

111TH CONGRESS  
1ST SESSION

# H. R. 4303

To enhance United States sanctions against Iran by targeting Iranian governmental officials, prohibiting Federal procurement contracts with persons that provide censorship or surveillance technology to the Government of Iran, providing humanitarian and people-to-people assistance to the Iranian people, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2009

Mr. ELLISON (for himself and Mr. DELAHUNT) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To enhance United States sanctions against Iran by targeting Iranian governmental officials, prohibiting Federal procurement contracts with persons that provide censorship or surveillance technology to the Government of Iran, providing humanitarian and people-to-people assistance to the Iranian people, and for other purposes.

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 “Stand with the Iranian  
3 People Act”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS; STATEMENT OF**  
5 **POLICY.**

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

7 (1) The Government of Iran has engaged in a  
8 brutal crackdown on the Iranian people in the after-  
9 math of the disputed presidential election of June  
10 12, 2009, stifling freedom of speech, press, and as-  
11 sembly and violating fundamental human rights.

12 (2) On June 23, 2009, President Obama de-  
13 nounced the crackdown on the Iranian people, say-  
14 ing “The United States respects the sovereignty of  
15 the Islamic Republic of Iran, and is not at all inter-  
16 fering in Iran’s affairs. But we must also bear wit-  
17 ness to the courage and dignity of the Iranian peo-  
18 ple, and to a remarkable opening within Iranian so-  
19 ciety”.

20 (3) On June 19, 2009, the House of Represent-  
21 atives adopted H. Res. 560 by a vote of 405–1, “ex-  
22 pressing support for all Iranian citizens who struggle  
23 for freedom, human rights, civil liberties, and the  
24 protection of the rule of law”.

25 (4) Iran’s security forces, particularly the Ira-  
26 nian Revolutionary Guard Corps (IRGC) and the

1 Basij volunteer militia, have been largely responsible  
2 for the violence and brutality committed against the  
3 Iranian people in the recent unrest.

4 (5) Thousands of Iranian protesters have been  
5 arrested and detained for taking part in public dem-  
6 onstrations, with many being raped and tortured to  
7 extract false confessions to be used against them  
8 and others as part of government-run “show trials”.

9 (6) On June 20, 2009, twenty-six year old  
10 Neda Agha Soltan was shot and killed by a member  
11 of the Basij militia, symbolizing for Iranians and  
12 people all over the world the government’s brutal  
13 crackdown against peaceful demonstrators.

14 (b) SENSE OF THE CONGRESS.—It is the sense of  
15 Congress that the United States—

16 (1) respects the sovereignty, proud history, and  
17 rich culture of the Iranian people;

18 (2) respects the universal values of freedom of  
19 speech, freedom of the press, and the freedom to as-  
20 semble;

21 (3) respects and admires the Iranian people as  
22 they take steps to peacefully express their voices,  
23 opinions, and aspirations;

1           (4) deploras and condemns the use of coerced  
2           confessions and “show trials” as tools of political re-  
3           pression in Iran;

4           (5) urges the Government of Iran to intensify  
5           its cooperation on the case of Robert Levinson with  
6           the Embassy of Switzerland in Tehran and to share  
7           the results of its investigation into the disappearance  
8           of Robert Levinson with the Federal Bureau of In-  
9           vestigation; and

10          (6) recognizes the importance of diplomacy with  
11          Iran in order to advance the national security inter-  
12          ests of the United States, but such diplomacy should  
13          not be construed as official recognition of the de-  
14          clared results from the June 12, 2009, Iranian pres-  
15          idential election.

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

18               (1) work to ensure that sanctions are clearly  
19               targeted at the Government of Iran and individuals  
20               within the Government of Iran, rather than the Ira-  
21               nian society as a whole, in order to avoid creating  
22               hardship and inflicting harm on the Iranian people;

23               (2) encourage United States allies to freeze  
24               bank accounts held or controlled by Iranian Govern-

1       ment officials who have carried out human rights  
2       abuses against the people of Iran;

3           (3) encourage United States allies to deny en-  
4       trance visas for non-official business to Iranian Gov-  
5       ernment officials who have carried out human rights  
6       abuses against the people of Iran;

7           (4) work in the United Nations Security Coun-  
8       cil to impose multilateral political and financial sanc-  
9       tions against Iranian Governmental officials, includ-  
10      ing officials of the IRGC and Basij militia, who have  
11      carried out human rights abuses against the people  
12      of Iran;

13          (5) work within the United Nations to focus  
14      international attention on and investigate human  
15      rights abuses in Iran, and to secure the release of  
16      prisoners of conscience;

17          (6) apply targeted political and financial sanc-  
18      tions against a foreign person or foreign entity that  
19      provides illicit support to the IRGC and Basij mili-  
20      tia;

21          (7) encourage cooperation between United  
22      States and Iranian nongovernmental organizations,  
23      particularly with regard to facilitating people-to-people  
24      exchanges; and

1           (8) expedite admission to the United States of  
2           any national of Iran who is under threat of severe  
3           penalty as a result of participating in or reporting  
4           on pro-democracy activities inside Iran, and should  
5           encourage other governments to accept such Iranian  
6           refugees for resettlement, provided applicants have  
7           not engaged in or provided support for acts of ter-  
8           rorism and satisfy all criteria for acquiring refugee  
9           status.

10 **SEC. 3. IMPOSING TRAVEL RESTRICTIONS AGAINST IRAN'S**  
11 **HUMAN RIGHTS ABUSERS.**

12           (a) **IN GENERAL.**—The Secretary of State shall deny  
13 the issuance of a visa and the Secretary of Homeland Se-  
14 curity shall deny admission to the United States to any  
15 official of the Government of Iran who is credibly alleged  
16 to have ordered, acquiesced to, or participated in human  
17 rights abuses against the people of Iran

18           (b) **WAIVER.**—The ban described in subparagraph (a)  
19 may be waived if the Secretary of State certifies to Con-  
20 gress that such a waiver is in the national interests of  
21 the United States.

1 **SEC. 4. PROHIBITION ON PROCUREMENT CONTRACTS WITH**  
2 **PERSONS OR ENTITIES THAT PROVIDE CEN-**  
3 **SORSHIP OR SURVEILLANCE TECHNOLOGY**  
4 **TO THE GOVERNMENT OF IRAN.**

5 (a) PROHIBITION.—Notwithstanding any other provi-  
6 sion of law, the head of an executive agency may not enter  
7 into or renew a contract for the procurement of goods or  
8 services with a person or entity that provides censorship  
9 or surveillance technology to the Government of Iran.

10 (b) WAIVER PROVISION.—The Secretary concerned  
11 may waive the application of the prohibition under sub-  
12 section (a) with respect to a person or entity if the Sec-  
13 retary certifies to Congress that such a waiver is in the  
14 national interest of the United States.

15 (c) DEFINITIONS.—In this section—

16 (1) the term “censorship or surveillance tech-  
17 nology” means hardware, software, telecommuni-  
18 cations equipment, or any other technology that the  
19 President determines is designed to provide a sub-  
20 stantial capability—

21 (A) to restrict the free flow of information;

22 or

23 (B) to disrupt, monitor, or otherwise re-  
24 strict speech;

1           (2) the term “executive agency” has the mean-  
2           ing given that term in section 4 of the Office of Fed-  
3           eral Procurement Policy Act (41 U.S.C. 403); and

4           (3) the term “Government of Iran” means any  
5           agency or instrumentality of the Government of  
6           Iran, including any entity that is controlled by the  
7           Government of Iran.

8           (d) EFFECTIVE DATE.—

9           (1) IN GENERAL.—Except as provided in para-  
10          graph (2), this section shall apply to contracts en-  
11          tered into on or after the date that is 90 days after  
12          the date of the enactment of this Act.

13          (2) EXCEPTION.—With respect to a renewal of  
14          a contract, this section shall apply to a contract re-  
15          newed on or after the date of the enactment of this  
16          Act.

17 **SEC. 5. AUTHORIZATION OF UNITED STATES NON-PROFIT**  
18                                   **ORGANIZATIONS’ ACTIVITIES IN IRAN FOR**  
19                                   **THE PROVISION OF HUMANITARIAN AND**  
20                                   **PEOPLE-TO-PEOPLE ASSISTANCE.**

21          (a) AUTHORIZATION.—Notwithstanding any other  
22          provision of law, the establishment and carrying out of op-  
23          erations in Iran for the direct provision of humanitarian  
24          and people-to-people assistance described in subsection (b)  
25          by any organization described in section 501(c)(3) of the

1 Internal Revenue Code of 1986 may not be prohibited or  
2 otherwise restricted.

3 (b) ASSISTANCE DESCRIBED.—The humanitarian  
4 and people-to-people assistance referred to in subsection  
5 (a) is assistance to—

6 (1) promote adequate and reliable nutrition;

7 (2) advance child survival and maternal health;

8 (3) improve access to safe water, sanitation,  
9 and shelter;

10 (4) prepare for and respond to natural disas-  
11 ters;

12 (5) improve access to basic health care;

13 (6) prevent and treat drug addiction;

14 (7) strengthen education and literacy;

15 (8) promote equal rights for women and minori-  
16 ties;

17 (9) support human rights and representative  
18 governance;

19 (10) foster international and religious under-  
20 standing and tolerance; and

21 (11) facilitate international people-to-people ex-  
22 changes.

23 (c) EXCEPTION.—Subsection (a) shall not apply with  
24 respect to an organization described in subsection (a) if  
25 such organization provides services or conducts trans-

1 actions with any organization or entity that appears on  
2 the Department of the Treasury's Specially Designated  
3 Nationals List.

4 (d) NOTIFICATION AND WAIVER.—The Secretary of  
5 the Treasury may require organizations authorized under  
6 subsection (a) to notify the Department of the Treasury  
7 up to 14 days in advance of commencing operations in  
8 Iran. The Secretary of the Treasury may waive the appli-  
9 cation of subsection (a) if the Secretary determines that  
10 it is in the national security interests of the United States  
11 to do so.

12 (e) EFFECTIVE DATE.—This section shall apply with  
13 respect to the establishment and carrying out of oper-  
14 ations described in subsection (a) on or after the date of  
15 the enactment of this Act.

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