

CONVEYING SYMPATHY TO THE FAMILIES OF THE YOUNG
WOMEN MURDERED IN CHIHUAHUA, MEXICO, AND ENCOUR-
AGING INCREASED U.S. INVOLVEMENT IN BRINGING AN END
TO THESE CRIMES; CALLING ON VIETNAM TO IMMEDIATELY
AND UNCONDITIONALLY RELEASE DR. PHAM HONG SON AND
OTHER POLITICAL PRISONERS OF CONSCIENCE; CONCERNING
ROMANIA'S BAN ON INTERCOUNTRY ADOPTIONS; SUP-
PORTING THE GOALS AND IDEALS OF WORLD WATER DAY;
AND THE IRAN FREEDOM SUPPORT ACT

MARKUP

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON

**H. Con. Res. 90, H. Con. Res. 320, H. Res. 578,
H. Res. 658 and H.R. 282**

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CONVEYING SYMPATHY TO THE FAMILIES OF THE YOUNG WOMEN MURDERED IN CHIHUAHUA, MEXICO, AND ENCOURAGING INCREASED U.S. INVOLVEMENT IN BRINGING AN END TO THESE CRIMES; CALLING ON VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE DR. PHAM HONG SON AND OTHER POLITICAL PRISONERS OF CONSCIENCE; CONCERNING ROMANIA'S BAN ON INTER-COUNTRY ADOPTIONS; SUPPORTING THE GOALS AND IDEALS OF WORLD WATER DAY; AND THE IRAN FREEDOM SUPPORT ACT

WEDNESDAY, MARCH 15, 2006

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:40 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The business meeting of the Committee will come to order. We have several noncontroversial bills on the agenda. It is the intention of the Chair to consider these measures en bloc and by unanimous consent authorize the Chair to seek consideration of the bills under suspension of the rules.

All Members are given leave to insert remarks on the measures into the record should they choose to do so. Accordingly, without objection the Chairman is authorized to seek consideration of the following bills under suspension of the rules and the amendments to those measures, which the Members have before them, shall be deemed adopted: H.Con.Res. 90, Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico; H.Con.Res. 320, Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release prisoners of conscience as amended; H.Res. 578, Concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania; H.Res. 658, Supporting the goals and ideals of World Water Day.

[The information referred to follows:]

109TH CONGRESS
1ST SESSION

H. CON. RES. 90

Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SOLIS (for herself, Ms. GINNY BROWN-WAITE of Florida, Mrs. CAPPS, Ms. ROS-LEHTINEN, Mr. RAMSTAD, Mr. REYES, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes.

Whereas the Mexican cities of Ciudad Juárez and Chihuahua have been plagued with the abduction, sexual assault, and brutal murders of more than 370 young women since 1993;

Whereas there have been at least 30 murders of women in Ciudad Juárez and the city of Chihuahua since 2004;

Whereas at least 137 of the victims were sexually assaulted prior to their murders;

Whereas more than half of the victims are women and girls between the ages of 13 and 22, and many were abducted in broad daylight in well-populated areas;

Whereas these murders have brought pain to the families and friends of the victims on both sides of the border as they struggle to cope with the loss of their loved ones;

Whereas many of the victims have yet to be positively identified;

Whereas the perpetrators of most of these heinous acts remain unknown;

Whereas the Mexican Federal Government has taken steps to prevent these abductions and murders in Ciudad Juárez, including setting up a commission to coordinate Federal and State efforts, establishing a 40-point plan, appointing a special commissioner, and appointing a special prosecutor;

Whereas the Federal special prosecutor, in her ongoing review of the Ciudad Juárez murder investigations, found evidence that over 100 police, prosecutors, forensics experts, and other State of Chihuahua justice officials failed to properly investigate the crimes, and recommended that they be held accountable for their acts of negligence, abuse of authority, and omission;

Whereas in 2003 the El Paso Field Office of the Federal Bureau of Investigation and the El Paso Police Department began providing Mexican Federal, State, and municipal law enforcement authorities with training in investigation techniques and methods;

Whereas the United States Agency for International Development has begun providing assistance to the State of Chihuahua for judicial reform;

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3

Whereas the government of the State of Chihuahua has jurisdiction over these crimes;

Whereas the Governor and Attorney General of the State of Chihuahua have expressed willingness to collaborate with the Mexican Federal Government and United States officials in addressing these crimes;

Whereas the Department of State has provided consular services on behalf of the American citizen and her husband who were tortured into confessing to one of the murders;

Whereas Mexico is a party to the following international treaties and declarations that relate to abductions and murders: the Charter of the Organization of American States, the American Convention on Human Rights, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of all Forms of Discrimination Against Women, the United Nations Declaration on Violence Against Women, the Convention on the Rights of the Child, the Convention of Belem do Para, the Inter-American Convention to Prevent and Punish Torture, the Inter-American Convention on Forced Disappearance, and the United Nations Declaration on the Protection of All Persons From Enforced Disappearance; and

Whereas continuing impunity for these crimes is a threat to the rule of law in Mexico: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) condemns the ongoing abductions and mur-
4 ders of young women in Ciudad Juárez and the city

1 of Chihuahua in the State of Chihuahua, Mexico,
2 since 1993;

3 (2) expresses its sincerest condolences and
4 deepest sympathy to the families of the victims of
5 these murders;

6 (3) recognizes the courageous struggle of the
7 victims' families in seeking justice for the victims;

8 (4) urges the President and Secretary of State
9 to incorporate the investigative and preventative ef-
10 forts of the Mexican Government in the bilateral
11 agenda between the Governments of Mexico and the
12 United States and to continue to express concern
13 over these abductions and murders to the Govern-
14 ment of Mexico;

15 (5) urges the President and Secretary of State
16 to continue to express support for the efforts of the
17 victims' families to seek justice for the victims, to
18 express concern relating to the continued harass-
19 ment of these families and the human rights defend-
20 ers with whom they work, and to express concern
21 with respect to impediments in the ability of the
22 families to receive prompt and accurate information
23 in their cases;

24 (6) supports efforts to identify unknown victims
25 through forensic analysis, including DNA testing,

1 conducted by independent, impartial experts who are
2 sensitive to the special needs and concerns of the
3 victims' families, as well as efforts to make these
4 services available to any families who have doubts
5 about the results of prior forensic testing;

6 (7) condemns the use of torture as a means of
7 investigation into these crimes;

8 (8) encourages the Secretary of State to con-
9 tinue to include in the annual Country Report on
10 Human Rights of the Department of State all in-
11 stances of improper investigatory methods, threats
12 against human rights activists, and the use of tor-
13 ture with respect to cases involving the murder and
14 abduction of young women in the State of Chi-
15 huahua;

16 (9) encourages the Secretary of State to urge
17 the Government of Mexico and the State of Chi-
18 huahua to review the cases of murdered women in
19 which those accused or convicted of murder have
20 credibly alleged they were tortured or forced by a
21 state agent to confess to the crime;

22 (10) strongly recommends that the United
23 States Ambassador to Mexico visit Ciudad Juárez
24 and the city of Chihuahua for the purpose of meet-
25 ing with the families of the victims, women's rights

1 organizations, and Mexican Federal and State offi-
2 cials responsible for investigating these crimes and
3 preventing future such crimes;

4 (11) encourages the Secretary of State to urge
5 the Government of Mexico to ensure fair and proper
6 judicial proceedings for the individuals who are ac-
7 cused of these abductions and murders and to im-
8 pose appropriate punishment for those individuals
9 subsequently determined to be guilty of such crimes;

10 (12) encourages the Secretary of State to urge
11 the State of Chihuahua to hold accountable those
12 law enforcement officials whose failure to adequately
13 investigate the murders, whether through negligence,
14 omission, or abuse, has led to impunity for these
15 crimes;

16 (13) recognizes the special prosecutor has
17 begun to review cases and encourages the expansion
18 of her mission to include the city of Chihuahua;

19 (14) strongly supports the work of the special
20 commissioner to prevent violence against women in
21 Ciudad Juárez and Chihuahua City;

22 (15) condemns all senseless acts of violence in
23 all parts of the world and, in particular, violence
24 against women; and

8

7

1 (16) expresses the solidarity of the people of the
2 United States with the people of Mexico in the face
3 of these tragic and senseless acts.

○

[COMMITTEE PRINT]

**[Showing the Amendments Adopted by the Subcommittee on
Africa, Global Human Rights and International Relations
on February 28, 2006]**

109TH CONGRESS
1ST SESSION

H. CON. RES. 320

Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Dr. Pham Hong Son and other political prisoners and prisoners of conscience, and other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Mr. SMITH of New Jersey (for himself, Mr. WOLF, and Mr. ROYCE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

[Strike the preamble and all after the resolving clause and insert the part printed in roman]

[For text of introduced resolution, see copy of resolution as introduced on December 16, 2005]

CONCURRENT RESOLUTION

Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Dr. Pham Hong Son and other political prisoners and prisoners of conscience, and other purposes.

Whereas in March 2002, Dr. Pham Hong Son was arrested after he had translated an article entitled “What is Democracy?” from the Web site of the United States Em-

bassy in Vietnam and sent it to both friends and senior party officials;

Whereas Dr. Son has written and published on the Internet articles entitled “The Promotion of Democracy: A Key Focus in a New World Order”, “Sovereignty and Human Rights: The Search for Reconciliation”, and “Hopeful Signs for Democracy in Viet Nam”;

Whereas in none of his activities did Dr. Son advocate violence in his opposition to the Vietnamese Government or its policies;

Whereas Dr. Son has been arrested for the peaceful exercise of his fundamental rights to freedom of expression and association in violation of Article 69 of the Vietnamese Constitution which states: “The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law”;

Whereas Dr. Son has been arrested, tried, convicted, and imprisoned in contravention of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a state party, specifically Article 19 (freedom of expression) and Article 22 (freedom of association);

Whereas Dr. Son did not have a trial that would be considered fair and that met even the most basic standards of internationally accepted justice, in contravention of Article 14 (right to a fair trial) of the ICCPR;

Whereas Dr. Son was sentenced in June 2003, after a half-day closed trial in Hanoi, to 13 years of imprisonment

and three years of house arrest on spurious espionage charges;

Whereas such spurious charges are routinely used to suppress peaceful democracy activists, as in the notorious cases of Father Thadeus Nguyen Van Ly, his two nephews and niece, and in the cases of Pham Que Duong, Tran Khue, and Tran Dung Tien;

Whereas Dr. Son's appeal was held on August 26, 2003, in a closed trial before Vietnam's Supreme Court, from which international observers and Western journalists were barred, although diplomats from more than eight countries gathered outside the courthouse during the trial to register their concern;

Whereas, although the Vietnamese Supreme Court upheld Dr. Son's sentence, it reduced the sentence of imprisonment from 13 to five years;

Whereas Dr. Son remains imprisoned in harsh conditions, including imprisonment for more than a year in solitary confinement, which have endangered his health;

Whereas Vietnam has imprisoned, detained, placed under house arrest, or otherwise restricted numerous other peaceful democratic and religious activists for reasons related to their political or religious views, such as Do Van My, Mai Thi Dung, Nguyen Thanh Phong, Nguyen Thi Ha, Nguyen Van Dien, Nguyen Vu Binh, Phan Van Ban, To Van Manh, Vo Van Buu, Vo Van Thanh Liem (Nam Liem), Bui Thien Hue, Nguyen Lap Ma, Nguyen Nhat Thong, Nguyen Van Ly, Phan Van Loi, Thich Dong Tho, Thich Huyen Quang, Thich Nguyen Ly, Thich Nguyen Vuong, Thich Phuoc An, Thich Quang Do, Thich Tam Lien, Thich Thai Hoa, Thich Thanh Huyen, Thich Tien

Hanh, Thich Tue Sy, Thich Vien Dinh, Ngo Van Ninh, Le Van Chuong, Le Van Tinh, Phuong Van Kiem, Nguyen Van Si, Tran Van Thien, Thich Thien Tam, Hoang Chinh Minh, and Do Nam Hai (Phuong Nam);

Whereas Dr. Son and other political prisoners and prisoners of conscience have been deprived of their basic human rights by being denied their ability to exercise freedom of opinion and expression;

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress;

Whereas Vietnam continues to restrict access to Western diplomats, journalists, and humanitarian organizations to the Central Highlands and the Northwest Highlands, where there are credible reports that ethnic minorities suffer serious violations of their human and civil rights, including property rights, and ongoing restrictions on religious activities, including forced conversions;

Whereas there are continuing and well-founded concerns about forcibly repatriated Montagnard refugees, access to whom is restricted;

Whereas on December 1, 2005, the European Parliament adopted a resolution calling on the Vietnamese authorities, among other measures, to undertake political and institutional reforms leading to democracy and the rule of law, starting by allowing a multi-party system and guaranteeing the right of all currents of opinion to express their views;

Whereas the resolution further calls on Vietnamese authorities to end all forms of repression against members of the Unified Buddhist Church of Vietnam and officially recog-

nize its existence and that of other non-recognized Churches in the country;

Whereas the resolution further calls on Vietnamese authorities to release all Vietnamese political prisoners and prisoners of conscience detained for having legitimately and peacefully exercised their rights to freedom of opinion, expression, the press, and religion;

Whereas the resolution further calls on Vietnamese authorities to guarantee full enjoyment of the fundamental rights enshrined in the Vietnamese Constitution and the International Covenant on Civil and Political Rights, in particular by allowing the creation of a genuinely free press; and

Whereas the resolution further calls on Vietnamese authorities to ensure the safe repatriation, under the Cambodia-Vietnam-UNHCR Agreement, of the Montagnards who fled Vietnam, and allow proper monitoring of the situation of the returnees by the UNHCR and international nongovernmental organizations: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That—*

3 (1) Congress—

4 (A) condemns and deplors the arbitrary
5 detention of Dr. Pham Hong Son by the Gov-
6 ernment of the Socialist Republic of Vietnam
7 and calls for his immediate and unconditional
8 release, and for the immediate and uncondi-
9 tional release of all other political prisoners;

1 (B) condemns and deplors the violations
2 of freedom of speech, religion, movement, asso-
3 ciation, and the lack of due process afforded to
4 individuals in Vietnam;

5 (C) strongly urges the Government of Viet-
6 nam to consider the implications of its actions
7 for the broader relationship between the United
8 States and Vietnam, including the impact on
9 trade relations;

10 (D) urges the Government of Vietnam to
11 allow unfettered access to the Central High-
12 lands and to the Northwest Highlands by for-
13 eign diplomats, the international press, and
14 nongovernmental organizations; and

15 (E) applauds the European Parliament for
16 its resolution of December 1, 2005, regarding
17 human rights in Vietnam, and urges the Gov-
18 ernment of Vietnam to comply with the terms
19 of the resolution; and

20 (2) it is the sense of Congress that the United
21 States should—

22 (A) make the immediate release of Dr.
23 Pham Hong Son a top concern;

24 (B) continue to urge the Government of
25 Vietnam to comply with internationally recog-

1 nized standards for basic freedoms and human
2 rights;

3 (C) make clear to the Government of Viet-
4 nam that it must adhere to the rule of law and
5 respect the freedom of the press in order for it
6 to accede to the World Trade Organization
7 (WTO);

8 (D) make clear to the Government of Viet-
9 nam that the detention of Dr. Son and other
10 persons and the infliction of human rights vio-
11 lations on these individuals are not in the inter-
12 est of Vietnam because they create obstacles to
13 improved bilateral relations and cooperation
14 with the United States; and

15 (E) reiterate the deep concern of the
16 United States regarding the continued impris-
17 onment of Dr. Son and other persons whose
18 human rights are being violated and discuss the
19 legal status and immediate humanitarian needs
20 of such individuals with the Government of
21 Vietnam.

AMENDMENT TO H. CON. RES. 320
OFFERED BY MR. SMITH OF NEW JERSEY
(Amendatory Instructions Refer to the Committee Print)

Amend paragraph (2)(C) of the resolved text to read
as follows:

1 (C) make clear to the Government of Viet-
2 nam that adherence to the rule of law and re-
3 spect for freedom of the press will be important
4 factors in consideration by the United States of
5 Vietnam's accession to the World Trade Orga-
6 nization (WTO);

109TH CONGRESS
1ST SESSION

H. RES. 578

Concerning the Government of Romania's ban on intercountry adoptions
and the welfare of orphaned or abandoned children in Romania.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2005

Mr. SMITH of New Jersey (for himself, Mr. CARDIN, Mrs. NORTHUP, Mr. PITTS, Mr. PENCE, Mr. COSTELLO, Mr. BURTON of Indiana, Mrs. JO ANN DAVIS of Virginia, Mr. TLAHRT, Mr. BRADLEY of New Hampshire, and Mr. FRANK of Massachusetts) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

Whereas following the execution of Romanian President Nicolae Ceausescu in 1989, it was discovered that more than 100,000 underfed, neglected children throughout Romania were living in hundreds of squalid and inhumane institutions;

Whereas United States citizens responded to the dire situation of these children with an outpouring of compassion and assistance to improve conditions in those institutions and to provide for the needs of abandoned children in Romania;

Whereas, between 1990 and 2004, United States citizens adopted more than 8,200 Romanian children, with a similar response from Western Europe;

Whereas the United Nations Children's Fund (UNICEF) reported in March 2005 that more than 9,000 children a year are abandoned in Romania's maternity wards or pediatric hospitals and that child abandonment in Romania in "2003 and 2004 was no different from that occurring 10, 20, or 30 years ago";

Whereas there are approximately 37,000 orphaned or abandoned children in Romania today living in state institutions, an additional 49,000 living in temporary arrangements, such as foster care, and an unknown number of children living on the streets and in maternity and pediatric hospitals;

Whereas, on December 28, 1994, Romania ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption which recognizes that "intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin";

Whereas intercountry adoption offers the hope of a permanent family for children who are orphaned or abandoned by their biological parents;

Whereas UNICEF's official position on intercountry adoption, in pertinent part, states: "For children who cannot be raised by their own families, an appropriate alternative family environment should be sought in preference to institutional care, which should be used only as a last resort and as a temporary measure. Inter-country adoption is one of a range of care options which may be open

to children, and for individual children who cannot be placed in a permanent family setting in their countries of origin, it may indeed be the best solution. In each case, the best interests of the individual child must be the guiding principle in making a decision regarding adoption.”;

Whereas unsubstantiated allegations have been made about the fate of children adopted from Romania and the qualifications and motives of those who adopt internationally;

Whereas in June 2001, the Romanian Adoption Committee imposed a moratorium on intercountry adoption, but continued to accept new intercountry adoption applications and allowed many such applications to be processed under an exception for extraordinary circumstances;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 272/2004 on “the protection and promotion of the rights of the child,” which creates new requirements for declaring a child legally available for adoption;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 273/2004 on adoption, which prohibits intercountry adoption except by a child’s biological grandparent or grandparents;

Whereas there is no European Union law or regulation restricting intercountry adoptions to biological grandparents or requiring that restrictive laws be passed as a prerequisite for accession to the European Union;

Whereas the number of Romanian children adopted domestically is far less than the number abandoned and has declined further since enactment of Law 272/2004 and 273/2004 due to new, overly burdensome requirements for adoption;

Whereas prior to enactment of Law 273/2004, 211 intercountry adoption cases were pending with the Government of Romania in which children had been matched with adoptive parents in the United States, and approximately 1,500 cases were pending in which children had been matched with prospective parents in Western Europe; and

Whereas Romanian children, and all children, deserve to be raised in permanent families: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the desire of the Government of
3 Romania to improve the standard of care and well-
4 being of children in Romania;

5 (2) urges the Government of Romania to com-
6 plete the processing of the intercountry adoption
7 cases which were pending when Law 273/2004 was
8 enacted;

9 (3) urges the Government of Romania to amend
10 its child welfare and adoption laws to decrease bar-
11 riers to adoption, both domestically and inter-
12 country, including by allowing intercountry adoption
13 by persons other than biological grandparents;

14 (4) urges the Secretary of State and the Ad-
15 ministrators of the United States Agency for Inter-
16 national Development to work collaboratively with
17 the Government of Romania to achieve these ends;
18 and

1 (5) requests that the European Union and its
2 member States not impede the Government of Ro-
3 mania's efforts to place orphaned or abandoned chil-
4 dren in permanent homes in a manner that is con-
5 sistent with Romania's obligations under the Hague
6 Convention on Protection of Children and Co-oper-
7 ation in Respect of Intercountry Adoption.

○

109TH CONGRESS
2D SESSION

H. RES. 658

Supporting the goals and ideals of World Water Day.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2006

Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. BLUMENAUER) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Supporting the goals and ideals of World Water Day.

Whereas the global celebration of World Water Day is an initiative that grew out of the 1992 United Nations Conference on Environment and Development in Rio de Janeiro;

Whereas the United States General Assembly, via resolution, designated March 22 of each year as World Water Day;

Whereas although water resources are renewable, differences in availability of water resources exist due to variations in seasonal and annual precipitation in different parts of the world;

Whereas although water is the most widely occurring substance on earth, only 2.53 percent of all water is freshwater and the remainder is salt water;

Whereas freshwater resources are further reduced by various forms of industrial, chemical, human, and agricultural pollution;

Whereas the drainage of wetlands for agriculture and the dissipation of water sources by land clearance lead to further exacerbation of water scarcity;

Whereas, according to the United Nations, by the middle of this century, at worst, seven billion people in 60 countries will be water-scarce;

Whereas the poor are the most affected by water scarcity, with 50 percent of the populations of developing countries exposed to polluted water sources;

Whereas water-related diseases are among the most common causes of illness and death, afflicting primarily the poor in developing countries;

Whereas the estimated mortality rate due to diseases transmitted by water and sanitation is five million people per year;

Whereas initiatives that promote access to safe drinking water and sanitation that prevents contaminants from infiltrating fresh drinking water supplies are vital tools in raising the awareness of the importance of freshwater to the quality of life; and

Whereas freshwater is vital to the development, sustainability, and progression of all humanity: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the goals and ideals of World

3 Water Day;

1 (2) recognizes the importance of conserving and
2 managing water resources for sustainable develop-
3 ment, including environmental integrity and the
4 eradication of poverty and hunger, and human
5 health and overall quality of life in the United States
6 and across the globe; and

7 (3) encourages the people of the United States
8 to observe World Water Day with appropriate rec-
9 ognition, ceremonies, activities, and programs to
10 demonstrate the importance of water and water con-
11 servation to humanity.

○

Chairman HYDE. Pursuant to notice, I call up the bill H.R. 282, The Iran Freedom Support Act, and move its favorable recommendation to the House.

Without objection, the bill will be considered as read, open for amendment at any point, and the amendment in the nature of a substitute which the Members have before them will be considered as read and be considered as the original text for purposes of amendment.

[The information referred to follows:]

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,
9 including—

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.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 282
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA
AND MR. LANTOS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. TABLE OF CONTENTS.

5 The table of contents for this Act is as follows:

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

TITLE I—CODIFICATION OF SANCTIONS AGAINST IRAN

Sec. 101. Codification of sanctions.
Sec. 102. Liability of parent companies for violations of sanctions by foreign entities.

TITLE II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS ACT OF 1996 AND OTHER PROVISIONS RELATED TO INVESTMENT IN IRAN

Sec. 201. Multilateral regime.
Sec. 202. Imposition of sanctions.
Sec. 203. Termination of sanctions.
Sec. 204. Sunset.
Sec. 205. Clarification and expansion of definitions.
Sec. 206. United States pension plans.
Sec. 207. Report by Office of Global Security Risks.
Sec. 208. Technical and conforming amendments.

TITLE III—DIPLOMATIC EFFORTS TO CURTAIL IRANIAN NUCLEAR PROLIFERATION AND SPONSORSHIP OF INTERNATIONAL TERRORISM

Sec. 301. Diplomatic efforts.

Sec. 302. Strengthening the Nuclear Nonproliferation Treaty.

TITLE IV—DEMOCRACY IN IRAN

Sec. 401. Declaration of Congress regarding United States policy toward Iran.

Sec. 402. Assistance to support democracy in Iran.

Sec. 403. Waiver of certain export license requirements.

1 **TITLE I—CODIFICATION OF**
2 **SANCTIONS AGAINST IRAN**

3 **SEC. 101. CODIFICATION OF SANCTIONS.**

4 (a) CODIFICATION OF SANCTIONS.—United States
5 sanctions, controls, and regulations with respect to Iran
6 imposed pursuant to Executive Order 12957, Executive
7 Order 12959, and sections 2 and 3 of Executive Order
8 13059 (relating to exports and certain other transactions
9 with Iran) as in effect on January 1, 2006, shall remain
10 in effect until the President certifies to the Committee on
11 International Relations of the House of Representatives
12 and the Committee on Foreign Relations of the Senate
13 that the Government of Iran has verifiably dismantled its
14 weapons of mass destruction programs.

15 (b) NO EFFECT ON OTHER SANCTIONS RELATING TO
16 SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—
17 Subsection (a) shall have no effect on United States sanc-
18 tions, controls, and regulations relating to a determination
19 under section 6(j)(1)(A) of the Export Administration Act
20 of 1979 (50 U.S.C. App. 2405(j)(1)(A)), section 620A(a)
21 of the Foreign Assistance Act of 1961 (22 U.S.C.
22 2371(a)), or section 40(d) of the Arms Export Control Act

1 (22 U.S.C. 2780(d)) relating to support for acts of inter-
2 national terrorism by the Government of Iran, as in effect
3 on January 1, 2006.

4 **SEC. 102. LIABILITY OF PARENT COMPANIES FOR VIOLA-**
5 **TIONS OF SANCTIONS BY FOREIGN ENTITIES.**

6 (a) IN GENERAL.—In any case in which an entity en-
7 gages in an act outside the United States which, if com-
8 mitted in the United States or by a United States person,
9 would violate Executive Order 12959 of May 6, 1995, Ex-
10 ecutive Order 13059 of August 19, 1997, or any other
11 prohibition on transactions with respect to Iran that is im-
12 posed under the International Emergency Economic Pow-
13 ers Act (50 U.S.C. 1701 et seq.) and if that entity was
14 created or availed of for the purpose of engaging in such
15 an act, the parent company of that entity shall be subject
16 to the penalties for such violation to the same extent as
17 if the parent company had engaged in that act.

18 (b) DEFINITIONS.—In this section—

19 (1) an entity is a “parent company” of another
20 entity if it owns more than 50 percent of the equity
21 interest in that other entity and is a United States
22 person; and

23 (2) the term “entity” means a partnership, as-
24 sociation, trust, joint venture, corporation, or other
25 organization.

1 **TITLE II—AMENDMENTS TO THE**
2 **IRAN AND LIBYA SANCTIONS**
3 **ACT OF 1996 AND OTHER PRO-**
4 **VISIONS RELATED TO INVEST-**
5 **MENT IN IRAN**

6 **SEC. 201. MULTILATERAL REGIME.**

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

10 “(b) REPORTS TO CONGRESS.—Not later than six
11 months after the date of the enactment of the Iran Free-
12 dom Support Act and every six months thereafter, the
13 President shall submit to the appropriate congressional
14 committees a report regarding specific diplomatic efforts
15 undertaken pursuant to subsection (a), the results of those
16 efforts, and a description of proposed diplomatic efforts
17 pursuant to such subsection. Each report shall include—

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

21 “(2) a description of those measures,
22 including—

23 “(A) government actions with respect to
24 public or private entities (or their subsidiaries)

1 located in their territories, that are engaged in
2 Iran;

3 “(B) any decisions by the governments of
4 these countries to rescind or continue the provi-
5 sion of credits, guarantees, or other govern-
6 mental assistance to these entities; and

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

9 “(3) a list of the countries that have not agreed
10 to undertake measures to further the objectives of
11 section 3 with respect to Iran, and the reasons
12 therefor; and

13 “(4) a description of any memorandums of un-
14 derstanding, political understandings, or inter-
15 national agreements to which the United States has
16 acceded which affect implementation of this section
17 or section 5(a).”.

18 (b) WAIVER.—Section 4(c) of such Act (50 U.S.C.
19 1701 note) is amended to read as follows:

20 “(c) WAIVER.—

21 “(1) IN GENERAL.—The President may, on a
22 case by case basis, waive for a period of not more
23 than six months the application of section 5(a) with
24 respect to a national of a country, if the President
25 certifies to the appropriate congressional committees

1 at least 30 days before such waiver is to take effect
2 that—

3 “(A) such waiver is vital to the national se-
4 curity interests of the United States; and

5 “(B) the country of the national has un-
6 dertaken substantial measures to prevent the
7 acquisition and development of weapons of mass
8 destruction by the Government of Iran.

9 “(2) SUBSEQUENT RENEWAL OF WAIVER.—If
10 the President determines that, in accordance with
11 paragraph (1), such a waiver is appropriate, the
12 President may, at the conclusion of the period of a
13 waiver under paragraph (1), renew such waiver for
14 subsequent periods of not more than six months
15 each.”.

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

19 “(f) INVESTIGATIONS.—

20 “(1) IN GENERAL.—The President shall initiate
21 an investigation into the possible imposition of sanc-
22 tions against a person upon receipt by the United
23 States of credible information indicating that such
24 person is engaged in activity related to investment in
25 Iran as described in section 5(a).

1 “(2) DETERMINATION AND NOTIFICATION.—

2 “(A) IN GENERAL.—Not later than 180
3 days after an investigation is initiated in ac-
4 cordance with paragraph (1), the President
5 shall determine, pursuant to section 5(a),
6 whether or not to impose sanctions against a
7 person engaged in activity related to investment
8 in Iran as described in such section as a result
9 of such activity and shall notify the appropriate
10 congressional committees of the basis for such
11 determination.

12 “(B) EXTENSION.—If the President is un-
13 able to make a determination under subpara-
14 graph (A), the President shall notify the appro-
15 priate congressional committees and shall ex-
16 tend such investigation for a subsequent period,
17 not to exceed 180 days, after which the Presi-
18 dent shall make the determination required
19 under such subparagraph and shall notify the
20 appropriate congressional committees of the
21 basis for such determination in accordance with
22 such subparagraph.

23 “(3) DETERMINATIONS REGARDING PENDING
24 INVESTIGATIONS.—Not later than 90 days after the
25 date of the enactment of this Act, the President

1 shall, with respect to any investigation that was
2 pending as of January 1, 2006, concerning a person
3 engaged in activity related to investment in Iran as
4 described in section 5(a), determine whether or not
5 to impose sanctions against such person as a result
6 of such activity and shall notify the appropriate con-
7 gressional committees of the basis for such deter-
8 mination.

9 “(4) PUBLICATION.—Not later than 10 days
10 after the President notifies the appropriate congres-
11 sional committees under paragraphs (2) and (3), the
12 President shall ensure publication in the Federal
13 Register of the identification of the persons against
14 which the President has made a determination that
15 the imposition of sanctions is appropriate, together
16 with an explanation for such determination.”

17 **SEC. 202. IMPOSITION OF SANCTIONS.**

18 (a) SANCTIONS WITH RESPECT TO DEVELOPMENT
19 OF PETROLEUM RESOURCES.—Section 5(a) of the Iran
20 and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
21 is amended—

22 (1) in the heading, by striking “to Iran” and
23 inserting “to the Development of Petroleum Re-
24 sources of Iran”;

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

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

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

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

17 “(1) acquire or develop chemical, biological, or
18 nuclear weapons or related technologies; or

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

21 (c) PERSONS AGAINST WHICH THE SANCTIONS ARE
22 TO BE IMPOSED.—Section 5(c)(2) of such Act (50 U.S.C.
23 1701 note) is amended—

24 (1) in subparagraph (B), by striking “, with ac-
25 tual knowledge,” and by striking “or” at the end;

1 (2) in subparagraph (C), by striking “, with ac-
2 tual knowledge,” and by striking the period at the
3 end and inserting “; or”; and

4 (3) by adding at the end the following new sub-
5 paragraph:

6 “(D) is a private or government lender, in-
7 surer, underwriter, or guarantor of the person
8 referred to in paragraph (1) if that private or
9 government lender, insurer, underwriter, or
10 guarantor engaged in the activities referred to
11 in paragraph (1).”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall apply with respect to actions taken on
14 or after March 15, 2006.

15 **SEC. 203. TERMINATION OF SANCTIONS.**

16 Section 8(a) of the Iran and Libya Sanctions Act of
17 1996 (50 U.S.C. 1701 note) is amended—

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

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

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

24 “(3) poses no significant threat to United
25 States national security, interests, or allies.”.

1 **SEC. 204. SUNSET.**

2 Section 13 of the Iran and Libya Sanctions Act of
3 1996 (50 U.S.C. 1701 note) is amended—

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

6 (2) in subsection (a), by striking the subsection
7 designation and heading; and

8 (3) by striking subsection (b).

9 **SEC. 205. CLARIFICATION AND EXPANSION OF DEFINI-**
10 **TIONS.**

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

14 (1) by inserting after “trust” the following: “,
15 financial institution, insurer, underwriter, guarantor,
16 any other business organization, including any for-
17 eign subsidiaries of the foregoing,”; and

18 (2) by inserting before the semicolon the fol-
19 lowing: “, such as an export credit agency”.

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

24 **SEC. 206. UNITED STATES PENSION PLANS.**

25 (a) **FINDINGS.**—Congress finds the following:

1 (1) The United States and the international
2 community face no greater threat to their security
3 than the prospect of rogue regimes who support
4 international terrorism obtaining weapons of mass
5 destruction, and particularly nuclear weapons.

6 (2) Iran is the leading state sponsor of inter-
7 national terrorism and is close to achieving nuclear
8 weapons capability but has paid no price for nearly
9 twenty years of deception over its nuclear program.
10 Foreign entities that have invested in Iran's energy
11 sector, despite Iran's support of international ter-
12 rorism and its nuclear program, have afforded Iran
13 a free pass while many United States entities have
14 unknowingly invested in those same foreign entities.

15 (3) United States investors have a great deal of
16 stake in preventing Iran from acquiring nuclear
17 weapons.

18 (4) United States investors can have consider-
19 able influence over the commercial decisions of the
20 foreign entities in which they have invested.

21 (b) PUBLICATION IN FEDERAL REGISTER.—Not
22 later than six months after the date of the enactment of
23 this Act and every six months thereafter, the President
24 shall ensure publication in the Federal Register of a list
25 of all United States and foreign entities that have invested

1 more than \$20,000,000 in Iran's energy sector between
2 August 5, 1996, and the date of such publication. Such
3 list shall include an itemization of individual investments
4 of each such entity, including the dollar value, intended
5 purpose, and current status of each such investment.

6 (c) SENSE OF CONGRESS RELATING TO DIVESTI-
7 TURE FROM IRAN.—It is the sense of Congress that, upon
8 publication of a list in the relevant Federal Register under
9 subsection (b), managers of United States Government
10 pension plans or thrift savings plans, managers of pension
11 plans maintained in the private sector by plan sponsors
12 in the United States, and managers of mutual funds sold
13 or distributed in the United States should immediately ini-
14 tiate efforts to divest all investments of such plans or
15 funds in any entity included on the list.

16 (d) SENSE OF CONGRESS RELATING TO PROHIBI-
17 TION ON FUTURE INVESTMENT.—It is the sense of Con-
18 gress that, upon publication of a list in the relevant Fed-
19 eral Register under subsection (b), there should be no fu-
20 ture investment in any entity included on the list by man-
21 agers of United States Government pension plans or thrift
22 savings plans, managers of pension plans maintained in
23 the private sector by plan sponsors in the United States,
24 and managers of mutual funds sold or distributed in the
25 United States.

1 (e) DISCLOSURE TO INVESTORS.—

2 (1) IN GENERAL.—Not later than 30 days after
3 the date of publication of a list in the relevant Fed-
4 eral Register under subsection (b), managers of
5 United States Government pension plans or thrift
6 savings plans, managers of pension plans maintained
7 in the private sector by plan sponsors in the United
8 States, and managers of mutual funds sold or dis-
9 tributed in the United States shall notify investors
10 that the funds of such investors are invested in an
11 entity included on the list. Such notification shall
12 contain the following information:

13 (A) The name or other identification of the
14 entity.

15 (B) The amount of the investment in the
16 entity.

17 (C) The potential liability to the entity if
18 sanctions are imposed by the United States on
19 Iran or on the entity.

20 (D) The potential liability to investors if
21 such sanctions are imposed.

22 (2) FOLLOW-UP NOTIFICATION.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (C), in addition to the notifica-
25 tion required under paragraph (1), such man-

1 agers shall also include such notification in
2 every prospectus and in every regularly pro-
3 vided quarterly, semi-annual, or annual report
4 provided to investors, if the funds of such inves-
5 tors are invested in an entity included on the
6 list.

7 (B) CONTENTS OF NOTIFICATION.—The
8 notification described in subparagraph (A) shall
9 be displayed prominently in any such pro-
10 spectus or report and shall contain the informa-
11 tion described in paragraph (1).

12 (C) GOOD-FAITH EXCEPTION.—If, upon
13 publication of a list in the relevant Federal
14 Register under subsection (b), such managers
15 verifiably divest all investments of such plans or
16 funds in any entity included on the list and
17 such managers do not initiate any new invest-
18 ment in any other such entity, such managers
19 shall not be required to include the notification
20 described in subparagraph (A) in any pro-
21 spectus or report provided to investors.

22 **SEC. 207. REPORT BY OFFICE OF GLOBAL SECURITY RISKS.**

23 Not later than 30 days after the date of publication
24 of a list in the relevant Federal Register under section
25 206(b), the Office of Global Security Risks within the Di-

1 vision of Corporation Finance of the United States Securi-
2 ties and Exchange Commission shall issue a report con-
3 taining a list of the United States and foreign entities
4 identified in accordance with such section, a determination
5 of whether or not the operations in Iran of any such entity
6 constitute a political, economic, or other risk to the United
7 States, and a determination of whether or not the entity
8 faces United States litigation, sanctions, or similar cir-
9 cumstances that are reasonably likely to have a material
10 adverse impact on the financial condition or operations of
11 the entity.

12 **SEC. 208. TECHNICAL AND CONFORMING AMENDMENTS.**

13 (a) FINDINGS.—Section 2 of the Iran and Libya
14 Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended
15 by striking paragraph (4).

16 (b) DECLARATION OF POLICY.—Section 3 of the Iran
17 and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
18 is amended—

19 (1) in subsection (a), by striking “(a) POLICY
20 WITH RESPECT TO IRAN.—”; and

21 (2) by striking subsection (b).

22 (c) TERMINATION OF SANCTIONS.—Section 8 of the
23 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
24 note) is amended—

1 (1) in subsection (a), by striking “(a) IRAN.—
2 ”; and

3 (2) by striking subsection (b).

4 (d) DURATION OF SANCTIONS; PRESIDENTIAL WAIV-
5 ER.—Section 9(c)(2)(C) of the Iran and Libya Sanctions
6 Act of 1996 (50 U.S.C. 1701 note) is amended to read
7 as follows:

8 “(C) an estimate of the significance of the
9 provision of the items described in section 5(a)
10 or section 5(b) to Iran’s ability to, respectively,
11 develop its petroleum resources or its weapons
12 of mass destruction or other military capabili-
13 ties; and”.

14 (e) REPORTS REQUIRED.—Section 10(b)(1) of the
15 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
16 note) is amended by striking “and Libya” each place it
17 appears.

18 (f) DEFINITIONS.—Section 14 of the Iran and Libya
19 Sanctions Act of 1996 (50 U.S.C. 1701 note) is
20 amended—

21 (1) in paragraph (9)—

22 (A) in the matter preceding subparagraph
23 (A), by striking “, or with the Government of
24 Libya or a nongovernmental entity in Libya,”;
25 and

- 1 (B) in subparagraph (A)—
- 2 (i) by striking “or Libya (as the case
- 3 may be)”; and
- 4 (ii) by striking “nongovenmental” and
- 5 inserting “nongovernmental”;
- 6 (2) by striking paragraph (12); and
- 7 (3) by redesignating paragraphs (13), (14),
- 8 (15), (16), and (17) as paragraphs (12), (13), (14),
- 9 (15), and (16), respectively.
- 10 (g) SHORT TITLE.—
- 11 (1) IN GENERAL.—Section 1 of the Iran and
- 12 Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
- 13 is amended by striking “and Libya”.
- 14 (2) REFERENCES.— Any reference in any other
- 15 provision of law, regulation, document, or other
- 16 record of the United States to the “Iran and Libya
- 17 Sanctions Act of 1996” shall be deemed to be a ref-
- 18 erence to the “Iran Sanctions Act of 1996”.

1 **TITLE III—DIPLOMATIC EF-**
2 **FORTS TO CURTAIL IRANIAN**
3 **NUCLEAR PROLIFERATION**
4 **AND SPONSORSHIP OF INTER-**
5 **NATIONAL TERRORISM**

6 **SEC. 301. DIPLOMATIC EFFORTS.**

7 (a) SENSE OF CONGRESS RELATING TO UNITED NA-
8 TIONS SECURITY COUNCIL AND THE INTERNATIONAL
9 ATOMIC ENERGY AGENCY.—It is the sense of Congress
10 that the President should instruct the United States Per-
11 manent Representative to the United Nations to work to
12 secure support at the United Nations Security Council for
13 a resolution that would impose sanctions on Iran as a re-
14 sult of its repeated breaches of its nuclear nonproliferation
15 obligations, to remain in effect until Iran has verifiably
16 dismantled its weapons of mass destruction programs.

17 (b) PROHIBITION ON ASSISTANCE TO COUNTRIES
18 THAT INVEST IN THE ENERGY SECTOR OF IRAN.—

19 (1) WITHHOLDING OF ASSISTANCE.—If, on or
20 after April 13, 2005, a foreign person (as defined in
21 section 14 of the Iran Sanctions Act of 1996 (50
22 U.S.C. 1701 note), as renamed pursuant to section
23 208(g)(1)) or an agency or instrumentality of a for-
24 eign government has more than \$20,000,000 in-
25 vested in Iran's energy sector, the President shall,

1 until the date on which such person or agency or in-
2 strumentality of such government terminates such
3 investment, withhold assistance under the Foreign
4 Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to
5 the government of the country to which such person
6 owes allegiance or to which control is exercised over
7 such agency or instrumentality.

8 (2) WAIVER.—Assistance prohibited by this sec-
9 tion may be furnished to the government of a for-
10 eign country described in subsection (a) if the Presi-
11 dent determines that furnishing such assistance is
12 important to the national security interests of the
13 United States, furthers the goals described in this
14 Act, and, not later than 15 days before obligating
15 such assistance, notifies the Committee on Inter-
16 national Relations of the House of Representatives,
17 the Committee on Foreign Relations of the Senate,
18 the Committee on Appropriations of the House of
19 Representatives, and the Committee on Appropria-
20 tions of the Senate of such determination and sub-
21 mits to such committees a report that includes—

22 (A) a statement of the determination;

23 (B) a detailed explanation of the assistance
24 to be provided;

1 (C) the estimated dollar amount of the as-
2 sistance; and

3 (D) an explanation of how the assistance
4 furthers United States national security inter-
5 ests.

6 **SEC. 302. STRENGTHENING THE NUCLEAR NONPROLIFERA-**
7 **TION TREATY.**

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

9 (1) Article IV of the Treaty on the Non-Pro-
10 liferation of Nuclear Weapons (commonly referred to
11 as the “Nuclear Nonproliferation Treaty” or
12 “NPT”) states that countries that are parties to the
13 Treaty have the “inalienable right . . . to develop re-
14 search, production and use of nuclear energy for
15 peaceful purposes without discrimination and in con-
16 formity with articles I and II of this Treaty.”.

17 (2) Iran has manipulated Article IV of the Nu-
18 clear Nonproliferation Treaty to acquire technologies
19 needed to manufacture nuclear weapons under the
20 guise of developing peaceful nuclear technology.

21 (3) Legal authorities, diplomatic historians, and
22 officials closely involved in the negotiation and ratifi-
23 cation of the Nuclear Nonproliferation Treaty state
24 that the Treaty neither recognizes nor protects such
25 a per se right to all nuclear technology, such as en-

1 enrichment and reprocessing, but rather affirms that
2 the right to the use of peaceful nuclear energy is
3 qualified.

4 (b) DECLARATION OF CONGRESS REGARDING
5 UNITED STATES POLICY TO STRENGTHEN THE NUCLEAR
6 NONPROLIFERATION TREATY.—Congress declares that it
7 should be the policy of the United States to support diplo-
8 matic efforts to end the manipulation of Article IV of the
9 Nuclear Nonproliferation Treaty, as undertaken by Iran,
10 without undermining the Treaty itself.

11 **TITLE IV—DEMOCRACY IN IRAN**

12 **SEC. 401. DECLARATION OF CONGRESS REGARDING** 13 **UNITED STATES POLICY TOWARD IRAN.**

14 (a) IN GENERAL.—Congress declares that it should
15 be the policy of the United States to support independent
16 human rights and peaceful pro-democracy forces in Iran.

17 (b) RULE OF CONSTRUCTION.—Nothing in this Act
18 shall be construed as authorizing the use of force against
19 Iran.

20 **SEC. 402. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.**

21 (a) AUTHORIZATION.—

22 (1) IN GENERAL.—The President is authorized
23 to provide financial and political assistance (includ-
24 ing the award of grants) to foreign and domestic in-
25 dividuals, organizations, and entities that support

1 democracy and the promotion of democracy in Iran.
2 Such assistance may include the award of grants to
3 eligible independent pro-democracy radio and tele-
4 vision broadcasting organizations that broadcast into
5 Iran.

6 (2) LIMITATION ON ASSISTANCE.—In accord-
7 ance with the rule of construction described in sub-
8 section (b) of section 401, none of the funds author-
9 ized under this section shall be used to support the
10 use of force against Iran.

11 (b) ELIGIBILITY FOR ASSISTANCE.—Financial and
12 political assistance under this section may be provided
13 only to an individual, organization, or entity that—

14 (1) officially opposes the use of violence and
15 terrorism and has not been designated as a foreign
16 terrorist organization under section 219 of the Im-
17 migration and Nationality Act (8 U.S.C. 1189) at
18 any time during the preceding four years;

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

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

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

3 (5) works to establish equality of opportunity
4 for people; and

5 (6) supports freedom of the press, freedom of
6 speech, freedom of association, and freedom of reli-
7 gion.

8 (c) FUNDING.—The President may provide assistance
9 under this section using—

10 (1) funds available to the Middle East Partner-
11 ship Initiative (MEPI), the Broader Middle East
12 and North Africa Initiative, and the Human Rights
13 and Democracy Fund; and

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

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

1 of programs supported by such assistance and the recipi-
2 ents of such assistance.

3 (e) SENSE OF CONGRESS REGARDING DIPLOMATIC
4 ASSISTANCE.—It is the sense of Congress that—

5 (1) contacts should be expanded with opposition
6 groups in Iran that meet the criteria under sub-
7 section (b);

8 (2) support for a transition to democracy in
9 Iran should be expressed by United States rep-
10 resentatives and officials in all appropriate inter-
11 national fora;

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

17 (A) between the Government of Iran and
18 the Government of the Russian Federation; and

19 (B) between the Government of Iran and
20 individuals from China and Pakistan, including
21 the network of Dr. Abdul Qadeer (A. Q.) Khan;
22 and

23 (4) officials and representatives of the United
24 States should—

1 (A) strongly and unequivocally support in-
2 digenous efforts in Iran calling for free, trans-
3 parent, and democratic elections; and

4 (B) draw international attention to viola-
5 tions by the Government of Iran of human
6 rights, freedom of religion, freedom of assem-
7 bly, and freedom of the press.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Department of State
10 such sums as may be necessary to carry out this section.

11 **SEC. 403. WAIVER OF CERTAIN EXPORT LICENSE REQUIRE-**
12 **MENTS.**

13 The Secretary of State may, in consultation with the
14 Secretary of Commerce, waive the requirement to obtain
15 a license for the export to, or by, any person to whom
16 the Department of State has provided a grant under a
17 program to promote democracy or human rights abroad,
18 any item which is commercially available in the United
19 States without government license or permit, to the extent
20 that such export would be used exclusively for carrying
21 out the purposes of the grant.

Chairman HYDE. The Chair recognizes to strike the last word, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. I understand that we have a series of votes beginning at 11:15, so I will keep my remarks brief.

This bill, as you know, has gathered a lot of support in a bipartisan way. We have 352 co-sponsors, and I would like to point out, Mr. Chairman, that it has been a delight for my office to have worked with you, Chairman Hyde, with Ranking Member Lantos, with my Middle East Ranking Member, Mr. Ackerman, and that this has been a bipartisan bill. We have nothing but good words and praises for the Chairman in the way that he has handled this bill.

We have been able to incorporate a substitute as an amendment that already includes some of the Members' concerns. We have included Mr. Royce's amendment, Mr. Sherman, Mr. Blumenauer, Ms. Lee and Ms. Watson, so we will be presenting the amendment in the nature of a substitute which includes those provisions, and we have also been able to work on another standalone amendment with Mr. Sherman, and I thank them for their cooperative spirit.

I would like to point out some special guests that we have with us, former hostages from the Iranian crisis. They were held in captivity 444 days, and I would like to say their names and have them stand up.

Richard Morefield; Martin Graves, who is the son of John Graves; Steve Kirtley and his wife, Kate; Don Cooke; Ambassador John Limbert and his wife, Parvaneh. Thank you. Thank you so much for your courage.

[Applause.]

Ms. ROS-LEHTINEN. It is in their spirit that we are presenting this bill, as well as presenting it as an effective tool to use regarding the Iranians' nuclear ambition, which presents a true threat to our national security.

I know that the Chairman has been very kind in working with us throughout this process, and I would also like to point out the great leadership of our staff director on the Middle East Subcommittee, Yleem Poblete. Thank you, Dr. Poblete, for all of your help.

With that, Mr. Chairman, it has been 25 years since our hostages were released, and Iran has yet to pay for this first act of terrorism, so it is in their name and the many names of victims of the Iranian aggression that we offer for consideration H.Res. 282.

With that I yield back, Mr. Chairman.

Chairman HYDE. I thank the gentlelady.

Mr. Lantos?

Mr. LANTOS. Mr. Chairman, thank you for holding this markup, and I want to pay tribute at the outset to my good friend from Florida, Ms. Ros-Lehtinen, for her leadership on this most important legislation. I also want to note special mention of staff on both sides of the aisle, who have done extraordinary work.

Mr. Chairman, the single, most important action that we will take today is to ensure that the Iran-Libya Sanctions Act is not—and I repeat, is not—extended. Libya no longer needs to be subject

to such punitive measures. It is our full partner in the global goal of controlling the spread of nuclear weapons.

In December 2004, Libya took a bold and courageous step. It pledged to relieve itself of weapons of mass destruction. I was in Tripoli a few weeks after Col. Kadafi's announcement. I urged him to follow through with his public pledge, and then Libya loaded all the weapons onto American ships. All the Libyan weapons, together with all the detailed plans and programs, are now under lock and key in Tennessee.

As a result, the legislation before the Committee removes all references to Libya from the Iran-Libya Sanctions Act. ILSA is dead, Mr. Chairman, and the Iran Sanctions Act will rise in its place.

The weight of American sanctions will now be focused solely on Iran because the mullahs in Tehran continue to pursue their nuclear ambitions. The message to Tehran is simple. Follow the Libya model, and we in Congress are prepared to open a new and much happier chapter in United States-Iranian relations.

Mr. Chairman, the Iran Freedom Support Act will dramatically ratchet up the economic pressure on Tehran to abandon its headlong pursuit of nuclear weapons. If we fail to use both our economic and our diplomatic tools, the world will face a nightmare that knows no end, a dysthetic and dictatorial regime avidly supporting terrorism, exploiting the ultimate weapon of terror.

This bill has the single-minded goal of persuading the international community to deprive Iran of the financial resources it is currently using to fund its nuclear program. It is naive to expect that we can convince Iran to end its nuclear program voluntarily based on reason. We can only hope to inflict such severe economic pain on Tehran that would starve the Iranian leadership of the resources they need to fund a costly nuclear program.

Some argue that our legislation will undermine our relations with European allies who invest in Iran that would also help lead an important diplomatic effort to bring the Iran nuclear issue to the UN Security Council. That argument, Mr. Chairman, is a pure and simple misreading of the contents of our bill.

Our legislation is intended to reinforce diplomacy with economics. We ask our allies to do what the United States did over a decade ago. Divest from Iran's energy sector, the cash cow of the Ayatollah's nuclear exploration.

At the same time, our legislation will not put the President in a straightjacket. If a truly verifiable deal to eliminate Iran's nuclear program can be negotiated, the President may waive implementation of this law.

Mr. Chairman, let me be clear on one point. The Congress will no longer tolerate lax enforcement of American sanctions against Iran. For over a decade, both Democratic and Republican Administrations have refused to implement the ILSA sanctions we do have in place. Meanwhile, Iran's nuclear program has marched forward at a rapid pace.

The legislation before the Committee will extend the Iran Sanctions Act indefinitely and dramatically boost congressional oversight over its implementation. Either the Administration will fully enforce the law or it will have to justify to Congress why strong

action against Iran is not taken. Ignoring the law will no longer be an option.

I commend the Administration for finally convincing the International Atomic Energy Agency to send this Iran file to the UN Security Council. I hope the Security Council will act expeditiously.

In fact, I would be delighted if our legislation does nothing more than reinforce sanctions passed by the Security Council, but we cannot count on that. We must not shirk our responsibility to employ every means at our disposal to defeat Iran's deadly nuclear ambition.

Mr. Chairman, I strongly support this bill, and for the sake of staving off looming long-term nuclear terrorist threat I urge all of my colleagues to do so as well.

Thank you.

Chairman HYDE. Thank you, Mr. Lantos.

In finding the proliferations of weapons of mass destruction, we are confronting instruments with no purpose beyond the efficient, near instantaneous elimination of human life. There is nothing more frightening than the prospect of such weapons in the possession of Iran.

At various points in the past and continuing until this day, it has been important to reduce Iran's resources to limit its ability to invest in weapons of mass destruction. That was the primary goal of the original Iran and Libya Sanctions Act of 1996.

Today, however, oil such is over \$60 per barrel, and Iran is awash in oil money. New actions to discourage investment will not immediately impact the level of resources available to the regime. The world must directly focus on stopping the Iranian arms program and deterring its regime and not merely on depriving that regime of money.

To successfully deter the Iranian regime, the opposition must truly be global. By threatening tough sanctions not against Iran, but against third parties who invest in Iran's petroleum industry, H.R. 282 targets our allies.

The approach is divisive, and understandably our allies have resisted. Rather than alienating our allies, we must work with them to confront a universal threat. Recently the Administration has made great strides on the diplomatic front. Restraint in moving this legislation has allowed the Administration to work toward achieving a crucial mass of nations to confront Iran.

That delay, a measure of extraordinary diplomacy on the part of the Administration, and the wise and helpful flexibility and understanding shown by the gentlelady from Florida, Ms. Ros-Lehtinen, who chaired the Subcommittee on the Middle East and Central Asia, and the gentleman from California, Mr. Lantos, the Ranking Democratic Member of the Committee, have brought us very far indeed.

For example, the President will now have a practicable waiver of the imposition of sanctions on enterprises which have invested in the Iranian petroleum industry. He will be able to exercise that waiver if, for example, the government of the enterprise in question cooperates in our efforts to coerce Iran to give up its nuclear arsenal.

As modified, and perhaps with future modifications as the legislation process continues and with proper enforcement by the Administration, H.R. 282 can become a powerful tool to prevent Iran's development of weapons of mass destruction. That is why I will support H.R. 282, albeit it with some small reservations.

Again, I applaud the energy and determination of the bill's sponsors, and I thank them for their careful consideration of our input.

Mr. Sherman of California is recognized.

Mr. SHERMAN. Thank you, Mr. Chairman. I do have some general comments. I would like to make them in striking the last word.

Before I do that, I have a modification of the amendment in the nature of a substitute at the desk, and I ask that it be adopted. It is a technical two-word change designed to define the word, "parent corporation."

If the clerk will read the amendment?

Chairman HYDE. Without objection, the amendments are agreed to.

Mr. Sherman?

Mr. SHERMAN. Thank you. I would like to strike the last word and make some general comments.

Chairman HYDE. For 5 minutes.

Mr. SHERMAN. Thank you. This bill is an important first step using the economic and diplomatic power of the United States both to create a circumstance where the Iranian people will benefit if their country abandons its nuclear programs and to inform the Iranian people how the nuclear program imposed upon them by their government is harming their economy.

I compliment the author not only for the wisdom in bringing this bill, but for the wisdom she showed in dealing with several of my proposed amendments. Two of those amendments I will not propose here today, but will work with the author to have made in order by the Rules Committee for consideration on the Floor. This will eliminate any question about the jurisdiction of this Committee.

The first of these would ban imports to the United States from Iran. We do not import oil from Iran. We just import stuff that we do not need and they could not sell anywhere else. Second, we would require that we oppose WTO membership for Iran. Both of those amendments would apply so long as Iran is permitted the nuclear weapons.

A third amendment that I hope the Rules Committee will make an order, and I know with the persuasiveness of the gentlelady from Florida they will, to add to the sanctions that the President is allowed to impose on oil companies investing in Iran a capital market sanction so that such companies, if the President so determined, could not seek capital in the United States capital markets.

We will have report language in this bill, thanks to the gentlelady from Florida, urging a more aggressive approach and a government-to-government approach on urging that the World Bank be prevented from making further loans to Iran so long as it is developing nuclear weapons, and the bill base text already contains important technical language that would allow our democracy programs for Iran to use the equipment that they need notwithstanding the fact that this equipment could not be exported to Iran in a regular commercial transaction.

Finally, the text of the bill as put forward will end the practice of subsidiaries of United States companies doing business in and with Iran. As Mr. Lantos indicates, it would be the Iran Sanctions Act imposing sanctions on foreign companies doing business in the oil sector in Iran. We certainly need to impose requirements on our own companies and their subsidiaries.

We should not have, and under this bill we will not have, a circumstance where the managerial skill, the intellectual property, the know-how, the capital and the products of the United States can reach Iran through foreign subsidiaries.

Finally, Mr. Chairman, I was going to propose an amendment to this bill simply stating that the Algiers Accords are void. I have been convinced that including that section in this bill at this time would imperil the entire bill.

I look forward to working with others on this Committee to get such a statement made by the Congress of the United States, but in separate legislation.

I yield back.

Chairman HYDE. Mr. Royce?

Mr. ROYCE. Thank you, Mr. Chairman.

First I would like to commend the gentlewoman and Ranking Member for the laser focus that they have shown on Iran. As has been said, the prospect of Iran, a state sponsor of terrorism, acquiring nuclear weapons is not only a grave threat to our security; it is a grave threat to the security of others as well.

I appreciate the author's incorporation of an amendment that I had concerning Article IV of the Nuclear Nonproliferation Treaty. We need to start pushing back on this notion that Iran and other countries have the right to the full nuclear fuel cycle under the NPT, leaving them steps away from possessing nuclear weapons.

I am pleased to see also that the section of this bill seeking to designate one democratic opposition organization as what might be perceived as the lead democratic organization has been dropped in the language.

I think it is very important that while this bill promotes democracy we do nothing to be seen as anointing a particular organization as our organization. That would not help the organization that we designated and, more importantly, it would run the risk of alienating the Iranian people that we are trying to help.

It is a fine line between supporting democracy in general terms, which I enthusiastically support, and being seen as promoting the interests of particular democracies, which is not our business and could very well be counterproductive, so it is good that that is not in the bill.

Regarding democracy, it is important that we appreciate that while it is an inherent bid when coupled with individual liberties, our main policy goal is still keeping Iran from obtaining weapons of mass destruction and ending its sponsorship of terrorism.

At our Committee's hearing last week one of the witnesses testified the nuclear threat is inseparable from the nature of the regime. If there were a fully elected democratic government in Tehran, he said, instead of the self-selecting tyranny of the mullahs, we would not feel such a sense of urgency about the nuclear program or about an effective American policy toward Iran.

Well, we probably would not feel the sense of urgency, but again we should not lose sight of the fact that we do not want to see any Iranian Government with nuclear weapons which would violate the NPT.

Lastly, the Administration has expressed not unreasonable concerns about the sanctions in this legislation. It has written Members that the sanctions would create tensions with countries whose help we need in dealing with Iran and shift away from Iran's actions and spotlight differences between us and our allies.

It has been said that there are no good options when confronting Iran, and that is true, but the worst of the worst option is probably going it alone. We should try to avoid that predicament, Mr. Chairman, if we can.

I thank you very much, and I will yield back, Mr. Chairman.

Chairman HYDE. Mr. Blumenauer?

Mr. BLUMENAUER. Thank you, Mr. Chairman.

I, too, express my appreciation to the Subcommittee Chair and Ranking Member of the Full Committee not only for their laser-like focus on this issue, but willingness to listen to accommodate, and I appreciate—in fact, Mr. Chairman, I share some of your feelings that the bill I think is moving forward in a way that is going to be more helpful for everybody as a result of the hard work, and I appreciate it.

I do have an amendment at the desk that I was going to offer up, but in the spirit of accommodation I would just speak to the notion about striking the sunset provision for sanctions. I think it was wise to have it originally in the Iran-Libya sanctions bill.

We have a habit here, in part because we are the only major country in the world that does not have a sanctions policy, of kind of forgetting how we got to places. We do not have reality checks. We do not know when we have won or when we have lost. I hope the day will come when our great democracy, like our allies and many of the people we do not care much for, actually has a coherent, consistent policy for imposing sanctions.

I will come back to that at another time and perhaps offer an amendment, but I do not want to impede the work today.

There has been reference to the fact that the desires of some people in Congress have not been reflected by behaviors of past Administrations. These are Administrations that were hardline or softer, Republican and Democratic, and I think they are in fact practicing the art of diplomacy.

This is not an easy situation. We saw on the front page of yesterday's Post how things can backfire and where some of the democratic forces that are at work in Iran are trying to change things fear that they may be undercut by some of the perceptions of American activity.

I just left a meeting with the President and Board Chair of Mercy Corps, which has done amazing work around the world. Many Members of this Committee are familiar with their work. They have had the plug pulled on being able to provide humanitarian assistance in Iraq in the area around the earthquake. They cannot go forward, although they were doing great work, and I think all of us would feel that this is the sort of person-to-person

humanitarian aid that can help strengthen the bonds between our two countries.

They do not have a viable alternative going forward. They certainly, under the current climate, could not go forward under the guise of somehow they are doing democratic work or trying to undercut the Government of Iran. It would not be safe for them, and it would be counterproductive for us.

The Chairman, I think, appropriately noted that the tradeoffs in gains in leverage over Iran contained in this bill, if they are to be achieved, are likely to have substantial impact on our efforts with our allies who are ultimately going to be key. They have more leverage than we do.

We do not have leverage any more. We have sort of drawn the line. We are firm and resolute. It is going to be these other countries that are going to help us, and they are our allies, and they are going to be key to slowing or denying Iran's access to nuclear capability.

I continue to be concerned that this legislation is not optimal in terms of achieving that goal. I appreciate the hard work that is done. I appreciate the goal that I think we are all united behind, and I hope that as this works its way through the process that we will be able to continue this discussion to refine it in a way that actually does not undercut our efforts, be they humanitarian or diplomatic, and that we all can look forward to a day when there is a nuclear-free Iran.

Mr. BERMAN. Would the gentleman yield?

Mr. BLUMENAUER. I yield back.

Mr. BERMAN. Would the gentleman yield?

Mr. BLUMENAUER. Yes, if I may.

Mr. BERMAN. I am unclear. What is there about the provisions of this bill or the substitute that prohibits the delivery of humanitarian earthquake relief assistance?

Mr. BLUMENAUER. I was referring to our existing policy. Treasury did not grant an extension to Mercy Corps under existing law to continue—

Mr. BERMAN. Under our embargo that was imposed by executive order after the hostage taking?

Mr. BLUMENAUER. In the existing policy, yes.

Mr. SHERMAN. If the gentleman would yield? Will the gentleman yield?

Mr. BLUMENAUER. Sure.

Mr. SHERMAN. This bill, thanks to the author, now includes language that is designed to deal with that very purpose. That is to say State Department grantees working on State Department and USAID projects will be allowed to buy a cell phone at Staples and take it with them to an earthquake situation in Iran.

There was an unintended consequence of our sanctions that has prevented us from providing the most effective possible democracy in earthquake aid to Iran, and this bill would solve the problem.

Mr. BERMAN. Would the gentleman yield further?

Mr. BLUMENAUER. Sure.

Mr. BERMAN. I am truly unclear. At one point I thought we legislated an exemption for food and medicine to all economic embargoes, including the one we by executive order unilaterally imposed

on Iran not through ILSA and not through the amendments through ILSA, now known as ISA.

Am I wrong about that? I am confused about the ability to provide medicines after an earthquake. I thought that that was all exempted from the U.S. economic embargo laws.

Mr. BLUMENAUER. I would be happy to supply to you, Mr. Berman, and to the Committee the information from Mercy Corps about the ruling from Treasury and the basis under which it was extended that has stopped their activities there now.

I think it may be that they had a broader exemption for the activities they were involved with. I do not know. I would be happy to track that down and provide it to you.

Chairman HYDE. The gentleman's time has expired.

Mr. Ackerman from New York?

Mr. ACKERMAN. I do not seek time, Mr. Chairman.

Chairman HYDE. If there are no further amendments, the question—

Ms. Lee of California?

Ms. LEE. Thank you, Mr. Chairman. I will be very brief. Let me just thank my friend, the Chair of the Subcommittee, Congresswoman Ileana Ros-Lehtinen, also yourself and our Ranking Member and Mr. Berman and our staff for working together. We have been working with you for the last year I think to clarify certain provisions of this legislation.

For many years I have been involved in and have had a deep concern for nuclear nonproliferation efforts. The reduction and elimination of nuclear weapons is essential for global peace and security. This bill certainly moves in that direction in seeking a nuclear free world.

The amendments that I offered, which were included, and I want to thank the co-authors of this legislation again because I think it will make it clear that in no way does this bill constitute an authorization to use military force against Iran, nor will the funds be used in democracy promotion to destabilize activities in Iran.

Equally important, Mr. Chairman, we must ensure that any funds we authorize in this legislation are not channeled to democracy-promotion organizations who may in turn bankroll covert action against Iran, and so I am pleased that while that provision is not included in the bill, it is included in the Committee report of these proceedings.

I hope these important provisions will be maintained as this legislation proceeds through this legislative process. As a strong and long-time advocate, as I said earlier, for nonproliferation, Mr. Chairman, I think that we should certainly today be doing something about Iran's misguided program of nuclear proliferation.

The question is how we must act and to clarify to the Administration our intent in authorizing through this legislation. I must say, Mr. Chairman, that I remain deeply concerned that the Bush Administration is gradually building up a case for another preemptive strike, this time against Iran.

I do not believe that we can be well served by another military venture in the Middle East, and neither will the cause of nonproliferation. I wanted to make certain that this bill in no way im-

plied that we were paving the way for yet another military venture by our Government.

Mr. Chairman, I yield back the balance of my time, and I want to thank you once again and Ms. Ros-Lehtinen for her efforts and for allowing our staff, and I think their negotiations were very tough, but they were forthright with a lot of integrity, and we were able to work out the arrangements and the provisions that I just enunciated.

Again, I yield the balance of my time.

Chairman HYDE. Mr. Rohrabacher of California?

Mr. ROHRABACHER. First and foremost I would like to thank you, Mr. Chairman, for your leadership and the leadership of Mr. Lantos on a matter of utmost importance to the future security of the United States and the peace of the world. I would also like to thank Ms. Ros-Lehtinen and Brad Sherman for the wonderful things that he has done in pushing this issue.

I think that we are long overdue for action to be taken against the mullah regime in Iran, and let me just note that I do not think that we have anything to apologize for for the President of the United States committing himself to battling terrorists like in al-Qaeda and regimes like the mullah dictatorship in Iran.

We can be very proud that our country under the leadership of this President is confronting those evils, because if we do not confront those evils they will come back and hurt us in the long run as we saw on 9/11.

Let me note that although this legislation has nothing to do with covert operations against Iran, I think Iran would be a fine target for us to have covert operations in order to help the people there restore that country to a democratic process so a truly democratic Iran would not be as threatening to the world and threatening to that region and threatening to the people of the United States as is an Iran that is controlled by religious fanatics that suppress democracy in their own country.

I am very grateful for your leadership, Mr. Chairman, Mr. Lantos, Mr. Sherman, Ms. Ros-Lehtinen, in taking this great step forward. Thank you very much. That is all I have to say.

Chairman HYDE. Thank you, Mr. Rohrabacher.

I wonder if Mr. Wexler and Ms. Watson would restrain themselves briefly while we vote this bill out. We have a reporting majority. Then we will come back to you and indulge whatever you have to say, okay? Thank you.

The question occurs on the amendment in the nature of a substitute as amended.

All those in favor say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, nay?

[No response.]

Chairman HYDE. The ayes have it, and the amendment is agreed to.

The question occurs on the motion to report the bill favorably as amended. All those in favor—

Mr. LANTOS. Mr. Chairman, on that I request a recorded vote.

Chairman HYDE. The gentleman requested a recorded vote. The clerk will read the role.

Ms. RUSH. Mr. Leach?
Mr. LEACH. No.
Ms. RUSH. Mr. Leach votes no.
Mr. Smith of New Jersey?
Mr. SMITH OF NEW JERSEY. Yes.
Ms. RUSH. Mr. Smith of New Jersey votes yes.
Mr. Burton?
Mr. BURTON. Yes.
Ms. RUSH. Mr. Burton votes yes.
Mr. Gallegly?
Mr. GALLEGLY. Aye.
Ms. RUSH. Mr. Gallegly votes yes.
Ms. Ros-Lehtinen?
Ms. ROS-LEHTINEN. Yes.
Ms. RUSH. Ms. Ros-Lehtinen votes yes.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. RUSH. Mr. Rohrabacher votes yes.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. RUSH. Mr. Royce votes yes.
Mr. King?
[No response.]
Ms. RUSH. Mr. Chabot?
Mr. CHABOT. Aye.
Ms. RUSH. Mr. Chabot votes yes.
Mr. Tancredo?
Mr. TANCREDO. Aye.
Ms. RUSH. Mr. Tancredo votes yes.
Mr. Paul?
Mr. PAUL. No.
Ms. RUSH. Mr. Paul votes no.
Mr. Issa?
Mr. ISSA. Aye.
Ms. RUSH. Mr. Issa votes yes.
Mr. Flake?
[No response.]
Ms. RUSH. Mrs. Davis?
Mrs. DAVIS. Aye.
Ms. RUSH. Mrs. Davis votes yes.
Mr. Green?
Mr. GREEN. Aye.
Ms. RUSH. Mr. Green votes yes.
Mr. Weller?
Mr. WELLER. Aye.
Ms. RUSH. Mr. Weller votes yes.
Mr. Pence?
[No response.]
Ms. RUSH. Mr. McCotter?
Mr. MCCOTTER. Aye.
Ms. RUSH. Mr. McCotter votes yes.
Ms. Harris?
[No response.]
Ms. RUSH. Mr. Wilson?

[No response.]
Ms. RUSH. Mr. Boozman?
Mr. BOOZMAN. Aye.
Ms. RUSH. Mr. Boozman votes yes.
Mr. Barrett?
Mr. BARRETT. Aye.
Ms. RUSH. Mr. Barrett votes yes.
Mr. Mack?
Mr. MACK. Aye.
Ms. RUSH. Mr. Mack votes yes.
Mr. Fortenberry?
Mr. FORTENBERRY. Aye.
Ms. RUSH. Mr. Fortenberry votes yes.
Mr. McCaul?
[No response.]
Ms. RUSH. Mr. Poe?
Mr. POE. Aye.
Ms. RUSH. Mr. Poe votes yes.
Mr. Lantos?
Mr. LANTOS. Aye.
Ms. RUSH. Mr. Lantos votes yes.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. RUSH. Mr. Berman votes yes.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. RUSH. Mr. Ackerman votes yes.
Mr. Faleomavaega?
[No response.]
Ms. RUSH. Mr. Payne?
[No response.]
Ms. RUSH. Mr. Brown?
[No response.]
Ms. RUSH. Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. RUSH. Mr. Sherman votes yes.
Mr. Wexler?
Mr. WEXLER. Aye.
Ms. RUSH. Mr. Wexler votes yes.
Mr. Engel?
[No response.]
Ms. RUSH. Mr. Delahunt?
Mr. DELAHUNT. Yes.
Ms. RUSH. Mr. Delahunt votes yes.
Mr. Meeks?
[No response.]
Ms. RUSH. Ms. Lee?
Ms. LEE. Aye.
Ms. RUSH. Ms. Lee votes yes.
Mr. Crowley?
[No response.]
Ms. RUSH. Mr. Blumenauer?
Mr. BLUMENAUER. No.
Ms. RUSH. Mr. Blumenauer votes no.

Ms. Berkley?
 Ms. BERKLEY. Aye.
 Ms. RUSH. Ms. Berkley votes yes.
 Ms. Napolitano?
 Ms. NAPOLITANO. Aye.
 Ms. RUSH. Ms. Napolitano votes yes.
 Mr. Schiff?
 Mr. SCHIFF. Aye.
 Ms. RUSH. Mr. Schiff votes yes.
 Ms. Watson?
 Ms. WATSON. Aye.
 Ms. RUSH. Ms. Watson votes yes.
 Mr. Smith of Washington?
 [No response.]
 Ms. RUSH. Ms. McCollum?
 [No response.]
 Ms. RUSH. Mr. Chandler?
 Mr. CHANDLER. Aye.
 Ms. RUSH. Mr. Chandler votes yes.
 Mr. Cardoza?
 [No response.]
 Ms. RUSH. Mr. Carnahan?
 Mr. CARNAHAN. Mr. Carnahan votes yes.
 Chairman Hyde?
 Chairman HYDE. Yes.
 Ms. RUSH. Chairman Hyde votes yes.
 Chairman HYDE. Mr. Crowley of New York?
 Mr. CROWLEY. Was I recorded?
 Ms. RUSH. He is not recorded.
 Mr. CROWLEY. I vote aye.
 Ms. RUSH. Mr. Crowley votes yes.
 Chairman HYDE. Mr. Pence of Indiana?
 Mr. PENCE. Aye.
 Ms. RUSH. Mr. Pence votes yes.
 Chairman HYDE. What is the report? Are there any more?
 Ms. RUSH. On this vote there are 34 yeses and three noes.
 Chairman HYDE. The motion is agreed to.
 Mr. Brown?
 Mr. BROWN OF OHIO. I would vote yes.
 Chairman HYDE. Without objection, Mr. Brown's yes vote may be included in the rollcall.
 The ayes have it. The motion to report is favorably adopted. Without objection, the staff is directed to make any technical and conforming changes, and the Chair recognizes Mr. Wexler for 5 minutes.
 Mr. LANTOS. Mr. Chairman, may I ask unanimous consent that the two gentlemen who just entered the room be allowed to cast their votes? I ask unanimous consent, Mr. Chairman.
 Chairman HYDE. Without objection, we will do it.
 Mr. Meeks?
 Mr. MEEKS. Aye.
 Mr. LANTOS. Thank you, Mr. Chairman.
 Chairman HYDE. The clerk will announce the rollcall again, the totals.

Ms. RUSH. On this vote there are 37 yeases and three noes.
Chairman HYDE. The motion is agreed to.

Mr. Wexler?

Mr. WEXLER. Thank you, Mr. Chairman. I will be brief. At this point I, too, would like to congratulate Ms. Ros-Lehtinen and Mr. Lantos, Mr. Berman and others for what is a very important achievement.

I think it is important to note particularly for those that have expressed some reservation. We do nothing in a vacuum. This bill passes this Committee in the context of the Administration engaging in the most exhaustive and arguably successful diplomatic effort since the first Gulf War.

I think it is highly relevant. Nick Burns, Under Secretary Burns, discussed it in great detail when he came before the Committee last week; the extraordinary effort that the Administration is going to on a multinational level to engage the entire world in the effort to thwarting the Iranian nuclear program.

The Administration's effort is midstream. They will have difficulty at times in continuing to bring along Russia and China and others. I view this bill as working in cooperation with the Administration's diplomatic efforts, and I think that the Administration, rather than continuing to try to move the bill in a manner that they are more comfortable with at this point would be wisest to appreciate the very excellent diplomatic effort that they are engaging in and use this bill as a part of their diplomatic effort in a positive way so that they can increase the opportunity to bring in countries like Indonesia and others that have been neutral and use this as an opportunity to increase their ability to make the multinational effort successful.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Wexler.

So that we might close the meeting on the highest possible note, the Chair is pleased to recognize Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chairman. I want to commend the author, the sponsor and the co-sponsor for working in a diplomatic way so this could be a bipartisan effort. It also is based on an effective model of Libya.

I just want to also commend all of those who dropped any reference to Libya, but that model should go forward and be used as we try to build an alliance here.

I also want to thank our Ranking Member for agreeing to sponsor a CODEL and having a letter drafted again to ask a CODEL to go to Libya to help the Libyan women be free participants in building a new democracy.

I would hope that we could extend it, Mr. Chairman, beyond just Members and get some experts with us on that CODEL, so a letter has been developed based on the Libya response to our efforts.

I would like to commend the entire Committee of IR for their support in our efforts to impose democracy, but not in a military way.

Thank you so very much, Mr. Chairman.

Chairman HYDE. Thank you, Ms. Watson.

The Committee stands adjourned.

[Whereupon, at 11:28 a.m. the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENTS OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

H. CON. RES. 320

There has been a tremendous amount of publicity lately about Internet dissidents in China, but I would like to bring to your attention the case of Dr. Pham Hong Son from Vietnam.

In March, 2002, police arrested Dr. Son. He had translated an article from the website of the U.S. Embassy in Vietnam, titled "What is Democracy," and sent it to his friends and senior Vietnamese officials. In addition, he had written an open letter, published on the Internet, protesting the fact that his house had been searched illegally and his computer and documents confiscated.

Dr. Son was charged with espionage by the government, which accused him of "collecting and dispatching news and documents for a foreign country to be used against the Socialist State of Vietnam." After a closed trial and a closed appeal, from which Western reporters and diplomats from Europe, the United States, and Canada were barred, Dr. Son was sentenced to five years, plus an additional three years of house arrest.

Dr. Son's case has been highlighted by the US Department of State's Human Rights for Vietnam repeatedly, Human Rights Watch, Reporters without Borders, the Committee to Protect Journalists, and Amnesty International.

I went to Vietnam last December, and met with Dr. Son's extraordinary and courageous wife, Vu Thuy Ha, who continues to campaign for her husband's freedom despite constant surveillance and harassment, which I personally witnessed. I knew that I could not let this brave woman battle alone. I met with many other political and religious activists, some of whom are under house arrest, like Father Ly and Thich Quang Do, of the Unified Church of Vietnam, and with the relatives of a number of prisoners of conscience. They need, and appreciate, our continued support.

Less than a day after the unanimous subcommittee mark-up, plainclothes officers detained two well-known Internet writers, including Do Nam Hai, whom I met with in Vietnam and who is mentioned in our resolution. They were at a public Internet café*COM003*. The police took pictures of the sites they were viewing, which included the banned Web site of the Free Vietnam Alliance democracy group. The police also forced Hai to open his personal e-mail account and printed about 30 of his sent messages. The two writers were interrogated for six hours at the café and later at a police station in Hanoi. Both were released from police custody the same day.

This sort of persecution will obviously not go away by itself. But tyranny hates and fears public exposure, and we need to keep attention focused on Vietnam's continuing violation of the rights it says it grants its people.

Vietnam is at a critical crossroads: it wants to expand its burgeoning trade relations with the United States, and seeks to join the WTO. There will be no better time to convince Vietnam of the seriousness of our human rights concerns, and their centrality in any relation with the U.S. The European Parliament has already passed a resolution calling for Vietnam to release all prisoners of conscience, allow democracy and political pluralism, and ensure the human rights for Vietnam's Montagnards, and it is appropriate that we do the same.

Also I would note that I am offering an amendment which makes clear to the Government of Vietnam that adherence to the rule of law and respect for freedom of

the press will be important factors in American consideration of Vietnam's accession to the World Trade Organization.

H. RES. 578

H.Res. 578 expresses deep disappointment that the Romanian Government has instituted a virtual ban on intercountry adoptions with serious implications for the well-being of orphaned or abandoned children. Last September, I chaired a Helsinki Commission hearing that explored these issues in depth.

Since 1989, the world has known that tens of thousands of underfed, neglected children are living in institutions throughout Romania. Between 1990 and 2004, more than 8,000 of these children found permanent families in the United States and thousands more joined families in Western Europe and elsewhere. Sadly, Romania's child abandonment rate hasn't changed significantly in 30 years. Today, approximately 80,000 children still live either in institutions or in non-permanent settings such as "foster care."

In the context of Romania's accession to the European Union, unsubstantiated allegations have been made about the qualifications and motives of those who adopt internationally and the fate of adopted children. As the European Parliament's rapporteur for Romania, Baroness Emma Nicholson equated intercountry adoption with child trafficking for pedophiles and slavery rings and pressured Romania to prohibit intercountry adoptions. Rather than focusing on what is really in the best interests of the child, Romanian policy makers acquiesced to Lady Nicholson by adopting a law in 2004 that prohibits intercountry adoption except by biological grandparents.

When this ban was enacted there were 211 pending cases in which children had been matched with adoptive parents in the United States; approximately a thousand more had been matched with parents in Western Europe, Israel or Australia. Each of these cases involves a prospective family who has proven their good faith by waiting for years for these children. Many cases involve children who will not be domestically adopted due to their special medical needs or societal prejudices. In at least 3 cases, children are already living in the United States with their prospective adoptive parents while receiving life-saving medical treatment. Each was abandoned at birth and was legally adoptable until Romania's new law took effect.

There are positive indications that Baroness Nicholson's monopoly over this issue is finally facing opposition. On December 15, while debating a resolution on Romania, the European Parliament rejected the Baroness' proposed amendments addressing child protection and adoption. At the same time, the MEPs approved an amendment urging Romania to act "with the goal of allowing inter-country adoptions to take place, where justified and appropriate," in the pending cases. On March 8, the Bucharest Daily News quoted the current rapporteur, Pierre Moscovici, as stating that he and Emma Nicholson "notably differ on the issue of international adoptions of Romanian children." I applaud the European Parliament for standing up for these voiceless children.

Passage of H. Res. 578 will put the Congress on record

- supporting the Romanian Government's stated desire to improve the standard of care and well-being of children;
- urging the Government to complete the processing of the intercountry adoption cases which were pending when the ban was enacted;
- urging the Government to decrease barriers to adoption, both domestically and intercountry;
- urging the State Department and USAID to work with Romania to achieve these ends; and
- requesting that the EU and its member States not impede Romania's efforts to place orphaned or abandoned children in permanent homes.

Someday, I hope, child abandonment in Romania will be just a painful memory. And someday the country will have the capacity to care for all the children in need. But right now there is a great need for both foreign and domestic adoptions to find the permanent, caring families that all children deserve. Because the Romanian Government's current laws and policies do not reflect this principle, I strongly urge my colleagues to support this resolution.

PREPARED STATEMENT OF THE HONORABLE DARRELL ISSA, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

H.R. 282

Mr. Chairman, thank you for convening this mark-up today on H.R. 282 the Iran Freedom Support Act. The Iranian regime continues to violate the human rights of its own citizens, it plays a destabilizing role in nations throughout the Middle East and it has refused to abandon its rogue efforts to acquire nuclear weapons.

The Iranian regime must hear a clear message that its behavior is unacceptable and unless it abandons its clear violations of international law, consequences will follow. The United States has worked closely with our allies in Europe, south Asia, and other part of the world to address Iran's pursuit of nuclear weapons. We have worked with a broad coalition to confront Iran for its failure to meet its obligations under the Nuclear Non-Proliferation Treaty. While we have had success in building this coalition and convincing the International Atomic Energy Agency that Iran's violations merit the attention of the UN Security Council, we have not yet succeeded in convincing Iran to end its pursuit of the capability to produce nuclear weapons.

In addition to its pursuit of nuclear weapons capability, Iran continues to play a negative role in areas of concern to the United States and the international community. Iranian support for terrorist organizations and activities has exacerbated the Israeli-Palestinian conflict, harmed the sovereignty and ongoing democratization of Lebanon, and threatens the international community's efforts to build a free Iraq and the safety and lives of Americans working and fighting to achieve it.

Mr. Chairman, now is the time for the House to approve additional sanctions on Iran for the administration to use a tool as it continues to address this pressing threat. I urge my colleagues to vote in favor of this important legislation to raise pressure on Iran to end its threatening behavior.

PREPARED STATEMENT OF THE HONORABLE RUSS CARNAHAN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MISSOURI

Chairman Hyde, Ranking Member Lantos, and subcommittee leaders, thank you for the work leading to this hearing and markup on H.R. 282, The Iran Freedom Support Act. I am pleased by the strong recognition of the need for Congress to address the imminent situation in Iran.

It is time that the international community, with leadership by this Congress, directly address the increasingly volatile situation in Iran. We have known the potential deleterious effects of international inaction in this type of situation. The regional security in the middle east cannot be further compromised by an Iranian loose cannon. Its attitude toward Israel, the United Nations, and the rest of the world is unacceptable.

There is no doubt that Iran is on a mission to rebuild its nuclear weapons, and use that capability to wreak havoc and destruction on Israel and others throughout the world. Without action, we are going to continue to allow Iran to be a safe-harbor for terrorists, see its economy further deteriorate, and see the middle east further destabilize.

This bill should include the necessary tools for the US to help prevent Iran from pursuing nuclear and other weapons programs, deny them the resources they need to support terrorism, and stop them from oppressing the Iranian people. This bill should accomplish these goals without unduly tying the hands of the US government.

Again, thank you for holding this hearing and markup.

