

112TH CONGRESS
1ST SESSION

H. RES. 60

Urging the Secretary of State to remove the People's Mojahedin Organization of Iran from the Department of State's list of Foreign Terrorist Organizations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2011

Mr. POE of Texas (for himself, Mr. ROHRABACHER, Ms. JACKSON LEE of Texas, Mr. DICKS, Mr. TOWNS, Ms. CHU, Mr. YOUNG of Alaska, Mr. CLEAVER, Mr. SCHOCK, and Mr. FRANKS of Arizona) submitted the following resolution; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Urging the Secretary of State to remove the People's Mojahedin Organization of Iran from the Department of State's list of Foreign Terrorist Organizations.

Whereas the People's Mojahedin Organization of Iran (PMOI/MEK) seeks freedom, democracy, and human rights for the people of Iran;

Whereas tens of thousands of MEK members have been executed by the Iranian regime;

Whereas tens of thousands of MEK members have been jailed and tortured by the Iranian regime;

Whereas in 2001, the MEK ceased its military activities against the Iranian regime and rejected violence;

Whereas in 2003, the MEK voluntarily handed over all its arms to United States forces in Iraq and cooperated with United States military at Camp Ashraf;

Whereas in 2004, MEK members in Camp Ashraf obtained “protected persons” status under the Fourth Geneva Convention based on the United States investigators’ conclusions that none was a combatant or had committed a crime under any United States laws;

Whereas in 2004, all members of the MEK in Camp Ashraf, including its leadership, signed a document rejecting violence and terrorism;

Whereas according to the Intelligence Community Terrorist Threat Assessment: “The August 2002 public disclosure by the MEK of two Iranian nuclear facilities was a watershed event that led to intrusive inspections by the International Atomic Energy Agency (IAEA) and further public revelations of previously undeclared efforts by the civilian Atomic Energy Organization of Iran (AEOI) to develop a large nuclear fuel cycle.”;

Whereas the MEK has continued to reveal valuable intelligence about Iran’s nuclear program, including additional secret and underground sites, which according to a senior Los Alamos Laboratory analyst is “right 90 percent of the time”;

Whereas senior United States military officers have acknowledged on multiple occasions that MEK’s intelligence has played a positive and effective role in saving the lives of American soldiers by exposing the threats and dangers of Iran’s terrorist interventions in Iraq;

Whereas in 2007, the United Kingdom's Proscribed Organisations Appeal Commission (POAC) concluded after reviewing classified and unclassified evidence, that the designation of the MEK was "perverse" and had to be set aside;

Whereas in 2008, the English Court of Appeal, in upholding the judgment of POAC, emphasized that a review of classified material had reinforced its view that the MEK was not engaged in terrorism nor did it intend to engage in such activity in the future;

Whereas in 2008, the United Kingdom removed the MEK from the list of proscribed organizations and lifted all the consequent restrictions;

Whereas in 2006 and 2008, the Court of First Instance of the European Communities in three separate judgments concluded that the European Union had denied the MEK's right to defense and failed to provide any evidence that would justify the inclusion of the MEK in its terrorist lists, and therefore annulled the MEK's designation;

Whereas in 2009, the Council of Ministers of the European Union voted unanimously to remove the MEK from the European Union's list of terrorist organizations;

Whereas in 2010, some 3,500 European Parliamentarians supported the MEK and its platform;

Whereas in July 2010, the U.S. Court of Appeals for the District of Columbia Circuit held that the Department of State's designation of the MEK as a Foreign Terrorist Organization (FTO) under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) was faulty because it violated the due process rights of the group;

Whereas section 219 of the Immigration and Nationality Act allows the Secretary of State to revoke an FTO designation if “the circumstances that were the basis for the designation have changed in such a manner as to warrant revocation; or the national security of the United States warrants a revocation”;

Whereas the Secretary of State has so far failed to present the Congress with credible evidence showing that the MEK engages in terrorist activity, or terrorism, or has the capability and intent to engage in terrorism that threatens the national security of the United States or the security of United States nationals;

Whereas the Government of Iran has used the FTO designation of the MEK as a pretext to execute its members in Iran;

Whereas the FTO designation of the MEK has been used by Iranian surrogates in Iraq as well as the Nuri al-Maliki Government in Iraq to attack the MEK members in Camp Ashraf or impose inhumane restrictions on them, which has led to loss of life;

Whereas the Iranian regime ignored international calls for their release, including those made by Secretary of State Hillary Clinton, and hanged Jafar Kazemi, age 47, and Mohammad Ali Hajaghaie, age 62, on January 24, 2011, and Ali Saremi, age 63, on December 28, 2010, for visiting their sons at Camp Ashraf and voicing their support of MEK; and

Whereas Congress, by an Act of Congress, may block or revoke a designation of an organization as an FTO under section 219 of the Immigration and Nationality Act: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) urges the Secretary of State to remove the
3 People’s Mojahedin Organization of Iran (PMOI/
4 MEK) from the Department of State’s list of For-
5 eign Terrorist Organizations; and

6 (2) urges the Secretary of State to lift all re-
7 strictions imposed on the MEK, its members, and its
8 affiliates, which has emanated from its designation
9 as a Foreign Terrorist Organization.

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