

104TH CONGRESS
1ST SESSION

S. 277

To impose comprehensive economic sanctions against Iran.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 10), 1995

Mr. D'AMATO introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose comprehensive economic sanctions against 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 “Comprehensive Iran
5 Sanctions Act of 1995”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 (a) IRAN’S VIOLATIONS OF HUMAN RIGHTS.—The
8 Congress makes the following findings with respect to
9 Iran’s violations of human rights:

10 (1) As cited by the 1991 United Nations Spe-
11 cial Representative on Human Rights, Amnesty
12 International, and the United States Department of

1 State, the Government of Iran has conducted assas-
2 sinations outside of Iran, such as that of former
3 Prime Minister Shahpour Bakhtiar for which the
4 Government of France issued arrest warrants for
5 several Iranian governmental officials.

6 (2) As cited by the 1991 United Nations Spe-
7 cial Representative on Human Rights and by Am-
8 nesty International, the Government of Iran has
9 conducted revolutionary trials which do not meet
10 internationally recognized standards of fairness or
11 justice. These trials have included such violations as
12 a lack of procedural safeguards, trial times of 5 min-
13 utes or less, limited access to defense counsel, forced
14 confessions, and summary executions.

15 (3) As cited by the 1991 United Nations Spe-
16 cial Representative on Human Rights, the Govern-
17 ment of Iran systematically represses its Baha'i pop-
18 ulation. Persecutions of this small religious commu-
19 nity include assassinations, arbitrary arrests, elec-
20 toral prohibitions, and denial of applications for doc-
21 uments such as passports.

22 (4) As cited by the 1991 United Nations Spe-
23 cial Representative on Human Rights, the Govern-
24 ment of Iran suppresses opposition to its govern-
25 ment. Political organizations such as the Freedom

1 Movement are banned from parliamentary elections,
2 have their telephones tapped and their mail opened,
3 and are systematically harassed and intimidated.

4 (5) As cited by the 1991 United Nations Spe-
5 cial Representative on Human Rights and Amnesty
6 International, the Government of Iran has failed to
7 recognize the importance of international human
8 rights. This includes suppression of Iranian human
9 rights movements such as the Freedom Movement,
10 lack of cooperation with international human rights
11 organizations such as the International Red Cross,
12 and an overall apathy toward human rights in gen-
13 eral. This lack of concern prompted the Special Rep-
14 resentative to state in his report that Iran had made
15 “no appreciable progress towards improved compli-
16 ance with human rights in accordance with the cur-
17 rent international instruments”.

18 (6) As cited by Amnesty International, the Gov-
19 ernment of Iran continues to torture its political
20 prisoners. Torture methods include burns, arbitrary
21 blows, severe beatings, and positions inducing pain.

22 (b) IRAN’S ACTS OF INTERNATIONAL TERRORISM.—
23 The Congress makes the following findings, based on the
24 records of the Department of State, with respect to Iran’s
25 acts of international terrorism:

1 (1) As cited by the Department of State, the
2 Government of Iran was the greatest supporter of
3 state terrorism in 1992, supporting over 20 terrorist
4 acts, including the bombing of the Israeli Embassy
5 in Buenos Aires that killed 29 people.

6 (2) As cited by the Department of State, the
7 Government of Iran is a sponsor of radical religious
8 groups that have used terrorism as a tool. These in-
9 clude such groups as Hezbollah, HAMAS, the Turk-
10 ish Islamic Jihad, and the Popular Front for
11 the Liberation of Palestine-General Command
12 (PFLP-GC).

13 (3) As cited by the Department of State, the
14 Government of Iran has resorted to international
15 terrorism as a means of obtaining political gain.
16 These actions have included not only the assassina-
17 tion of former Prime Minister Bakhitiar, but the
18 death sentence imposed on Salman Rushdie, and the
19 assassination of the leader of the Kurdish Demo-
20 cratic Party of Iran.

21 (4) As cited by the Department of State and
22 the Vice President's Task Force on Combatting Ter-
23 rorism, the Government of Iran has long been a pro-
24 ponent of terrorist actions against the United
25 States, beginning with the takeover of the United

1 States Embassy in Tehran in 1979. Iranian support
2 of extremist groups have led to the following attacks
3 upon the United States as well:

4 (A) The car bomb attack on the United
5 States Embassy in Beirut killing 49 in 1983 by
6 the Hezbollah.

7 (B) The car bomb attack on the United
8 States Marine Barracks in Beirut killing 241 in
9 1983 by the Hezbollah.

10 (C) The assassination of American Univer-
11 sity President in 1984 by the Hezbollah.

12 (D) The kidnapping of all American hos-
13 tages in Lebanon from 1984–1986 by the
14 Hezbollah.

15 **SEC. 3. TRADE EMBARGO.**

16 (a) IN GENERAL.—Except as provided in subsection
17 (c), effective on the date of enactment of this Act, a total
18 trade embargo shall be in force between the United States
19 and Iran.

20 (b) COVERED TRANSACTIONS.—As part of such em-
21 bargo the following transactions are prohibited:

22 (1) Any transaction in the currency exchange of
23 Iran.

24 (2) The transfer of credit or payments between,
25 by, through, or to any banking institution, to the ex-

1 tent that such transfers or payments involve any in-
2 terest of Iran or a national thereof.

3 (3) The importing from, or exporting to, Iran
4 of currency or securities.

5 (4) Any acquisition, holding, withholding, use,
6 transfer, withdrawal, transportation, importation or
7 exportation of, or dealing in, or exercising any right,
8 power, or privilege with respect to, or any trans-
9 action involving, any property in which Iran or any
10 national thereof has any interest; by any person, or
11 with respect to any property, subject to the jurisdic-
12 tion of the United States.

13 (5) The licensing for export to Iran, or for ex-
14 port to any other country for reexport to Iran, by
15 any person subject to the jurisdiction of the United
16 States of any item or technology controlled under
17 the Export Administration Act of 1979, the Arms
18 Export Control Act, or the Atomic Energy Act of
19 1954.

20 (6) The importation into the United States of
21 any good or service which is, in whole or in part,
22 grown, produced, manufactured, extracted, or proc-
23 essed in Iran.

24 (c) EXTRATERRITORIAL APPLICATION.—In addition
25 to the transactions described in subsection (b), the trade

1 embargo imposed by this Act prohibits any transaction de-
2 scribed in paragraphs (1) through (4) of that subsection
3 when engaged in by a United States national abroad.

4 (d) EXCEPTIONS.—This section shall not apply to
5 any transaction involving the furnishing, for humanitarian
6 purposes, of food, clothing, medicine, or medical supplies,
7 instruments, or equipment to Iran or to any national
8 thereof.

9 (e) PENALTIES.—Any person who violates this sec-
10 tion or any license, order, or regulation issued under this
11 section shall be subject to the same penalties as are appli-
12 cable under section 206 of the International Emergency
13 Economic Powers Act (50 U.S.C. 1705) to violations of
14 licenses, orders, or regulations under that Act.

15 (f) APPLICATION TO EXISTING LAW.—This section
16 shall apply notwithstanding any other provision of law or
17 international agreement.

18 **SEC. 4. OPPOSITION TO MULTILATERAL ASSISTANCE.**

19 (a) INTERNATIONAL FINANCIAL INSTITUTIONS.—(1)
20 The Secretary of the Treasury shall instruct the United
21 States executive director of each international financial in-
22 stitution described in paragraph (2) to oppose and vote
23 against any extension of credit or other financial assist-
24 ance by that institution to Iran.

1 (2) The international financial institutions referred
2 to in paragraph (1) are the International Bank for Recon-
3 struction and Development, the International Develop-
4 ment Association, the Asian Development Bank, and the
5 International Monetary Fund.

6 (b) UNITED NATIONS.—It is the sense of the Con-
7 gress that the United States Permanent Representative to
8 the United Nations should oppose and vote against the
9 provision of any assistance by the United Nations or any
10 of its specialized agencies to Iran.

11 **SEC. 5. WAIVER AUTHORITY.**

12 The provisions of sections 3 and 4 shall not apply
13 if the President determines and certifies to the appro-
14 priate congressional committees that Iran—

15 (1) has substantially improved its adherence to
16 internationally recognized standards of human
17 rights;

18 (2) has ceased its efforts to acquire a nuclear
19 explosive device; and

20 (3) has ceased support for acts of international
21 terrorism.

22 **SEC. 6. REPORT REQUIRED.**

23 Beginning 60 days after the date of enactment of this
24 Act, and every 90 days thereafter, the President shall sub-

1 mit to the appropriate congressional committees a report
2 describing—

3 (1) the nuclear and other military capabilities
4 of Iran; and

5 (2) the support, if any, provided by Iran for
6 acts of international terrorism.

7 **SEC. 7. DEFINITIONS.**

8 For purposes of this Act—

9 (1) the term “act of international terrorism”
10 means an act—

11 (A) which is violent or dangerous to
12 human life and that is a violation of the crimi-
13 nal laws of the United States or of any State
14 or that would be a criminal violation if commit-
15 ted within the jurisdiction of the United States
16 or any State; and

17 (B) which appears to be intended—

18 (i) to intimidate or coerce a civilian
19 population;

20 (ii) to influence the policy of a govern-
21 ment by intimidation or coercion; or

22 (iii) to affect the conduct of a govern-
23 ment by assassination or kidnapping.

24 (2) the term “appropriate congressional com-
25 mittees” means the Committee on Foreign Relations

1 of the Senate and the Committee on International
2 Relations of the House of Representatives;

3 (3) the term “Iran” includes any agency or in-
4 strumentality of Iran;

5 (4) the term “United States” means the several
6 States, the District of Columbia, the Commonwealth
7 of Puerto Rico, the Commonwealth of the Northern
8 Mariana Islands, American Samoa, Guam, the Vir-
9 gin Islands, and any other territory or possession of
10 the United States; and

11 (5) the term “United States national” means—

12 (A) a natural person who is a citizen of the
13 United States or who owes permanent alle-
14 giance to the United States;

15 (B) a corporation or other legal entity
16 which is organized under the laws of the United
17 States, any State or territory thereof, or the
18 District of Columbia, if natural persons who are
19 nationals of the United States own, directly or
20 indirectly, more than 50 percent of the out-
21 standing capital stock or other beneficial inter-
22 est in such legal entity; and

1 (C) any foreign subsidiary of a corporation
2 or other legal entity described in subparagraph
3 (B).

○