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Calendar No. 418

112TH CONGRESS
2D SESSION

S. J. RES. 41

Expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2012

Mr. GRAHAM (for himself, Mr. CASEY, Mr. LIEBERMAN, Ms. AYOTTE, Mr. BLUMENTHAL, Mr. BOOZMAN, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. CARDIN, Mr. CHAMBLISS, Mr. COATS, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mrs. GILLIBRAND, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. PORTMAN, Mr. PRYOR, Mr. RISCH, Mr. SCHUMER, Mr. UDALL of Colorado, Mr. WYDEN, Ms. SNOWE, Mr. VITTER, Mr. ISAKSON, Mr. SESSIONS, Mr. WICKER, Mr. MANCHIN, Mr. WHITEHOUSE, Mr. BURR, Mr. MORAN, Mr. CRAPO, Mr. KIRK, Mrs. HAGAN, Mr. GRASSLEY, Mr. LAUTENBERG, Mr. TOOMEY, Mr. BENNET, Mr. RUBIO, Ms. STABENOW, Mr. LUGAR, Mr. WARNER, Mr. CARPER, Mr. LEE, Mr. DEMINT, Mr. MCCONNELL, Mr. COCHRAN, Mr. JOHANNS, Mr. BLUNT, Mr. BARRASSO, Ms. LANDRIEU, Mr. TESTER, Mr. ROBERTS, Mr. BEGICH, Ms. KLOBUCHAR, Mr. INOUYE, Mr. AKAKA, Mr. COBURN, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. JOHNSON of Wisconsin, Mr. KOHL, Ms. CANTWELL, Mr. THUNE, Ms. MURKOWSKI, Mr. SHELBY, Mr. MERKLEY, and Mr. DURBIN) introduced the following joint resolution; which was read the first time

JUNE 4, 2012

Read the second time and placed on the calendar

JOINT RESOLUTION

Expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire nuclear capability;

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Government of the Islamic Republic of Iran and its full cooperation with the International Atomic Energy Agency (IAEA) on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas, on November 8, 2011, the IAEA issued an extensive report that—

(1) documents ''serious concerns regarding possible military dimensions to Iran's nuclear programme'';

(2) states that ''Iran has carried out activities relevant to the development of a nuclear device''; and

(3) states that the efforts described in paragraphs (1) and (2) may be ongoing;

Whereas, as of November 2008, Iran had produced, according to the IAEA—

(1) approximately 630 kilograms of uranium hexaflouride enriched up to 3.5 percent uranium-235; and

(2) no uranium hexaflouride enriched up to 20 percent uranium-235;

Whereas, as of November 2011, Iran had produced, according to the IAEA—

(1) nearly 5,000 kilograms of uranium hexaflouride enriched up to 3.5 percent uranium-235; and

(2) 79.7 kilograms of uranium hexaflouride enriched up to 20 percent uranium-235;

Whereas, on January 9, 2012, IAEA inspectors confirmed that the Government of the Islamic Republic of Iran had begun enrichment activities at the Fordow site, including possibly enrichment of uranium hexaflouride up to 20 percent uranium-235;

Whereas section 2(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) states, ''The United States and other responsible countries have a vital interest in working together to prevent the Government of Iran from acquiring a nuclear weapons capability.'';

Whereas, if the Government of the Islamic Republic of Iran were successful in acquiring a nuclear weapon capability, it would likely spur other countries in the region to consider developing their own nuclear weapons capabilities;

Whereas, on December 6, 2011, Prince Turki al-Faisal of Saudi Arabia stated that if international efforts to prevent Iran from obtaining nuclear weapons fail, ''we must, as a duty to our country and people, look into all options we are given, including obtaining these weapons ourselves'';

Whereas top leaders of the Government of the Islamic Republic of Iran have repeatedly threatened the existence of the State of Israel, pledging to ''wipe Israel off the map'';

Whereas the Department of State has designated Iran as a state sponsor of terrorism since 1984 and characterized Iran as the ''most active state sponsor of terrorism'';

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hezbollah, and Shiite militias in Iraq that are responsible for the murders of hundreds of United States forces and innocent civilians;

Whereas, on July 28, 2011, the Department of the Treasury charged that the Government of Iran had forged a ''secret deal'' with al Qaeda to facilitate the movement of al Qaeda fighters and funding through Iranian territory;

Whereas, in October 2011, senior leaders of Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on United States soil;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in the Islamic Republic of Iran, including torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and ''the systematic and serious restrictions on freedom of peaceful assembly'' as well as severe restrictions on the rights to ''freedom of thought, conscience, religion or belief'';

Whereas President Barack Obama, through the P5+1 process, has made repeated efforts to engage the Government of the Islamic Republic of Iran in dialogue about Iran's nuclear program and its international commitments under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July

1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'');

Whereas representatives of the P5+1 countries (the United States, France, Germany, the People's Republic of China, the Russian Federation, and the United Kingdom) and representatives of the Islamic Republic of Iran held negotiations on Iran's nuclear program in Istanbul, Turkey on April 14, 2012, and these discussions are set to resume in Baghdad, Iraq on May 23, 2012;

Whereas, on March 31, 2010, President Obama stated that the ''consequences of a nuclear-armed Iran are unacceptable'';

Whereas in his State of the Union Address on January 24, 2012, President Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas, on March 4, 2012, President Obama stated ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon'';

Whereas Secretary of Defense Leon Panetta stated, in December 2011, that it was unacceptable for Iran to acquire nuclear weapons, reaffirmed that all options were on the table to thwart Iran's nuclear weapons efforts, and vowed that if the United States gets ''intelligence that they are proceeding with developing a nuclear weapon then we will take whatever steps necessary to stop it'';

Whereas the Department of Defense's January 2012 Strategic Guidance stated that United States defense efforts

in the Middle East would be aimed "to prevent Iran's development of a nuclear weapons capability and counter its destabilizing policies"; and

Whereas, on April 2, 2012, President Obama stated, "All the evidence indicates that the Iranians are trying to develop the capacity to develop nuclear weapons. They might decide that, once they have that capacity that they'd hold off right at the edge in order not to incur more sanctions. But, if they've got nuclear weapons-building capacity and they are flouting international resolutions, that creates huge destabilizing effects in the region and will trigger an arms race in the Middle East that is bad for U.S. national security but is also bad for the entire world.": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SENSE OF CONGRESS.

That Congress—

(1) reaffirms that the United States Government and the governments of other responsible countries have a vital interest in working together to prevent the Government of Iran from acquiring a nuclear weapons capability;

(2) warns that time is limited to prevent the Government of the Islamic Republic of Iran from acquiring a nuclear weapons capability;

(3) urges continued and increasing economic and diplomatic pressure on the Islamic Republic of

Iran until the Government of the Islamic Republic of Iran agrees to and implements—

(A) the full and sustained suspension of all uranium enrichment-related and reprocessing activities and compliance with United Nations Security Council resolutions;

(B) complete cooperation with the IAEA on all outstanding questions related to the nuclear activities of the Government of the Islamic Republic of Iran, including the implementation of the additional protocol to Iran's Safeguards Agreement with the IAEA; and

(C) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful;

(4) expresses the desire that the P5+1 process successfully and swiftly leads to the objectives identified in paragraph (3), but warns that, as President Obama has said, the window for diplomacy is closing;

(5) expresses support for the universal rights and democratic aspirations of the people of Iran;

(6) strongly supports United States policy to prevent the Government of the Islamic Republic of Iran from acquiring a nuclear weapons capability;

(7) rejects any United States policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(8) joins the President in ruling out any policy that would rely on containment as an option in response to the Iranian nuclear threat.

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

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