC. 203. TERMINATION OF SANCTIONS.**

11 (a) **REMOVAL OF LIBYA.**—Section 8 of the Iran and
12 Libya Sanctions Act 1996 (50 U.S.C. 1701 note) is
13 amended—

14 (1) in subsection (a), by striking the subsection
15 designation and heading; and

16 (2) by striking subsection (b).

17 (b) **NO THREAT POSED.**—Such section, as amended
18 by subsection (a), is further amended—

19 (1) in paragraph (1)(C), by striking “and” at
20 the end;

21 (2) in paragraph (2), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 “(3) poses no threat to United States national
2 security, interests, or allies.”.

3 **SEC. 204. SUNSET.**

4 Section 13 of the Iran and Libya Sanctions Act of
5 1996 (50 U.S.C. 1701 note) is amended—

6 (1) in the section heading, by striking “; **SUN-**
7 **SET**”;

8 (2) in subsection (a), by striking the subsection
9 designation and heading; and

10 (3) by striking subsection (b).

11 **SEC. 205. CLARIFICATION AND EXPANSION OF DEFINI-**
12 **TIONS.**

13 (a) **PERSON.**—Section 14(14)(B) of the Iran and
14 Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is
15 amended—

16 (1) by inserting after “trust” the following:
17 “, financial institution, insurer, underwriter, re-in-
18 surer, guarantor”; and

19 (2) by striking “operating as a business enter-
20 prise”.

21 (b) **PETROLEUM RESOURCES.**—Section 14(15) of the
22 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
23 note) is amended by inserting after “petroleum” the fol-
24 lowing: “, petroleum by-products,”.

1 **TITLE III—DEMOCRACY IN IRAN**

2 **SEC. 301. DECLARATION OF CONGRESS REGARDING**
3 **UNITED STATES POLICY TOWARD IRAN.**

4 Congress declares that it should be the policy of the
5 United States to support independent human rights and
6 pro-democracy forces in Iran.

7 **SEC. 302. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.**

8 (a) **AUTHORIZATION.**—The President is authorized to
9 provide financial and political assistance (including the
10 award of grants) to foreign and domestic individuals, orga-
11 nizations, and entities that support democracy and the
12 promotion of democracy in Iran and that are opposed to
13 the non-democratic Government of Iran. Such assistance
14 may include the award of grants to eligible independent
15 pro-democracy radio and television broadcasting organiza-
16 tions that broadcast into Iran.

17 (b) **ELIGIBILITY FOR ASSISTANCE.**—Financial and
18 political assistance under this section may be provided to
19 an individual, organization, or entity that—

20 (1) officially opposes the use of terrorism;

21 (2) advocates the adherence by Iran to non-
22 proliferation regimes for nuclear, chemical, and bio-
23 logical weapons and materiel;

1 (3) is dedicated to democratic values and sup-
2 ports the adoption of a democratic form of govern-
3 ment in Iran;

4 (4) is dedicated to respect for human rights, in-
5 cluding the fundamental equality of women;

6 (5) works to establish equality of opportunity
7 for people; and

8 (6) supports freedom of the press, freedom of
9 speech, freedom of association, and freedom of reli-
10 gion.

11 (c) FUNDING.—The President may provide assistance
12 under this section using—

13 (1) funds available to the Middle East Partner-
14 ship Initiative (MEPI), the Broader Middle East
15 and North Africa Initiative, and the National En-
16 dowment for Democracy (NED); and

17 (2) amounts made available pursuant to the au-
18 thorization of appropriations under subsection (g).

19 (d) NOTIFICATION.—Not later than 15 days before
20 each obligation of assistance under this section, and in ac-
21 cordance with the procedures under section 634A of the
22 Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), the
23 President shall notify the Committee on International Re-
24 lations and the Committee on Appropriations of the House

1 of Representatives and the Committee on Foreign Rela-
2 tions and the Committee on Appropriations of the Senate.

3 (e) SENSE OF CONGRESS REGARDING COORDINA-
4 TION OF POLICY AND APPOINTMENT.—It is the sense of
5 Congress that in order to ensure maximum coordination
6 among Federal agencies, if the President provides the as-
7 sistance under this section, the President should appoint
8 an individual who shall—

9 (1) serve as special assistant to the President
10 on matters relating to Iran; and

11 (2) coordinate among the appropriate directors
12 of the National Security Council on issues regarding
13 such matters.

14 (f) SENSE OF CONGRESS REGARDING DIPLOMATIC
15 ASSISTANCE.—It is the sense of Congress that—

16 (1) contacts should be expanded with opposition
17 groups in Iran that meet the criteria under sub-
18 section (b);

19 (2) support for a transition to democracy in
20 Iran should be expressed by United States rep-
21 resentatives and officials in all appropriate inter-
22 national fora;

23 (3) representatives of the Government of Iran
24 should be denied access to all United States Govern-
25 ment buildings;

1 (4) efforts to bring a halt to the nuclear weap-
2 ons program of Iran, including steps to end the sup-
3 ply of nuclear components or fuel to Iran, should be
4 intensified, with particular attention focused on the
5 cooperation regarding such program—

6 (A) between the Government of Iran and
7 the Government of the Russian Federation; and

8 (B) between the Government of Iran and
9 individuals from China, Malaysia, and Pakistan,
10 including the network of Dr. Abdul Qadeer (A.
11 Q.) Khan; and

12 (5) officials and representatives of the United
13 States should—

14 (A) strongly and unequivocally support in-
15 digenous efforts in Iran calling for free, trans-
16 parent, and democratic elections; and

17 (B) draw international attention to viola-
18 tions by the Government of Iran of human
19 rights, freedom of religion, freedom of assem-
20 bly, and freedom of the press.

21 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Department of State
23 such sums as may be necessary to carry out this section.

1 **SEC. 303. SENSE OF CONGRESS REGARDING DESIGNATION**
2 **OF DEMOCRATIC OPPOSITION ORGANIZA-**
3 **TIONS.**

4 (a) INITIAL DESIGNATION.—It is the sense of Con-
5 gress that, not later than 90 days after the date of the
6 enactment of this Act, the President should designate at
7 least one democratic opposition organization as eligible to
8 receive assistance under section 302.

9 (b) NOTIFICATION REQUIREMENT.—Not later than
10 15 days before designating a democratic opposition orga-
11 nization as eligible to receive assistance under section 302,
12 the President shall notify the Committee on International
13 Relations and the Committee on Appropriations of the
14 House of Representatives and the Committee on Foreign
15 Relations and the Committee on Appropriations of the
16 Senate of the proposed designation. If the President deter-
17 mines that such is appropriate, such notification may be
18 in classified form.

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