

AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MRS. BACHMANN OF MINNESOTA

Page 297, insert the following after line 22:

1 **SEC. 806. PROHIBITION ON CONTRACTS WITH ENTITIES**
2 **PROVIDING IRAN WITH CERTAIN TECH-**
3 **NOLOGIES.**

4 (a) **PROHIBITION ON CONTRACTS.—**

5 (1) **PROHIBITION.—**The Secretary of Defense
6 may not enter into or renew any contract with—

7 (A) an entity that—

8 (i) provides censorship or surveillance
9 technology to the Government of Iran; or

10 (ii) provides crime control or detection
11 equipment to the Government of Iran; or

12 (B) a successor entity to the entity de-
13 scribed in subparagraph (A).

14 (2) **DEFINITIONS.—**For purposes of this sub-
15 section—

16 (A) the term “censorship or surveillance
17 technology” means hardware, software, tele-
18 communications equipment, or any other tech-
19 nology that is designed to provide a substantial
20 capability—

1 (i) to jam, block, or monitor radio, tel-
2 evision, or satellite signals;

3 (ii) to jam, block, monitor, or restrict
4 access to the Internet;

5 (iii) to censor content, regardless of
6 the medium; or

7 (iv) otherwise to restrict the free flow
8 of information or disrupt, monitor, or oth-
9 erwise restrict speech; and

10 (B) the term "Government of Iran" means
11 any agency or instrumentality of the Govern-
12 ment of Iran, including any entity that is con-
13 trolled by the Government of Iran.

14 (b) DURATION OF PROHIBITION.—The prohibition
15 under subsection (a) shall apply with respect to an entity
16 (or successor entity)—

17 (1) for a period of not less than 4 years begin-
18 ning on the date on which the prohibition is im-
19 posed; or

20 (2) until such time as the Secretary of Defense
21 determines and certifies to the congressional defense
22 committees that—

23 (A) the entity whose activities were the
24 basis for imposing the prohibition is no longer
25 engaging in such activities; and

1 (B) the Secretary has received reliable as-
2 surances that such entity (or successor entity)
3 will not knowingly engage in such activities in
4 the future, except that such prohibition shall re-
5 main in effect for a period of at least 2 years.

6 (c) WAIVER.—

7 (1) AUTHORITY.—The Secretary of Defense
8 may waive the prohibition under subsection (a) with
9 respect to a contract if the Secretary determines
10 that the contract is in the interest of national secu-
11 rity.

12 (2) NOTIFICATION.—Upon issuing a waiver
13 under paragraph (1) with respect to a contract, the
14 Secretary of Defense shall submit to the Committees
15 on Armed Services of the Senate and House of Rep-
16 resentatives, the Committee on Foreign Relations of
17 the Senate, and the Committee on Foreign Affairs
18 of the House of Representatives a notification that
19 identifies the entity involved, the nature of the con-
20 tract, and the rationale for issuing the waiver.

21 (d) APPLICABILITY.—The prohibition under sub-
22 section (a) applies with respect to acts described in clauses
23 (i) and (ii) of subsection (a)(1)(A) that occur on or after

- 1 the date that is the first day of the 5-year period ending
- 2 on the date of the enactment of this Act.

