

111TH CONGRESS
2D SESSION

S. 3008

To establish a program to support a transition to a freely elected, open
democracy in Iran.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2010

Mr. CORNYN (for himself and Mr. BROWNBACK) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To establish a program to support a transition to a freely
elected, open 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 Democratic Tran-
5 sition Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Government of the Islamic Republic of
9 Iran has a history of violating the human rights of
10 its own citizens.

1 (2) According to the Department of State's
2 2008 Country Report on Human Rights Practices,
3 the Government of the Islamic Republic of Iran and
4 its agents—

5 (A) have tortured detainees and prisoners;

6 and

7 (B) have committed numerous arbitrary
8 and unlawful killings, including the killing of
9 juveniles.

10 (3) On January 28, 2010, the Government of
11 the Islamic Republic of Iran hanged 2 men accused
12 of participating in protests following the disputed
13 June 12, 2009, presidential election.

14 (4) On February 2, 2010, Ebrahim Raisi, a
15 senior member of Iran's judiciary, announced that 9
16 additional dissidents would soon be hanged for their
17 opposition to the Islamic regime.

18 (5) On June 12, 2009, the Islamic Republic of
19 Iran staged a presidential election that—

20 (A) was marred by—

21 (i) fraud;

22 (ii) the barring of candidate observers
23 at many polling stations;

24 (iii) a shut-down of Internet and text
25 services by the regime; and

1 (iv) violent repression of protests; and
2 (B) despite widespread protests, resulted
3 in the certification of incumbent President
4 Mahmoud Ahmadinejad as the winner.

5 (6) The Government of the Islamic Republic of
6 Iran—

7 (A) increasingly restricts the operation of
8 international media within Iran, including the
9 February 7, 2010, arrest of 7 people associated
10 with Radio Free Europe/Radio Liberty’s Per-
11 sian language program, Radio Farda; and

12 (B) imposes significant restrictions on Ira-
13 nian press outlets, including—

14 (i) the jailing and torturing of numer-
15 ous media employees; and

16 (ii) restricting Iranian citizens’ access
17 to the Internet.

18 (7) According to the Department of State’s
19 2009 International Religious Freedom report re-
20 garding Iran, in the 1-year period ending June 30,
21 2009—

22 (A) “respect for religious freedom in [Iran]
23 continued to deteriorate”; and

1 (B) “[g]overnment rhetoric and actions
2 created a threatening atmosphere for nearly all
3 non-Shi’a religious groups”.

4 (8) January 12, 2010, was the first day of a
5 show trial for 7 Iranian Baha’i leaders accused of
6 espionage, which could result in the imposition of
7 the death penalty.

8 (9) According to the 2008 Department of State
9 Country Reports on Terrorism, published in April
10 2009, Iran—

11 (A) “remained the most significant state
12 sponsor of terrorism”;

13 (B) “has long employed terrorism to ad-
14 vance its key national security and foreign pol-
15 icy interests, which include regime survival, re-
16 gional dominance, opposition to Arab-Israeli
17 peace, and countering western influence, par-
18 ticularly in the Middle East”;

19 (C) continues to hinder the Middle East
20 peace process by using the Islamic Revolu-
21 tionary Guard Corps Qods to arm, train, and
22 fund militants and terrorist organizations, in-
23 cluding Hamas, Lebanese Hizballah, and the
24 Palestinian Islamic Jihad; and

1 (D) despite its pledge to support stabiliza-
2 tion in Iraq, has used the Islamic Revolutionary
3 Guard Corps Qods to cultivate and support cer-
4 tain Iraqi Shi'a militant groups.

5 (10) Iran's support for militant and terrorist
6 organizations—

7 (A) has directly bolstered Hamas' ability to
8 strike Israel; and

9 (B) includes the supply of arms to
10 Hezbollah in direct violation of United Nations
11 Security Council Resolution 1701.

12 (11) The report also states that—

13 (A) “despite a dramatic decrease in at-
14 tacks in Iraq since August 2008, security re-
15 mains fragile, in part because the Qods Force
16 continued to provide lethal support to select
17 Iraqi militant groups that target U.S., Iraqi
18 and Coalition forces”; and

19 (B) “Iranian weapons transfers to select
20 Taliban members in Afghanistan in 2008 con-
21 tinued to threaten Afghan and NATO troops
22 operating under UN mandate and undermine
23 stabilization efforts in that country”.

24 (12) On October 26, 2005, Iranian President
25 Mahmoud Ahmadinejad stated, “to those who doubt,

1 to those who ask is it possible or those who do not
2 believe, I say accomplishment of a world without
3 America and Israel is both possible and feasible”.

4 (13) On June 2, 2008, Ahmadinejad stated
5 that Israel—

6 (A) “will be wiped off the pages of his-
7 tory”; and

8 (B) “is about to die and will soon be
9 erased from the geographical scene. . . .
10 Today, the time for the fall of the satanic
11 power of the United States has come and the
12 countdown to the annihilation of the emperor of
13 power and wealth has started”.

14 (14) Iran’s Supreme Leader, Ayatollah Ali
15 Khamenei—

16 (A) gave a speech on March 4, 2009, in
17 which he referred to the State of Israel as a
18 “cancerous tumor” and indicated that negotia-
19 tions with Israel were a “big mistake”; and

20 (B) posted on his official website on Janu-
21 ary 27, 2010, “the day will come when nations
22 of the region will witness the destruction of the
23 Zionist regime”.

24 (15) On September 21, 2009, Iran revealed to
25 the International Atomic Energy Agency that it was

1 constructing a second uranium enrichment at an un-
2 derground site near Qom.

3 (16) United States intelligence officials have
4 said that despite this notification—

5 (A) Iran originally intended for the facility
6 to be kept secret;

7 (B) the United States had been “observing
8 and analyzing the facility for several years”;
9 and

10 (C) President Barack Obama has noted
11 that “the size and configuration of this facility
12 is inconsistent with a peaceful program”.

13 (17) On February 3, 2010, Director of National
14 Intelligence Dennis Blair stated, in written testi-
15 mony to Congress, “Iran’s technical advancement,
16 particularly in uranium enrichment, strengthens our
17 2007 NIE [National Intelligence Estimate] assess-
18 ment that Iran has the scientific, technical and in-
19 dustrial capacity to eventually produce nuclear weap-
20 ons, making the central issue its political will to do
21 so. These advancements lead us to reaffirm our
22 judgment from the 2007 NIE that Iran is tech-
23 nically capable of producing enough [highly enriched
24 uranium] for a weapon in the next few years, if it
25 chooses to do so.”

1 **SEC. 3. DECLARATIONS OF POLICY TOWARD IRAN.**

2 Congress makes the following declarations:

3 (1) The interests of the United States and
4 international peace are threatened by the ongoing
5 and destabilizing actions of the government of the
6 Islamic Republic of Iran, including its—

7 (A) massive, systematic, and extraordinary
8 violations of the human rights of its own citi-
9 zens;

10 (B) continued interference with the inter-
11 nal affairs of its neighbors, including Iraq and
12 Afghanistan;

13 (C) support for, and facilitation of, ter-
14 rorist activities; and

15 (D) attempts to develop weapons of mass
16 destruction and long-range missile delivery sys-
17 tems.

18 (2) It should be the policy of the United States
19 to deny the Government of the Islamic Republic of
20 Iran the ability to continue—

21 (A) to oppress the people of Iran and use
22 violence and executions against pro-democracy
23 protestors and regime opponents;

24 (B) to interfere in the internal affairs of
25 its neighbors, including Iraq and Afghanistan;

1 (C) to finance, provide safe-haven, or oth-
2 erwise support terrorist organizations; or

3 (D) to develop chemical, biological, radio-
4 logical, or nuclear weapons, and ballistic missile
5 delivery systems.

6 (3) It should be the policy of the United
7 States—

8 (A) to fully and publicly support efforts
9 made by the people of Iran to oppose and re-
10 move the regime headed by Supreme Leader Ali
11 Hoseyni Khamenei and President Mahmoud
12 Ahmadinejad from power in Iran; and

13 (B) to promote the emergence of a freely
14 elected, open, and democratic government to re-
15 place the political system of the Islamic Repub-
16 lic of Iran.

17 **SEC. 4. ASSISTANCE TO SUPPORT A TRANSITION TO A**
18 **FREELY ELECTED, OPEN DEMOCRATIC GOV-**
19 **ERNMENT IN IRAN.**

20 (a) **AUTHORIZATION TO PROVIDE ASSISTANCE.—**

21 (1) **IN GENERAL.—**Notwithstanding any other
22 provision of law, the President is authorized to sup-
23 port a transition to a freely elected, open, democratic
24 government in Iran by providing eligible Iranian

1 democratic opposition organizations with the assist-
2 ance set forth in this subsection.

3 (2) ASSISTANCE FOR BROADCASTING AND
4 OTHER COMMUNICATIONS.—

5 (A) IN GENERAL.—The President may
6 grant assistance directly to Iranian democratic
7 opposition organizations for the communication
8 and dissemination of accurate and independent
9 information to the Iranian people through
10 radio, television, Internet, cellular telephone,
11 short message service, and other media.

12 (B) USE OF EXISTING AUTHORITY TO SUP-
13 PORT DEMOCRACY.—Notwithstanding any other
14 provision of law that may restrict or prohibit
15 aid to Iran, Congress urges the President to
16 fully utilize existing authorities and funding, in-
17 cluding under the Iran Freedom Support Act
18 (Public Law 109–293) and the National De-
19 fense Authorization Act for Fiscal Year 2010
20 (Public Law 111–84), to support and promote
21 democracy in Iran through assistance for pro-
22 democracy broadcasting into Iran and the dis-
23 semination of accurate and independent infor-
24 mation to the Iranian people through various
25 media.

1 (3) HUMANITARIAN ASSISTANCE.—Notwith-
2 standing any other laws that may bar aid to Iran,
3 Congress urges the President to use existing au-
4 thorities under the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151 et seq.) to provide humanitarian
6 assistance to individuals or groups determined by
7 the President to be victims of repression by the Gov-
8 ernment of the Islamic Republic of Iran, particularly
9 those individuals or groups eligible for assistance
10 under paragraph (1).

11 (4) AUTHORIZATION OF APPROPRIATIONS.—

12 (A) IN GENERAL.—There are authorized to
13 be appropriated to the Department of State
14 such sums as may be necessary for fiscal year
15 2010 to carry out this subsection.

16 (B) AVAILABILITY OF FUNDS.—Amounts
17 authorized to be appropriated under this sec-
18 tion—

19 (i) are in addition to amounts other-
20 wise available for the purposes described in
21 this section; and

22 (ii) shall remain available until ex-
23 pended.

24 (b) NOTIFICATION REQUIREMENT.—Not later than
25 15 days before each obligation of assistance under this

1 section, the President shall notify the Committee on For-
2 eign Relations of the Senate, the Committee on Appropria-
3 tions of the Senate, the Committee on Foreign Affairs of
4 the House of Representatives, and the Committee on Ap-
5 propriations of the House of Representatives, in accord-
6 ance with the procedures applicable to reprogramming no-
7 tifications under section 634A of the Foreign Assistance
8 Act of 1961 (22 U.S.C. 2394–1).

9 (c) ELIGIBILITY CRITERIA.—An Iranian democratic
10 opposition organization may receive assistance under sub-
11 section (a) only if the President determines that the orga-
12 nization—

13 (1) includes a broad spectrum of Iranian indi-
14 viduals or groups that have a demonstrable and
15 proven record of—

16 (A) opposition to the current Government
17 of the Islamic Republic of Iran; and

18 (B) commitment to fostering cooperation
19 among democratic opponents of the current
20 Government of the Islamic Republic of Iran;

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

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

1 (4) supports freedom of the press, freedom of
2 speech, freedom of association, and freedom of reli-
3 gion;

4 (5) officially opposes the use of violence and
5 terrorism and has not been designated as a foreign
6 terrorist organization under section 219 of the Im-
7 migration and Nationality Act (8 U.S.C. 1189) at
8 any time;

9 (6) advocates the adherence by Iran to non-
10 proliferation regimes for nuclear, chemical, and bio-
11 logical weapons and materiel; and

12 (7) is committed to peaceful relations with the
13 countries surrounding Iran.

14 (d) RESTRICTION ON ASSISTANCE.—Assistance may
15 not be provided under this section to any organization or
16 individual that has, at any time—

17 (1) engaged in military cooperation with the
18 Government of the Islamic Republic of Iran; or

19 (2) engaged in or supported an act of terrorism.

20 **SEC. 5. SPECIAL ENVOY FOR DEMOCRACY AND HUMAN**
21 **RIGHTS IN IRAN.**

22 (a) ESTABLISHMENT.—The President may appoint,
23 by and with the advice and consent of the Senate, a Spe-
24 cial Envoy for Democracy and Human Rights in Iran (re-

1 ferred to in this section as the “Special Envoy”), who shall
2 hold the rank of Ambassador.

3 (b) DUTIES.—

4 (1) MANAGEMENT OF POLICY ON PROMOTION
5 OF DEMOCRACY AND HUMAN RIGHTS.—The primary
6 responsibility of the Special Envoy shall be to man-
7 age United States policy on the promotion of democ-
8 racy and human rights in Iran.

9 (2) OTHER DUTIES.—The Special Envoy
10 shall—

11 (A) advise the President and the Secretary
12 of State, as appropriate;

13 (B) in coordination with the Assistant Sec-
14 retary for Near Eastern Affairs and the Assist-
15 ant Secretary for Democracy, Human Rights,
16 and Labor, make recommendations regarding
17 effective strategies and tactics to achieve a
18 democratic transition in Iran;

19 (C) support and promote international ef-
20 forts to promote human rights and political
21 freedoms in Iran, including coordination be-
22 tween the United States and the United Na-
23 tions, the European Union, the Organization
24 for Security and Cooperation in Europe, and
25 countries in the region;

1 (D) establish the regional framework de-
2 scribed in section 6;

3 (E) coordinate with appropriate offices of
4 the Department of State, the Department of
5 Defense, the National Security Council, and
6 such other agencies as may be necessary to co-
7 ordinate the establishment and operation of the
8 regional framework;

9 (F) serve as point of contact for opposition
10 groups, nongovernmental organizations, and in-
11 dividuals and organizations from the Iranian di-
12 aspora to acquire greater information and re-
13 porting on conditions in Iran;

14 (G) coordinate efforts with appropriate de-
15 partments and agencies of the United States
16 Government, international organizations, non-
17 governmental organizations, and individuals and
18 organizations from the Iranian diaspora to ac-
19 quire greater information and reporting on con-
20 ditions in Iran;

21 (H) oversee funding for, and provide con-
22 sultative authority with respect to, public and
23 private broadcasting into Iran; and

1 (I) review strategies for improving the pro-
2 tection of human rights in Iran, including tech-
3 nical training and exchange programs.

4 **SEC. 6. SENSE OF CONGRESS ON ESTABLISHMENT OF RE-**
5 **GIONAL FRAMEWORK ON HUMAN RIGHTS.**

6 (a) FINDING.—Congress finds that human rights ini-
7 tiatives can be undertaken on a multilateral basis, as dem-
8 onstrated by the Organization for Security and Coopera-
9 tion in Europe, which established a regional framework
10 for discussing human rights, scientific and educational co-
11 operation, and economic and trade issues.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the United States Government should explore
14 the possibility of a regional human rights dialogue on Iran
15 that is modeled on the Helsinki process established by the
16 Organization for Security and Cooperation in Europe, en-
17 gaging in all countries in the region in a common commit-
18 ment to respect human rights and fundamental freedoms.

19 **SEC. 7. OTHER SUPPORT FOR TRANSITION IN IRAN.**

20 (a) SENSE OF CONGRESS.—It is the sense of the Con-
21 gress that, if the Iranian people successfully restore full
22 democratic rule to Iran, the United States should fully
23 support Iran's transition to a freely elected, open democ-
24 racy by providing—

1 (1) immediate and substantial humanitarian as-
2 sistance to the Iranian people; and

3 (2) democracy transition assistance to eligible
4 Iranian parties and movements with democratic
5 goals.

6 (b) REPORT TO CONGRESS ON PLAN FOR UNITED
7 STATES SUPPORT.—Not later than 90 days after the date
8 of the enactment of this Act, the President shall submit
9 a report to Congress that describes a clear plan for imple-
10 mentation of this Act, including aid programs, recipients,
11 and strategies to promote the emergence of a freely elect-
12 ed, open, and democratic government in Iran.

13 (c) REPORT TO CONGRESS AFTER TRANSITION IN
14 IRAN.—Not later than 90 days after the establishment of
15 a transitional government in Iran, the President shall sub-
16 mit a report to Congress, in classified and unclassified
17 form, that describes a comprehensive plan for United
18 States support of—

19 (1) the Iranian people during the transition to
20 a new, freely elected, open, and democratic govern-
21 ment;

22 (2) the new Iranian government's efforts—

23 (A) to restore full human rights to the peo-
24 ple of Iran; and

25 (B) protect these rights in the future;

1 (3) the new Iranian government's commitment
2 to dismantling Iran's nuclear weapons program; and

3 (4) the new Iranian government's cessation of
4 Iran's historical financing and other support of
5 Hamas, Hezbollah, and other groups designated as
6 foreign terrorist organizations by the Secretary of
7 State.

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