

**Congress of the United States**  
**Washington, DC 20515**

April, 27, 2016

The Honorable Penny Pritzker  
Secretary  
United States Department of Commerce  
Washington, D.C.

The Honorable Jack Lew  
Secretary  
United States Department of the Treasury  
Washington, D.C.

The Honorable John Kerry  
Secretary  
United States Department of State  
Washington, D.C.

Dear Secretary Pritzker, Secretary Lew, and Secretary Kerry:

The Commerce Department recently imposed trade sanctions on the Chinese state-influenced firm, ZTE Corporation, for violating export control laws which restricted the sale of technological goods to entities in Iran. Weeks later, however, it appears Commerce reached a deal with ZTE to temporarily suspend those sanctions as part of its investigation.

We are concerned that if ZTE is not ultimately punished for its reported misconduct, American export control laws and international efforts to promote human rights in Iran will be weakened.

The United States restricted the sale of certain information technology (IT) equipment to Iran in an effort to limit the government's abilities to oppress dissidents and restrict the free-flow of information. In 2012, it was reported that ZTE violated our export controls by selling embargoed equipment to the Telecommunications Company of Iran (TCI), a government-controlled entity, which would enable TCI to monitor and control all electronic communications within Iran. These allegations were recently confirmed by documents released by the Commerce Department during its investigation.

Despite this administration's recent efforts with the Iran nuclear deal, Iran has not made any significant progress with regard to human rights. A recent March 2016 report published by the United Nations Special Rapporteur on the situation of human rights in Iran highlighted many of the ongoing abuses being committed by the Iranian government. Specifically, the Iranian government continues to conduct "widening crackdowns" on freedom of expression and opinion, as well as promote the continued arrests and prosecution of religious minorities, women, journalists, and other dissidents<sup>1</sup>.

We encourage the Commerce Department to continue its investigation of ZTE and impose penalties for any conduct found to violate American laws and regulations. Further, we strongly urge Commerce to reconsider its decision to temporarily remove ZTE from its Entity List. If

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<sup>1</sup> Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, U.N. Human Rights Council, March 10, 2016 *found at* [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf)

evidence currently exists to implicate ZTE, we believe it is appropriate for Commerce to take immediate action and re-impose ZTE's standing on the Entity List.

Especially in light of recent Iranian provocation and aggression, America must send a strong message that we are committed to reversing its human rights abuses. Our government must hold accountable those who violate the law and enable such abuses through the sale of embargoed technologies to Iran.

Additionally, we respectfully request that you provide us information about the terms of your agreement with ZTE to temporarily lift restrictions.

Similar to ZTE, a number of Congressional offices wrote this administration in 2011 to raise concerns with respect to Huawei Technologies Company and possible export control violations.

In the documents released by the Commerce Department which were used to illustrate ZTE's malfeasance, an unidentified company, referred to only as "F7," appears a number of times and is cited by ZTE as an example of a rival company that successfully evaded American export controls. Several news outlets have reported that ZTE's internal description of F7 appears to match public descriptions of Huawei.

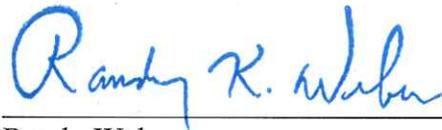
As you move forward with your investigation of ZTE, we urge you to publicly identify F7 and impose appropriate penalties on the company should you find evidence of wrongdoing.

Thank you for your consideration and for your continued diligence on this matter.

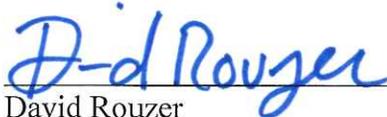
Sincerely,



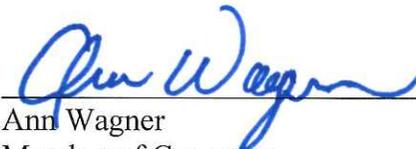
Robert Pittenger  
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Randy Weber  
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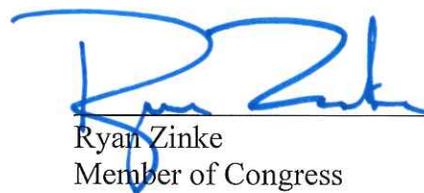
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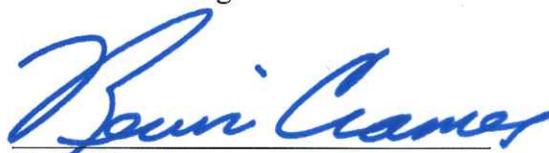
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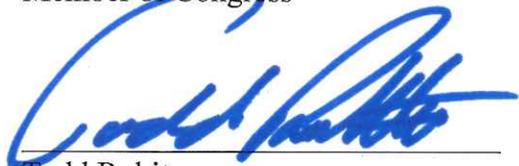
French Hill  
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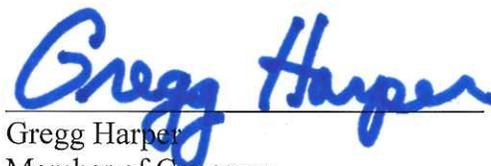
Sam Johnson  
Member of Congress



Kevin Cramer  
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Gregg Harper  
Member of Congress

*Robert E. Latta*

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Vicky Hartzler  
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Mike Pompeo  
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