

109TH CONGRESS
2^D SESSION

S. 3870

To hold the current regime in Iran accountable for its human rights record
and to support a transition to democracy in Iran.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7 (legislative day, SEPTEMBER 6), 2006

Mr. BROWNBACK introduced the following bill; which was read twice and
referred to the Committee on Foreign Relations

A BILL

To hold the current regime in Iran accountable for its human
rights record 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iran Human Rights
5 Act of 2006”.

6 **SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
7 **FINED.**

8 In this Act, the term “appropriate congressional com-
9 mittees” means the Committee on Foreign Relations and
10 the Committee on Appropriations of the Senate and the

1 Committee on International Relations and the Committee
2 on Appropriations of the House of Representatives.

3 **SEC. 3. FINDINGS.**

4 Congress makes the following findings:

5 (1) There is currently not a democratic govern-
6 ment in Iran. Instead, Iran is an ideological dicta-
7 torship presided over by an unelected Supreme
8 Leader with limitless veto power, an unelected Expe-
9 diency Council, and a Council of Guardians capable
10 of eviscerating any reforms.

11 (2) The Supreme Leader appoints the heads of
12 the judiciary, the clergy members on the powerful
13 Council of Guardians, the commanders of all the
14 armed forces, Friday prayer leaders, and the head of
15 radio and television and confirms the president's
16 election, rendering him the most powerful person in
17 Iranian politics with little accountability within the
18 political system.

19 (3) Members of the Council of Guardians in
20 Iran, who are chosen by the Supreme Leader, must
21 vet all candidates for election based on their political
22 predispositions and all legislation before it can be
23 entered into law.

24 (4) There has been a re-entrenchment of revolu-
25 tionary forces in the political system in Iran. Elec-

1 tions held in February 2004 resulted in significant
2 gains by conservative hard-liners affiliated with the
3 regime’s clerical army, the Pasdaran, culminating in
4 the election of President Mahmoud Ahmadinejad.

5 (5) Over the past decade, human rights have
6 been in steady decline in Iran. Torture, executions
7 after unfair trials, and censorship of all media re-
8 main rampant throughout the country. Stoning, am-
9 putation, flogging, and beheading are used as meth-
10 ods of punishment.

11 (6) Since his rise to power, President
12 Ahmadinejad has embarked upon a concerted cam-
13 paign of domestic repression, including new restric-
14 tions on radio, television, and film content, a ban on
15 the publication of virtually all books, and an expan-
16 sion in the activities of the regime’s “morals police”.

17 (7) The United Nations General Assembly
18 adopted Resolution 60/171 on December 16, 2005,
19 to express its grave concern over the deteriorating
20 human rights situation in Iran. The resolution urges
21 the Government of Iran “to ensure full respect for
22 the rights to freedom of assembly, opinion and ex-
23 pression . . . to eliminate the use of torture and other
24 cruel, inhuman or degrading treatment or punish-
25 ment . . . [and] to eliminate, in law and in practice,

1 all forms of discrimination based on religion, eth-
2 nicity, or linguistic grounds.

3 (8) The 2005 State Department Country Re-
4 ports on Human Rights Practices states that “the
5 Government’s poor human rights record worsened,
6 and it continued to commit numerous, serious
7 abuses”.

8 (9) According to Human Rights Watch’s World
9 Report 2006, many of the human rights violations
10 committed in Iran were performed by quasi-official
11 “parallel institutions”, which include “paramilitary
12 groups and plainclothes intelligence agents [that]
13 violently attack peaceful protesters, and intelligence
14 services [that] run illegal secret prisons and interro-
15 gation centers”. Uniformed police officers are fearful
16 of challenging plainclothes agents, who belong to
17 groups such as Ansar-e Hizbollah and Basij.

18 (10) According to the 2005 State Department
19 International Religious Freedom Report, the popu-
20 lation of Iran is 89 percent Shi’a Muslim and 8 per-
21 cent Sunni Muslim; less than one percent of the re-
22 maining population is comprised of Baha’is, Jews,
23 Christians, Mandaeans, and Zoroastrians.

24 (11) Religious minorities in Iran face signifi-
25 cant discrimination, including imprisonment, harass-

1 ment, and intimidation. Accordingly, the Secretary
2 of State has, since 1999, designated Iran as a coun-
3 try of particular concern pursuant to section
4 402(b)(1)(A) of the International Religious Freedom
5 Act of 1998 (22 U.S.C. 6442(b)(1)(A)).

6 (12) Ambeyi Ligabo, United Nations Special
7 Rapporteur on the Right to Freedom of Opinion and
8 Expression, submitted a report to the Commission
9 on Human Rights in 2004 on “Civil and Political
10 Rights, Including the Question of Freedom of Ex-
11 pression”. Mr. Ligabo asserted that “the climate of
12 fear induced by the systematic repression of people
13 expressing critical views against the authorized polit-
14 ical and religious doctrine and the functioning of the
15 institutions coupled with the severe and dispropor-
16 tionate sentences imposed lead to self-censorship on
17 the part of many journalists, intellectuals, politi-
18 cians, students and the population at large, thus in
19 effect impeding freedom of expression”.

20 (13) Amnesty International’s 2003 Report on
21 Iran detailed the arrest of Iranian-born Canadian
22 journalist Zahra Kazemi for taking photographs out-
23 side Evin prison in Tehran on June 23, 2003. Over
24 the course of her detention, judicial officials interro-
25 gated Ms. Kazemi for three days. While in custody,

1 Ms. Kazemi was beaten, and she died of a brain
2 hemorrhage on July 23, 2003.

3 (14) Men and women are not equal under the
4 laws of Iran, and women are legally deprived of their
5 basic rights. The 2005 State Department Country
6 Reports on Human Rights Practices stated that the
7 weight of a woman's court testimony in Iran is half
8 that of a man's testimony and the family of a female
9 crime victim in that country receives only half the
10 amount of "blood money" provided to the family of
11 a male crime victim. The Government of Iran man-
12 dates gender segregation in most public spaces, in-
13 cluding on public buses and at entrances to public
14 buildings, universities, and airports.

15 (15) The April 28, 2006, Department of State
16 Patterns of Global Terrorism Report states that
17 Iran remained the most active state sponsor of ter-
18 rorism in 2005.

19 (16) There exists a broad-based movement and
20 desire for political change in the Islamic Republic of
21 Iran that is pro-democratic and seeks freedom and
22 economic opportunity, and which represents all sec-
23 tors of Iranian society, including youth, women, stu-
24 dents, military personnel, and religious figures.

1 (17) The people of Iran have increasingly ex-
2 pressed frustration at the slow pace of reform in
3 Iran, and any efforts for nonviolent change in their
4 society have been suppressed.

5 (18) On September 7, 2006, Mohammad
6 Khatami, President of Iran from 1997 to 2005, be-
7 came the highest ranking Iranian to visit Wash-
8 ington, DC, since the hostage crisis of 1979, despite
9 his government's state sponsorship of terrorism, re-
10 pression of political opponents, and dismal human
11 rights record and the advancement of Iran's ura-
12 nium enrichment program.

13 (19) President Ahmadinejad is moving to limit
14 freedom of expression in higher education. On Sep-
15 tember 5, 2006, he expressed concern that univer-
16 sities were too secular and called for a purge of lib-
17 eral and secular faculty members from universities
18 in Iran.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to the Presi-
21 dent \$100,000,000 for fiscal year 2007 to carry out sec-
22 tions 201, 303, and 304.

1 **TITLE I—HUMAN RIGHTS AND**
2 **DEMOCRACY IN IRAN**

3 **SEC. 101. DECLARATION OF POLICY.**

4 It is the policy of the United States—

5 (1) to make the deplorable human rights record
6 of the Government of Iran a top concern and pri-
7 ority of United States foreign policy;

8 (2) to keep the deplorable human rights record
9 of Iran a top priority, irrespective of ongoing nuclear
10 issues;

11 (3) to support independent human rights
12 groups inside and outside Iran who maintain inter-
13 nationally recognized human rights standards, in-
14 cluding those provided for in the Universal Declara-
15 tion of Human Rights and the Helsinki Commit-
16 ments;

17 (4) to support a transparent and full transition
18 to democracy in Iran;

19 (5) to support an internationally-monitored ref-
20 erendum by which the people of Iran can peacefully
21 change the system of government in that country;

22 (6) to support the aspirations of the people of
23 Iran to live in freedom; and

24 (7) to support independent pro-democracy
25 forces in Iran and abroad in order to encourage

1 them to change the system of government in Iran
2 without direct United States military involvement.

3 **SEC. 102. SENSE OF CONGRESS ON THE IMPORTANCE OF**
4 **HUMAN RIGHTS IN IRAN.**

5 It is the sense of Congress that—

6 (1) there is a direct relationship between the
7 state of freedom and democracy within Iran and the
8 efforts of the current regime of Iran to acquire nu-
9 clear weapons and the long-term success of the glob-
10 al war on terror; and

11 (2) it is essential that the issue of human rights
12 violations in Iran should remain a top United States
13 foreign policy priority, independent of efforts to ad-
14 dress the nuclear threat in Iran.

15 **SEC. 103. SPECIAL ENVOY ON HUMAN RIGHTS IN IRAN.**

16 (a) APPOINTMENT OF SPECIAL ENVOY.—The Presi-
17 dent shall appoint a special envoy for human rights in Iran
18 within the Department of State (in this Act referred to
19 as the “Special Envoy”). The Special Envoy should—

20 (1) be a person of recognized distinction in the
21 field of human rights;

22 (2) not be an incumbent official of the Depart-
23 ment of State; and

24 (3) report directly to the Secretary of State.

25 (b) DUTIES.—

1 (1) IN GENERAL.—The Special Envoy shall co-
2 ordinate and promote efforts to improve respect for
3 the fundamental human rights of the people of Iran
4 and work with organizations committed to pro-
5 moting democracy in Iran.

6 (2) SPECIFIC DUTIES.—The Special Envoy
7 shall have the following duties:

8 (A) Supporting international efforts to pro-
9 mote human rights and political freedoms in
10 Iran, including coordination between the United
11 States and the United Nations, the European
12 Union, the Organization for Security and Co-
13 operation in Europe (OSCE), and countries in
14 the region to promote these efforts and to es-
15 tablish the regional framework under section
16 104.

17 (B) Coordinating with appropriate offices
18 of the Department of State, the Department of
19 Defense, the National Security Council, and
20 such other agencies as may be necessary to co-
21 ordinate the establishment and operation of the
22 regional framework.

23 (C) Serving as point of contact for opposi-
24 tion groups, diaspora groups, and nongovern-

1 mental organizations interested in advocating
2 democracy and human rights in Iran.

3 (D) Coordinating efforts with appropriate
4 departments and agencies of the United States
5 Government, international organizations, non-
6 governmental organizations, and individuals and
7 organizations from the Iranian diaspora to ac-
8 quire greater information and reporting on con-
9 ditions in Iran.

10 (E) Overseeing funding for, and providing
11 consultative authority with respect to, public
12 and private broadcasting into Iran.

13 (F) Reviewing strategies for improving the
14 protection of human rights in Iran, including
15 technical training and exchange programs.

16 (G) Coordinating with the United States
17 representative on the Board of Directors of the
18 Global Fund to Fight HIV/AIDS, Tuberculosis,
19 and Malaria to properly evaluate and screen all
20 allocations of United States contributions to the
21 Global Fund that could be available to the Gov-
22 ernment of Iran.

23 (c) REPORT ON ACTIVITIES.—Not later than 180
24 days after the date of the enactment of this Act, and annu-
25 ally thereafter for each of the following 5 years, the Spe-

1 cial Envoy shall submit to the appropriate congressional
2 committees a report on the activities undertaken in the
3 preceding 12 months under subsection (b).

4 **SEC. 104. ESTABLISHMENT OF REGIONAL FRAMEWORK.**

5 (a) FINDING.—Congress finds that human rights ini-
6 tiatives can be undertaken on a multilateral basis, as dem-
7 onstrated by the OSCE, which established a regional
8 framework for discussing human rights, scientific and
9 educational cooperation, and economic and trade issues.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the United States Government should explore
12 the possibility of a regional human rights dialogue with
13 Iran that is modeled on the Helsinki process established
14 by the OSCE, engaging all countries in the region in a
15 common commitment to respect human rights and funda-
16 mental freedoms.

17 **SEC. 105. SENSE OF CONGRESS ON THE ROLE OF THE**
18 **UNITED NATIONS.**

19 It is the sense of Congress that the United Nations
20 has a significant role to play in promoting and improving
21 human rights in Iran, and that—

22 (1) the United Nations General Assembly has
23 taken positive steps by adopting Resolution 60/171,
24 which expresses its grave concern over the deterio-
25 rating human rights situation in Iran;

1 (2) the severe human rights violations in Iran
2 warrant country-specific attention and reporting by
3 the United Nations Working Group on Arbitrary
4 Detention, the United Nations Working Group on
5 Enforced and Involuntary Disappearances, the Spe-
6 cial Rapporteur on Extrajudicial, Summary, or Arbi-
7 trary Executions, the Special Rapporteur on the
8 Promotion and Protection of the Right to Freedom
9 of Opinion and Expression, the Special Rapporteur
10 on Freedom of Religion or Belief, and the Special
11 Rapporteur on Violence Against Women;

12 (3) United Nations member states should not
13 support Iran as a member of the United Nations
14 Human Rights Council until the Government of Iran
15 has made significant progress in its human rights
16 record, including the adherence to the Universal
17 Declaration on Human Rights; and

18 (4) the Special Envoy should work with the
19 United Nations to compile accurate statistical data
20 on social and political conditions inside Iran.

21 **SEC. 106. SENSE OF CONGRESS ON VISA POLICY.**

22 It is the sense of Congress that the commitment to
23 human rights and democracy of a national of Iran who
24 has applied for a visa to enter the United States should

1 be considered when determining the eligibility of such na-
2 tional for the visa.

3 **TITLE II—FOREIGN ASSISTANCE**

4 **SEC. 201. ASSISTANCE TO INDIVIDUALS, ORGANIZATIONS,** 5 **AND ENTITIES THAT SUPPORT HUMAN** 6 **RIGHTS AND DEMOCRACY IN IRAN.**

7 (a) **AUTHORITY.**—The President is authorized to pro-
8 vide financial and political assistance, including grants, to
9 foreign and domestic individuals, organizations, and enti-
10 ties that support human rights, democracy, and the pro-
11 motion of democracy in Iran and that are opposed to the
12 non-democratic Government of Iran and its deplorable
13 human rights record.

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

17 (1) officially opposes the use of terrorism;

18 (2) advocates the adherence by the Government
19 of Iran to nonproliferation regimes for nuclear,
20 chemical, and biological weapons and materiel;

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

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

1 (5) works to establish equality of opportunity
2 for all people of Iran; and

3 (6) supports freedom of the press, freedom of
4 speech, freedom of association, and freedom of reli-
5 gion and other internationally recognized human
6 rights.

7 (c) FUNDING.—The President may provide assistance
8 under this section acting through the Special Envoy.

9 (d) NOTIFICATION.—Not later than 15 days before
10 each obligation of assistance under this section, and in ac-
11 cordance with the procedures under section 634A of the
12 Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), the
13 President shall notify the appropriate congressional com-
14 mittees of such obligation of assistance.

15 **SEC. 202. ASSISTANCE TO THE GOVERNMENT OF IRAN.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) notwithstanding any other provision of law,
19 United States nonhumanitarian assistance to Iran
20 should be contingent on—

21 (A) substantial progress being made in
22 that country toward respecting the basic human
23 rights of the people of Iran; and

24 (B) the transition to a full, transparent de-
25 mocracy; and

1 (2) United States humanitarian assistance to
2 any department, agency, or entity of the Govern-
3 ment of Iran should—

4 (A) be delivered, distributed, and mon-
5 itored according to internationally recognized
6 humanitarian standards;

7 (B) be provided on a needs basis, and not
8 used as a political reward or tool of coercion;
9 and

10 (C) reach the intended beneficiaries, who
11 should be informed of the source of the assist-
12 ance.

13 (b) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Director of Foreign As-
15 sistance shall submit to the appropriate congressional
16 committees a report describing compliance with this sec-
17 tion and describing assistance provided to Iran by inter-
18 national organizations to which the United States provides
19 assistance.

1 **TITLE III—BROADCASTING AND**
2 **OTHER PUBLIC INFORMATION**

3 **SEC. 301. UNITED STATES POLICY REGARDING BROAD-**
4 **CASTING IN IRAN.**

5 (a) STATEMENT OF POLICY.—It is the policy of the
6 United States to help the people of Iran achieve a free
7 press and build an open, democratic, and free society.

8 (b) SENSE OF CONGRESS.—It is the sense of the
9 Congress that—

10 (1) effectively communicating democratic ideals
11 to the people of Iran is essential to fostering change
12 in that country; and

13 (2) United States public broadcasting into Iran
14 has in the past been intentionally undermined by the
15 actions of foreign governments.

16 **SEC. 302. REFORM OF RADIO FARDA AND VOICE OF AMER-**
17 **ICA PERSIAN SERVICE.**

18 (a) IN GENERAL.—The Broadcasting Board of Gov-
19 ernors shall—

20 (1) require the head of Radio Farda and the
21 head of Voice of America Persian Service to develop
22 programming in consultation with—

23 (A) the Special Envoy;

1 (B) individuals, organizations, and entities
2 eligible for political and financial assistance in
3 accordance with section 201(b); and

4 (C) representatives from the Middle East
5 Partnership Initiative, the Bureau of Edu-
6 cational and Cultural Affairs, and the Bureau
7 of Democracy, Human Rights, and Labor of the
8 Department of State;

9 (2) ensure that a significant percentage of the
10 broadcast time on Radio Farda and the Voice of
11 America Persian Service is devoted to discussing
12 peaceful democratic change in Iran, including a full,
13 transparent transition to democracy in that country,
14 the consequences of a lack of democratic reform for
15 the people of Iran, and democratic reforms in other
16 countries, and to promoting human rights in Iran
17 and other countries around the world;

18 (3) ensure that Radio Farda devotes not more
19 than 1/2 of its broadcast time to music and enter-
20 tainment; and

21 (4) ensure that fluent Farsi speakers employed
22 by Radio Farda and the Voice of America Persian
23 Service produce English summaries of their respec-
24 tive organizations' broadcasts on a weekly basis and

1 make such summaries available to the Special
2 Envoy.

3 (b) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the chairman of the Broad-
5 casting Board of Governors shall submit to the appro-
6 priate congressional committees a report that—

7 (1) describes compliance with subsection (a);

8 (2) reviews programming options for Radio
9 Farda as presented in the consultation process de-
10 scribed in paragraph (1) of such subsection;

11 (3) lists Radio Farda programs selected from
12 the options presented in the consultation process de-
13 scribed in such paragraph; and

14 (4) describes how Voice of America Persian
15 Service programming fulfills the principles of the
16 Voice of America charter.

17 (c) PROHIBITION ON USE OF FUNDS TO EMPLOY
18 CERTAIN INDIVIDUALS.—None of the funds appropriated
19 or otherwise made available by an Act making appropria-
20 tions for foreign operations, export financing, and related
21 programs or any other Act may be used to pay the salary
22 of any employee of the Broadcasting Board of Governors,
23 Voice of America, or Radio Farda who has, within the pre-
24 vious 10 years, been employed by the Iranian Information

1 Ministry, or any official news agency of the Government
2 of Iran, including the Islamic Republic News Agency.

3 (d) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Broadcasting Board of Governors should
5 make every effort to prevent the broadcast of explicitly
6 anti-American sentiments from any of its correspondents
7 or guests.

8 **SEC. 303. TRANSLATION AND DISTRIBUTION OF INFORMA-**
9 **TION.**

10 The Special Envoy may provide grants to appropriate
11 entities that are eligible for political and financial assist-
12 ance in accordance with section 201(b) or section
13 304(b)(4) to create and maintain websites and translate
14 and distribute books, videos, documents, and other mate-
15 rials on human rights, democracy, the rule of law, free
16 market economics, and related topics.

17 **SEC. 304. BROADCASTING TO PROMOTE DEMOCRACY IN**
18 **IRAN.**

19 (a) GRANT PROGRAM.—The Special Envoy is author-
20 ized to award grants to eligible entities for the purpose
21 of funding broadcasting programs and activities to pro-
22 mote a full, transparent transition to democracy in Iran.

23 (b) ELIGIBILITY.—The following persons and entities
24 are eligible for grants under subsection (a):

1 (1) Individuals, organizations, and entities that
2 are eligible for political and financial assistance in
3 accordance with section 201(b).

4 (2) Individuals, organizations, and entities that
5 provide radio or television broadcasting into Iran
6 that includes programming intended to promote a
7 full, transparent transition to democracy in Iran.

8 (3) Individuals, organizations, and entities that
9 are working to promote the holding of an inter-
10 nationally-monitored referendum in Iran.

11 (4) Individuals, organizations, and entities that
12 facilitate communication with the people of Iran via
13 the Internet, including websites, Internet broadcasts,
14 webblogs, and other forms of online communication,
15 that promote a full, transparent transition to democ-
16 racy in Iran.

17 **SEC. 305. SANCTIONS RELATING TO RADIO JAMMING AND**
18 **TELEVISION.**

19 The President may impose diplomatic and, if nec-
20 essary, economic sanctions on foreign governments or enti-
21 ties that assist the Government of Iran in jamming, block-
22 ing, or otherwise preventing the free transmission of
23 United States Government radio and television broadcasts
24 into Iran.

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