

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY MR. SHERMAN OF CALIFORNIA**

Add at the end of title VIII the following:

1 **SEC. 813. CLARIFICATION OF SENSITIVE TECHNOLOGIES**

2 **FOR PURPOSES OF PROCUREMENT BAN.**

3 (a) FINDINGS.—The Congress finds the following:

4 (1) The Government of Iran continues to dis-  
5 rupt the free flow of information to the people of  
6 Iran.

7 (2) The Government of Iran continues to utilize  
8 information technology to conduct surveillance of  
9 dissidents' communications in an effort to repress  
10 opponents of the regime.

11 (3) Congress passed the Comprehensive Iran  
12 Sanctions, Accountability, and Divestment Act of  
13 2010 (CISADA) (which was enacted into law on  
14 July 1, 2010) to increase pressure on the Iranian re-  
15 gime to abandon nefarious policies, including the de-  
16 velopment of nuclear weapons, support for inter-  
17 national terrorism, and violations of internationally  
18 recognized human rights.

19 (4) Section 106 of that Act provides for sanc-  
20 tions against firms that provide Iran with sensitive

1 technologies that allow the Government of Iran to  
2 monitor, disrupt, or filter the free flow of informa-  
3 tion to and from the people of Iran.

4 (5) On September 23, 2010, the President dele-  
5 gated authorities provided under section 106 of that  
6 Act to the Secretary of State.

7 (6) On June 30, 2011, the Government Ac-  
8 countability Office issued a report, pursuant to sec-  
9 tion 106 of that Act and other legislation, entitled  
10 "Iran Communications Blocking" (GAO-11-706R).

11 (7) That report notes that the State Depart-  
12 ment has not identified any firms that have provided  
13 Iran with such sensitive technology, and that the  
14 State Department has no intention "to further re-  
15 fine the definition of sensitive technologies beyond  
16 hardware, software, telecommunications equipment,  
17 or any other technology the President determines is  
18 to be used to monitor, filter, or disrupt information  
19 and communication flows in Iran". The report fur-  
20 ther notes that many communications technologies  
21 may be used for legitimate purposes as well as dis-  
22 ruption and surveillance, making a determination of  
23 the buyer's or seller's intent difficult to discern.

24 (8) The report also notes that, according to var-  
25 ious sources, the Government of Iran has developed

1 "indigenous" capabilities to disrupt and monitor in-  
2 formation and communications in Iran.

3 (b) RESPONSIBILITIES OF SECRETARY OF STATE.—

4 The Secretary of State shall—

5 (1) not later than 90 days after the date of the  
6 enactment of this Act, issue guidelines to further de-  
7 scribe the goods, services, and technologies that will  
8 be considered "sensitive technologies" for purposes  
9 of section 106 of the Comprehensive Iran Sanctions,  
10 Accountability, and Divestment Act of 2010 (22  
11 U.S.C. 8515), and publish those guidelines in the  
12 Federal Register;

13 (2) determine the types of goods, services, and  
14 technologies that enable any indigenous capabilities  
15 that Iran has to disrupt and monitor information  
16 and communications in that country, and consider  
17 adding descriptions of those items to the guidelines;  
18 and

19 (3) periodically review, but in no case less than  
20 once each year, the guidelines and, if necessary,  
21 amend the guidelines on the basis of technological  
22 developments and new information regarding trans-  
23 fers of goods, services, and technologies to Iran and  
24 the development of Iran's indigenous capabilities to

- 1 disrupt and monitor information and communica-
- 2 tions in Iran.

