quite a few freedoms from government oppression and government activities.

To suggest that this is a loophole, I think, is a mistake. I think it was not intended by this Congress to criminalize behavior, particularly behavior that was legal in the country where it took place.

In the situation that the gentleman from Texas describes, where some people got together in Miami to discuss drugs from Colombia that were flown from Venezuela to France and purchased in the Netherlands, Italy, and elsewhere, I don't think that they were in Miami because they thought that was a loophole. I think they were in Miami because they liked Miami. And why wouldn't you? Miami is a great place. They weren't there because it was a loophole. They just happened to be there. And I don't think anybody foresaw that as being illegal conduct. They could have discussed that in Paris or in Caracas or anywhere else. They didn't facilitate the crime, per se. What they did was illegal in all those different countries, and they could have been prosecuted there.

I would submit to you, also, that this Nation and this world almost came to its knees because of derivatives and financial instruments created here in the United States, created here—not just talked about on Wall Street. But it had a global effect because those derivatives affected banks in Europe and all around the world. And as we almost came to our knees because of the criminal activities of people making lots of money with greed, Gekko greed, other people around the world suffered as well economically. But we're not rushing here to criminalize talks between people in Washington and Wall Street and people in Paris about derivatives, about subprime loans, about ways to make money at the expense of poor people and possibly bring the world to its knees economically; that, we're not discussing. But we are discussing the possibility of putting people in jail for going to Amsterdam and talking about buying some marijuana.

Something smells foul, and that's why I oppose the bill.

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Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Just finally, we can cover the international drug conspiracies with a reasonably drawn bill. Unfortunately, this bill not only covers the international drug conspiracies, but also, as the gentleman from Tennessee has pointed out, those who are ensnared by doing things that are legal where they occur, but if you agree to do it in the United States, it is all of a sudden a drug conspiracy that'll subject you to all kinds of mandatory minimums.

I would hope that we would defeat this bill, start from scratch and draw a bill that covers what ought to be covered and leaves out what ought not be covered. Agreeing to go to Canada or go to Amsterdam to do something which is legal ought not be a criminal conspiracy in the United States.

With that, Mr. Speaker, I hope we will defeat the bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, let me try again to address some of the concerns of two of my colleagues on the Judiciary Committee. I want to reemphasize that extraterritorial laws do not require that the conduct be illegal in foreign countries.

Congress has enacted numerous laws with extraterritorial effect. Our decision to do so rarely, if ever, hinges on whether the conduct is also criminalized in the foreign country.

Once again, terrorism, drug-related money laundering, genocide, child soldiers—these are all extraterritorial offenses that do not require that the conduct also be against the law in a foreign country.

Moreover, most extraterritorial statutes don't even require that the criminal engage in any illegal conduct inside the United States either. If they engage in terrorism or money laundering or genocide in a foreign country and simply come into the U.S., they can be prosecuted.

The issue of conduct being criminal in a foreign country is not addressed in extraterritorial laws but in extradition treaties.

Also, extradition treaties do not require that conduct be illegal in foreign countries. Before the U.S. can extradite anyone for violation of U.S. law, it must first establish ''dual criminality'' as required by most extradition treaties.

Dual criminality is the principle that a crime in one country has to be a crime in a country extraditing you.

If a drug trafficker engages in a conspiracy here in the U.S., but is later apprehended in a foreign country, the government will have to establish that dual criminality to extradite him back to the U.S.

The extradition laws and treaties among the countries of the world properly provide for this. This principle is rightly excluded from this legislation because it already exists in Federal law.

Finally, Mr. Speaker, I want to also emphasize that the Obama administration clearly supports this legislation. The Department of Justice supported similar legislation in the last Congress, and the Department of Justice stands by its position, as expressed in the 2010 views letters, and supports this legislation tonight.

I urge my colleagues to support this very strong bipartisan piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 313, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IRAN THREAT REDUCTION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1905) to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Iran Threat Reduction Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Statement of policy.

TITLE I—IRAN ENERGY SANCTIONS

Sec. 101. Findings.
Sec. 102. Sense of Congress.
Sec. 103. Declaration of policy.
Sec. 104. Multilateral regime.
Sec. 105. Imposition of sanctions.
Sec. 106. Description of sanctions.
Sec. 107. Advisory opinions.
Sec. 108. Termination of sanctions.
Sec. 109. Duration of sanctions.
Sec. 110. Reports required.
Sec. 111. Determinations not reviewable.
Sec. 112. Definitions.
Sec. 113. Effective date.
Sec. 114. Repeal.

TITLE II—IRAN FREEDOM SUPPORT

Sec. 201. Codification of sanctions.
Sec. 202. Liability of parent companies for violations of sanctions by foreign subsidiaries.
Sec. 203. Declaration of Congress regarding United States policy toward Iran.
Sec. 204. Assistance to support democracy in Iran.
Sec. 205. Imposition of sanctions on certain persons who are responsible for or complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, elections in Iran.
Sec. 206. Clarification of sensitive technologies for purposes of procurement ban.
Sec. 207. Comprehensive strategy to promote internet freedom and access to information in Iran.

TITLE III—IRAN REGIME AND IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS ACCOUNTABILITY

Sec. 301. Iran's Islamic Revolutionary Guard Corps.
Sec. 302. Additional export sanctions against Iran.
Sec. 303. Sanctions against affiliates of Iran's Islamic Revolutionary Guard Corps.
Sec. 304. Measures against foreign persons or entities supporting Iran's Islamic Revolutionary Guard Corps.
Sec. 305. Special measures against foreign countries supporting Iran's Islamic Revolutionary Guard Corps.

Sec. 306. Authority of State and local governments to restrict contracts or licenses for certain sanctionable persons.
Sec. 307. Iranian activities in Iraq and Afghanistan.
Sec. 308. United States policy toward Iran.
Sec. 309. Definitions.
Sec. 310. Rule of construction.
TITLE IV—IRAN FINANCIAL SANCTIONS; DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN; AND PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN
Sec. 401. Iran financial sanctions.
Sec. 402. Divestment from certain companies that invest in Iran.
Sec. 403. Prevention of diversion of certain goods, services, and technologies to Iran.
TITLE V—SECURITIES AND EXCHANGE COMMISSION
Sec. 501. Disclosures to the Securities and Exchange Commission relating to sanctionable activities.
TITLE VI—GENERAL PROVISIONS
Sec. 601. Denial of visas for certain persons of the Government of Iran.
Sec. 602. Inadmissibility of certain aliens who engage in certain activities with respect to Iran.
Sec. 603. Amendments to civil and criminal penalties provisions under the International Emergency Economic Powers Act.
Sec. 604. Exclusion of certain activities.
Sec. 605. Regulatory authority.
Sec. 606. Sunset.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Successive administrations have clearly identified the unacceptability of the Iranian regime's pursuit of nuclear weapons capabilities and the danger that pursuit presents to the United States, to our friends and allies, and to global security.

(2) In May 1995, President Clinton stated that ''The specter of an Iran armed with weapons of mass destruction and the missiles to deliver them haunts not only Israel but the entire Middle East and ultimately all the rest of us as well. The United States and, I believe, all the Western nations have an overriding interest in containing the threat posed by Iran.''.

(3) In the 2006 State of the Union Address, President Bush stated that ''The Iranian government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons. America will continue to rally the world to confront these threats.''.

(4) In February 2009, President Obama committed the Administration to ''developing a strategy to use all elements of American power to prevent Iran from developing a nuclear weapon''.

(5) Iran is a major threat to United States national security interests, not only exemplified by Tehran's nuclear program but also by its material assistance to armed groups in Iraq and Afghanistan, to the Palestinian group Hamas, to Lebanese Hezbollah, the Government of Syria, and to other extremists that seek to undermine regional stability. These capabilities provide the regime with potential asymmetric delivery vehicles and mechanisms for nuclear or other unconventional weapons.

(6) Iran's growing inventory of ballistic missile and other destabilizing types of conventional weapons provides the regime the capabilities to enhance its power projection throughout the region and undermine the national security interests of the United States and its friends and allies.

(7) Were Iran to achieve a nuclear weapons capability, it would, inter alia—

(A) likely lead to the proliferation of such weapons throughout the region, where several states have already indicated interest in nuclear programs, and would dramatically undercut 60 years of United States efforts to stop the spread of nuclear weapons;

(B) greatly increase the threat of nuclear terrorism;

(C) significantly expand Iran's already-growing influence in the region;

(D) insulate the regime from international pressure, giving it wider scope further to oppress its citizens and pursue aggression regionally and globally;

(E) embolden all Iranian-supported terrorist groups, including Hamas and Hezbollah; and

(F) directly threaten several United States friends and allies, especially Israel, whose very right to exist has been denied successively by every leader of the Islamic Republic of Iran and which Iranian President Ahmadinejad says should be ''wiped off the map''.

(8) Successive Congresses have clearly recognized the threat that the Iranian regime and its policies present to the United States, to our friends and allies, and to global security, and responded with successive bipartisan legislative initiatives.

(9) The extent of the Iranian threat is greater today than when the Iran and Libya Sanctions Act of 1996 was signed into law, now known as the Iran Sanctions Act of 1996. That landmark legislation imposed sanctions on foreign companies investing in Iran's energy infrastructure in an effort to undermine the strategic threat from Iran, by cutting off investment in its petroleum sector and thereby denying the regime its economic lifeline and its ability to pursue a nuclear program.

(10) Laws such as the Iran and Libya Sanctions Act of 1996, which was retitled the Iran Sanctions Act of 1996, paved the way for the enactment of similar laws, such as the Iran, North Korea and Syria Nonproliferation Act, the Iran-Iraq Arms Non-Proliferation Act of 1992, the Iran Freedom Support Act, and the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

(11) United States sanctions on Iran have hindered Iran's ability to attract capital, material, and technical support for its petroleum sector, creating financial difficulties for the regime.

(12) In the Joint Explanatory Statement of the Committee of Conference to the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 50 U.S.C. 1701 note) issued on June 23, 2010, the Members of the Committee of Conference noted that ''Although [the Iran Sanctions Act] was enacted more than a decade ago, no Administration has sanctioned a foreign entity for investing $20 million or more in Iran's energy sector, despite a number of such investments. Indeed, on only one occasion, in 1998, did the Administration make a determination regarding a sanctions-triggering investment, but the Administration waived sanctions against the offending persons. Conferees believe that the lack of enforcement of relevant enacted sanctions may have served to encourage rather than deter Iran's efforts to pursue nuclear weapons.''.

(13) The Joint Explanatory Statement also noted that ''The effectiveness of this Act will depend on its forceful implementation. The Conferees urge the President to vigorously impose the sanctions provided for in this Act.''.

(14) The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 mandates among other provisions that the President initiate investigations of potentially sanctionable activity under the Iran Sanctions Act of 1996. Although more than 16 months have passed since enactment of this legislation, Congress has not received notice of the imposition of sanctions on any entities that do significant business in the United States, despite multiple reports of potentially sanctionable activity by such entities. Although, in accordance with the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, some potentially sanctionable entities have been persuaded to wind down and end their involvement in Iran, others have not.

(15) It is unlikely that Iran can be compelled to abandon its pursuit of nuclear weapons unless sanctions are fully and effectively implemented.

SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) prevent Iran from—

(A) acquiring or developing nuclear weapons and associated delivery capabilities;

(B) developing its unconventional weapons and ballistic missile capabilities; and

(C) continuing its support for foreign terrorist organizations and other activities aimed at undermining and destabilizing its neighbors and other nations; and

(2) fully implement all multilateral and bilateral sanctions against Iran in order to deprive the Government of Iran of necessary resources and to compel the Government of Iran to—

(A) abandon and verifiably dismantle its nuclear capabilities;

(B) abandon and verifiably dismantle its ballistic missile and unconventional weapons programs; and

(C) cease all support for foreign terrorist organizations and other activities aimed at undermining and destabilizing its neighbors and other nations.

TITLE I—IRAN ENERGY SANCTIONS

SEC. 101. FINDINGS.

Congress makes the following findings:

(1) The efforts of the Government of Iran to achieve nuclear weapons capability and to acquire other unconventional weapons and the means to deliver them, both through ballistic missile and asymmetric means, and its support for foreign terrorist organizations and other extremists endanger the national security and foreign policy interests of the United States and those countries with which the United States shares common strategic and foreign policy objectives.

(2) The objectives of preventing the proliferation of nuclear and other unconventional weapons and countering the activities of foreign terrorist organizations and other extremists through existing multilateral and bilateral initiatives require further efforts to deny Iran the financial means to sustain its nuclear, chemical, biological, and missile weapons programs and its active support for terrorism.

(3) The Government of Iran uses its diplomatic facilities and quasi-governmental institutions outside of Iran to support foreign terrorist organizations and other extremists, and assist its unconventional weapons and missile programs, including its nuclear program.

SEC. 102. SENSE OF CONGRESS.

It is the sense of Congress that the goal of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities can be achieved most effectively through full implementation of all sanctions enacted into law, including those sanctions set out in this title.

SEC. 103. DECLARATION OF POLICY.

Congress declares that it is the policy of the United States to deny Iran the ability to

support acts of foreign terrorist organizations and extremists and develop unconventional weapons and ballistic missiles. A critical means of achieving that goal is sanctions that limit Iran's ability to develop its energy resources, including its ability to explore for, extract, refine, and transport by pipeline its hydrocarbon resources, in order to limit the funds Iran has available for pursuing its objectionable activities.

SEC. 104. MULTILATERAL REGIME.

(a) MULTILATERAL NEGOTIATIONS.—In order to further the objectives of section 103 of this Act, Congress urges the President immediately to initiate diplomatic efforts, both in appropriate international fora such as the United Nations, and bilaterally with allies of the United States, to expand the multilateral sanctions regime regarding Iran, including—

(1) qualitatively expanding the United Nations Security Council sanctions regime against Iran;

(2) qualitatively expanding the range of sanctions by the European Union, South Korea, Japan, Australia, and other key United States allies;

(3) further efforts to limit Iran's development of petroleum resources and import of refined petroleum; and

(4) initiatives aimed at increasing non-Iranian crude oil product output for current purchasers of Iranian petroleum and petroleum byproducts.

(b) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on the extent to which diplomatic efforts described in subsection (a) have been successful. Each report shall include—

(1) the countries that have agreed to undertake measures to further the objectives of section 103 of this Act with respect to Iran, and a description of those measures; and

(2) the countries that have not agreed to measures described in paragraph (1), and, with respect to those countries, other measures the President recommends that the United States take to further the objectives of section 103 of this Act with respect to Iran.

(c) INTERIM REPORT ON MULTILATERAL SANCTIONS; MONITORING.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on—

(1) the countries that have established legislative or administrative standards providing for the imposition of trade sanctions on persons or their affiliates that conduct business or have investments in Iran;

(2) the extent and duration of each instance of the application of such sanctions; and

(3) the disposition of any decision with respect to such sanctions by the World Trade Organization or its predecessor organization.

(d) INVESTIGATIONS.—

(1) IN GENERAL.—The President shall initiate an investigation into the possible imposition of sanctions under section 105 of this Act against a person upon receipt by the United States of credible information indicating that such person is engaged in an activity described in such section.

(2) DETERMINATION AND NOTIFICATION.—Not later than 180 days after the date on which an investigation is initiated under paragraph (1), the President shall (unless paragraph (6) applies) determine, pursuant to section 105 of this Act, if a person has engaged in an activity described in such section and shall notify the appropriate congressional committees of the basis for any such determination.

(3) BRIEFING.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and at the end of every 3-month period thereafter, the President, acting through the Secretary of State, shall brief the appropriate congressional committees regarding investigations initiated under this subsection.

(B) FORM.—The briefings required under subparagraph (A) shall be provided in unclassified form, but may be provided in classified form.

(4) SUBMISSION OF INFORMATION.—

(A) IN GENERAL.—The Secretary of State shall, in accordance with section 15(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680(b)), provide to the appropriate congressional committees all requested information relating to investigations or reviews initiated under this title, including the number, scope, and dates of such investigations or reviews.

(B) FORM.—The information required under subparagraph (A) shall be provided in unclassified form, but may contain a classified annex.

(5) TERMINATION.—Subject to paragraph (6), the President may, on a case-by-case basis, terminate an investigation of a person initiated under this subsection.

(6) SPECIAL RULE.—

(A) IN GENERAL.—The President need not initiate an investigation, and may terminate an investigation, on a case-by-case basis under this subsection if the President certifies in writing to the appropriate congressional committees 15 days prior to the determination that—

(i) the person whose activity was the basis for the investigation is no longer engaging in the activity or is divesting all holdings and terminating the activity within one year from the date of the certification; and

(ii) the President has received reliable assurances that the person will not knowingly engage in an activity described in section 105(a) of this Act in the future.

(B) APPLICATION OF SANCTIONS.—The President shall apply the sanctions described in section 106(a) of this Act in accordance with section 105(a) of this Act to a person described in subparagraph (A) if—

(i) the person fails to verifiably divest all holdings and terminate the activity described in subparagraph (A) of this paragraph within one year from the date of certification of the President under subparagraph (A); or

(ii) the person has been previously designated pursuant to section 4(e)(3) of the Iran Sanctions Act of 1996, as in effect on the day before the date of the enactment of this Act, and fails to verifiably divest all holdings and terminate the activity described in subparagraph (A) within 180 days from the date of enactment of this Act.

(C) REPORT.—Not later than 90 days after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the actions taken by persons previously designated pursuant to section 4(e)(3) of the Iran Sanctions Act of 1996, as in effect on the day before the date of the enactment of this Act, to verifiably divest all holdings and terminate the activity described in subparagraph (A).

SEC. 105. IMPOSITION OF SANCTIONS.

(a) SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN, PRODUCTION OF REFINED PETROLEUM PRODUCTS IN IRAN, AND EXPORTATION OF REFINED PETROLEUM PRODUCTS TO IRAN.—

(1) DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN.—

(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) of this Act with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act—

(i) makes an investment described in subparagraph (B) of $20,000,000 or more; or

(ii) makes a combination of investments described in subparagraph (B) in a 12-month period if each such investment is of at least $5,000,000 and such investments equal or exceed $20,000,000 in the aggregate.

(B) INVESTMENT DESCRIBED.—An investment described in this subparagraph is an investment that directly and significantly contributes to the enhancement of Iran's ability to develop petroleum resources.

(2) PRODUCTION OF REFINED PETROLEUM PRODUCTS.—

(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) of this Act with respect to a person if the President determines that the person knowingly, on or after the date of the enactment this Act, sells, leases, or provides to Iran goods, services, technology, information, or support described in subparagraph (B)—

(i) any of which has a fair market value of $1,000,000 or more; or

(ii) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(B) GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or expansion of Iran's domestic production of refined petroleum products, including any direct and significant assistance with respect to the construction, modernization, or repair of petroleum refineries or associated infrastructure, including construction of port facilities, railways, and roads, the primary use of which is to support the delivery of refined petroleum products.

(3) EXPORTATION OF REFINED PETROLEUM PRODUCTS TO IRAN.—

(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) of this Act with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act—

(i) sells or provides to Iran refined petroleum products—

(I) that have a fair market value of $1,000,000 or more; or

(II) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more; or

(ii) sells, leases, or provides to Iran goods, services, technology, information, or support described in subparagraph (B)—

(I) any of which has a fair market value of $1,000,000 or more; or

(II) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(B) GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly contribute to the enhancement of Iran's ability to import refined petroleum products, including—

(i) except as provided in subparagraph (C), underwriting or entering into a contract to provide insurance or reinsurance for the sale, lease, or provision of such goods, services, service contracts, technology, information, or support;

(ii) financing or brokering such sale, lease, or provision;

(iii) bartering or contracting by which the parties exchange goods for goods, including the insurance or reinsurance of such exchanges;

(iv) purchasing, subscribing to, or facilitating the issuance of sovereign debt of the Government of Iran, including governmental bonds; or

(v) providing ships or shipping services to deliver refined petroleum products to Iran.

(C) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under this paragraph with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for the sale, lease, or provision of goods, services, technology, information, or support described in subparagraph (B).

(4) PURCHASE, SUBSCRIPTION TO, OR FACILITATION OF THE ISSUANCE OF IRANIAN SOVEREIGN DEBT.—Except as provided in subsection (f), the President shall impose a majority of the sanctions described in section 106(a) of this Act with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, purchases, subscribes to, or facilitates the issuance of—

(A) sovereign debt of the Government of Iran, including governmental bonds; or

(B) debt of any entity owned or controlled by the Government of Iran, including bonds.

(b) MANDATORY SANCTIONS WITH RESPECT TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.—

(1) IN GENERAL.—The President shall impose a majority of the sanctions described in section 106(a) of this Act if the President determines that a person, on or after the date of the enactment of this Act, has knowingly exported, transferred, permitted, hosted, or otherwise facilitated transshipment that may have enabled a person to export, transfer, or transship to Iran or otherwise provided to Iran any goods, services, technology, or other items that would contribute materially to the ability of Iran to—

(A) acquire or develop chemical, biological, or nuclear weapons or related technologies; or

(B) acquire or develop destabilizing numbers and types of advanced conventional weapons.

(2) ADDITIONAL MANDATORY SANCTIONS RELATING TO TRANSFER OF NUCLEAR TECHNOLOGY.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in any case in which a person is subject to sanctions under paragraph (1) because of an activity described in that paragraph that relates to the acquisition or development of nuclear weapons or related technology or of missiles or advanced conventional weapons that are designed or modified to deliver a nuclear weapon, no license may be issued for the export, and no approval may be given for the transfer or retransfer to the country the government of which has primary jurisdiction over the person, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation between the United States and that government.

(B) EXCEPTION.—The sanctions described in subparagraph (A) shall not apply with respect to a country the government of which has primary jurisdiction over a person that engages in an activity described in that subparagraph if the President determines and notifies the appropriate congressional committees that the government of the country—

(i) does not know or have reason to know about the activity; or

(ii) has taken, or is taking, all reasonable steps necessary to prevent a recurrence of the activity and to penalize the person for the activity.

(C) INDIVIDUAL APPROVAL.—Notwithstanding subparagraph (A), the President may, on a case-by-case basis, approve the issuance of a license for the export, or approve the transfer or retransfer, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation, to a person in a country to which subparagraph (A) applies (other than a person that is subject to the sanctions under paragraph (1)) if the President—

(i) determines that such approval is vital to the national security interests of the United States; and

(ii) not later than 15 days before issuing such license or approving such transfer or retransfer, submits to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate the justification for approving such license, transfer, or retransfer.

(D) CONSTRUCTION.—The restrictions in subparagraph (A) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other related laws.

(E) DEFINITION.—In this paragraph, the term ''agreement for cooperation'' has the meaning given that term in section 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(b)).

(F) APPLICABILITY.—The sanctions described in subparagraph (A) shall apply only in a case in which a person is subject to sanctions under paragraph (1) because of an activity described in such paragraph in which such person engages on or after the date of the enactment of this Act.

(c) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions described in subsections (a) and (b)(1) shall be imposed on—

(1) any person the President determines has carried out the activities described in subsection (a) or (b), respectively; and

(2) any person that—

(A) is a successor entity to the person referred to in paragraph (1);

(B) owns or controls the person referred to in paragraph (1), if the person that owns or controls the person referred to in paragraph (1) had actual knowledge or should have known that the person referred to in paragraph (1) engaged in the activities referred to in that paragraph; or

(C) is owned or controlled by, or under common ownership or control with, the person referred to in paragraph (1), if the person owned or controlled by, or under common ownership or control with (as the case may be), the person referred to in paragraph (1) knowingly engaged in the activities referred to in that paragraph.

For purposes of this title, any person or entity described in this subsection shall be referred to as a ''sanctioned person''.

(d) PUBLICATION IN FEDERAL REGISTER.—The President shall cause to be published in the Federal Register a current list of persons and entities on whom sanctions have been imposed under this title. The removal of persons or entities from, and the addition of persons and entities to, the list, shall also be so published.

(e) PUBLICATION OF PROJECTS.—The President shall cause to be published in the Federal Register a list of all significant projects that have been publicly tendered in the oil and gas sector in Iran.

(f) EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under subsection (a) or (b)—

(1) in the case of procurement of defense articles or defense services—

(A) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy requirements essential to the national security of the United States;

(B) if the President determines in writing that the person to which the sanctions would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(C) if the President determines in writing that such articles or services are essential to the national security under defense coproduction agreements;

(2) in the case of procurement, to eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of that Act (19 U.S.C. 2511(b));

(3) to products, technology, or services provided under contracts entered into before the date on which the President publishes in the Federal Register the name of the person on whom the sanctions are to be imposed;

(4) to—

(A) spare parts which are essential to United States products or production;

(B) component parts, but not finished products, essential to United States products or production; or

(C) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

(5) to information and technology essential to United States products or production; or

(6) to medicines, medical supplies, or other humanitarian items.

SEC. 106. DESCRIPTION OF SANCTIONS.

(a) IN GENERAL.—The sanctions to be imposed on a sanctioned person under section 105 of this Act are as follows:

(1) EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO SANCTIONED PERSONS.—The President may direct the Export-Import Bank of the United States to not give approval to for the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to any sanctioned person.

(2) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to a sanctioned person under—

(A) the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act);

(B) the Arms Export Control Act;

(C) the Atomic Energy Act of 1954; or

(D) any other law that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(3) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to any sanctioned person totaling more than $10,000,000 in any 12-month period unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

(4) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed against a sanctioned person that is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, such financial institution as a primary dealer in United States Government debt instruments.

(B) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—Such financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

The imposition of either sanction under subparagraph (A) or (B) shall be treated as one sanction for purposes of section 105 of this Act, and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of section 105 of this Act.

(5) PROCUREMENT SANCTION.—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from a sanctioned person.

(6) FOREIGN EXCHANGE.—The President may prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest.

(7) BANKING TRANSACTIONS.—The President may prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person.

(8) PROPERTY TRANSACTIONS.—The President may prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which a sanctioned person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(9) GROUNDS FOR EXCLUSION.—The Secretary of State may deny a visa to, and the Secretary of Homeland Security may deny admission into the United States to, any alien whom the Secretary of State determines is an alien who, on or after the date of the enactment of this Act, is a—

(A) corporate officer, principal, or shareholder with a controlling interest of a person against whom sanctions have been imposed under subsection (a) or (b);

(B) corporate officer, principal, or shareholder with a controlling interest of a successor entity to or a parent or subsidiary of such a sanctioned person;

(C) corporate officer, principal, or shareholder with a controlling interest of an affiliate of such a sanctioned person, if such affiliate engaged in a sanctionable activity described in subsection (a) or (b) and if such affiliate is controlled in fact by such sanctioned person; or

(D) spouse, minor child, or agent of a person inadmissible under subparagraph (A), (B), or (C).

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of any sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this subsection. The President shall include on the list published under section 105(d) of this Act the name of any person against whom sanctions are imposed under this paragraph.

(11) ADDITIONAL SANCTIONS.—The President may impose additional sanctions, as appropriate, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) ADDITIONAL MEASURE RELATING TO GOVERNMENT CONTRACTS.—

(1) MODIFICATION OF FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation issued pursuant to section 1303 of title 41, United States Code, shall require a certification from each person that is a prospective contractor that such person and any person owned or controlled by the person does not engage in any activity for which sanctions may be imposed under section 105 or section 304 of this Act.

(2) REMEDIES.—

(A) IN GENERAL.—If the head of an executive agency determines that a person has submitted a false certification under paragraph (1) after the date on which the Federal Acquisition Regulation is revised to implement the requirements of this subsection, the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not less than 2 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

(B) INCLUSION ON LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation issued pursuant to section 1303 of title 41, United States Code, each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subparagraph (A).

(3) CLARIFICATION REGARDING CERTAIN PRODUCTS.—The remedies specified in paragraph (2) shall not apply with respect to the procurement of eligible products, as defined in section 308(4) of the Trade Agreements Act of 1974 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of such Act (19 U.S.C. 2511(b)).

(4) RULE OF CONSTRUCTION.—This subsection shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under paragraph (1).

(5) WAIVER.—The President may, on a case-by-case basis, waive the requirement that a person make a certification under paragraph (1) if the President determines and certifies in writing to the appropriate congressional committees that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States.

(6) EXECUTIVE AGENCY DEFINED.—In this subsection, the term ''executive agency'' has the meaning given such term in section 133 of title 41, United States Code.

(7) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under paragraph (1) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 107. ADVISORY OPINIONS.

The Secretary of State may, upon the request of any person, issue an advisory opinion to such person as to whether a proposed activity by such person would subject such person to sanctions under this title. Any person who relies in good faith on such an advisory opinion which states that such proposed activity would not subject such person to such sanctions, and any such person who thereafter engages in such activity, shall not be made subject to such sanctions on account of such activity.

SEC. 108. TERMINATION OF SANCTIONS.

(a) CERTIFICATION.—The requirement under section 105 of this Act to impose sanctions shall no longer have force or effect with respect to Iran if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has ceased and verifiably dismantled its efforts to design, develop, manufacture, or acquire—

(A) a nuclear explosive device or related materials and technology;

(B) chemical and biological weapons; and

(C) ballistic missiles and ballistic missile launch technology;

(2) no longer provides support for acts of international terrorism; and

(3) poses no threat to the national security, interests, or allies of the United States.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 15 days before making the certification described in subsection (a).

SEC. 109. DURATION OF SANCTIONS.

(a) DELAY OF SANCTIONS.—

(1) CONSULTATIONS.—If the President makes a determination described in section 105 of this Act with respect to a foreign person, Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over such foreign person with respect to the imposition of sanctions under such section.

(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue consultations under paragraph (1) with the government concerned, the President may delay for up to 90 days the imposition of sanctions under section 105 of this Act. Following such consultations, the President shall immediately impose on the foreign person referred to in paragraph (1) such sanctions unless the President determines and certifies to Congress that the government has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties to terminate the involvement of the foreign person in the activities that resulted in the determination by the President under section 105 of this Act concerning such foreign person and the foreign person is no longer engaged in such activities.

(b) DURATION OF SANCTIONS.—A sanction imposed under section 105 of this Act shall remain in effect—

(1) for a period of not less than 2 years beginning on the date on which such sanction is imposed; or

(2) until such time as the President determines and certifies to Congress that the person whose activities were the basis for imposing such sanction is no longer engaging in such activities and that the President has received reliable assurances that such person will not knowingly engage in such activities in the future, except that such sanction shall remain in effect for a period of at least one year.

(c) WAIVER.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—The President may waive the requirements in section 105(a) or 105(b)(2) of this Act to impose a sanction or sanctions, and may waive, on a case-by-case

basis, the continued imposition of a sanction or sanctions under subsection (b) of this section, if the President determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States.

(B) CONTENTS OF REPORT.—Any report under subparagraph (A) shall provide a specific and detailed rationale for a determination made pursuant to such paragraph, including—

(i) a description of the conduct that resulted in the determination under section 105(a) or section 105(b)(2) of this Act, as the case may be;

(ii) in the case of a foreign person, an explanation of the efforts to secure the cooperation of the government with primary jurisdiction over such person to terminate or, as appropriate, penalize the activities that resulted in the determination under section 105(a) or 105(b)(2) of this Act, as the case may be;

(iii) an estimate of the significance of the conduct of the person concerned in contributing to the ability of Iran to develop petroleum resources, produce refined petroleum products, or import refined petroleum products; and

(iv) a statement as to the response of the United States in the event that the person concerned engages in other activities that would be subject to a sanction or sanctions under section 105(a) or 105(b)(2) of this Act, as the case may be.

(2) WAIVER WITH RESPECT TO PERSONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL EFFORTS WITH RESPECT TO IRAN.—

(A) IN GENERAL.—The President may, on a case-by-case basis, waive for a period of not more than 12 months the application of section 105(a) of this Act with respect to a person if the President, at least 30 days before the waiver is to take effect—

(i) certifies to the appropriate congressional committees that—

(I) the government with primary jurisdiction over the person is closely cooperating with the United States in multilateral efforts to prevent Iran from—

(aa) acquiring or developing chemical, biological, or nuclear weapons or related technologies; or

(bb) acquiring or developing destabilizing numbers and types of advanced conventional weapons; and

(II) such a waiver is vital to the national security interests of the United States; and

(ii) submits to the appropriate congressional committees a report identifying—

(I) the person with respect to which the President waives the application of sanctions; and

(II) the actions taken by the government described in clause (i)(I) to cooperate in multilateral efforts described in that clause.

(B) SUBSEQUENT RENEWAL OF WAIVER.—At the conclusion of the period of a waiver under subparagraph (A), the President may renew the waiver—

(i) if the President determines, in accordance with subparagraph (A), that the waiver is appropriate; and

(ii) for subsequent periods of not more than 12 months each.

(3) PUBLICATION IN THE FEDERAL REGISTER.—Not later than 15 days after any waiver authority is exercised pursuant to paragraph (1) or (2) of this subsection, the name of the person or entity with respect to which sanctions are being waived shall be published in the Federal Register.

SEC. 110. REPORTS REQUIRED.

(a) REPORT ON CERTAIN INTERNATIONAL INITIATIVES.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter, the President shall transmit to the appropriate congressional committees a report describing—

(1) the efforts of the President to mount a multilateral campaign to persuade all countries to pressure Iran to cease its nuclear, chemical, biological, and missile weapons programs and its support of acts of international terrorism;

(2) the efforts of the President to persuade other governments to ask Iran to reduce in the countries of such governments the presence of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran, and to withdraw any such diplomats or representatives who participated in the takeover of the United States Embassy in Tehran, Iran, on November 4, 1979, or the subsequent holding of United States hostages for 444 days;

(3) the extent to which the International Atomic Energy Agency has established regular inspections of all nuclear facilities in Iran, including those facilities presently under construction; and

(4) Iran's use of Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran to promote acts of international terrorism or to develop or sustain Iran's nuclear, chemical, biological, or missile weapons programs.

(b) REPORT ON EFFECTIVENESS OF ACTIONS UNDER THIS ACT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the President shall transmit to Congress a report that describes—

(1) the extent to which actions relating to trade taken pursuant to this title have—

(A) been effective in achieving the policy objective described in section 103 of this Act and any other foreign policy or national security objectives of the United States with respect to Iran; and

(B) affected humanitarian interests in Iran, the country in which a sanctioned person is located, or in other countries; and

(2) the impact of actions relating to trade taken pursuant to this title on other national security, economic, and foreign policy interests of the United States, including relations with countries friendly to the United States, and on the United States economy.

The President may include in such reports the President's recommendation on whether or not this Act should be terminated or modified.

(c) OTHER REPORTS.—The President shall ensure the continued transmittal to Congress of reports describing—

(1) the nuclear and other military capabilities of Iran, as required under section 601(a) of the Nuclear Non-Proliferation Act of 1978 and section 1607 of the National Defense Authorization Act for Fiscal Year 1993; and

(2) the support provided by Iran for acts of international terrorism, as part of the Department of State's annual reports on international terrorism.

(d) REPORTS ON GLOBAL TRADE RELATING TO IRAN.—Not later than 180 days after the date of the enactment of the this Act and annually thereafter, the President shall transmit to the appropriate congressional committees a report, with respect to the most recent 12-month period for which data are available, on the dollar value amount of trade, including in the energy sector, between Iran and each country maintaining membership in the Group of 20 Finance Ministers and Central Bank Governors.

SEC. 111. DETERMINATIONS NOT REVIEWABLE.

A determination to impose sanctions under this title shall not be reviewable in any court.

SEC. 112. DEFINITIONS.

In this title:

(1) ACT OF INTERNATIONAL TERRORISM.—The term ''act of international terrorism'' has the meaning given such term in section 2331 of title 18, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Ways and Means, the Committee on Banking and Financial Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate.

(3) COMPONENT PART.—The term ''component part'' has the meaning given such term in section 11A(e)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410a(e)(1)).

(4) CREDIBLE INFORMATION.—The term ''credible information'' means, with respect to a person, such person's public announcement of an investment described in section 105 of this Act, Iranian governmental announcements of such an investment, reports to stockholders, annual reports, industry reports, Government Accountability Office products, State and local government reports, and trade publications.

(5) DEVELOP AND DEVELOPMENT.—The terms ''develop'' and ''development'' mean the exploration for, or the extraction, refining, or transportation by pipeline of, petroleum resources.

(6) FINANCIAL INSTITUTION.—The term ''financial institution'' includes—

(A) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978);

(B) a credit union;

(C) a securities firm, including a broker or dealer;

(D) an insurance company, including an agency or underwriter; and

(E) any other company that provides financial services including joint ventures with Iranian entities both inside and outside of Iran and partnerships or investments with Iranian government-controlled entities or affiliated entities.

(7) FINISHED PRODUCT.—The term ''finished product'' has the meaning given such term in section 11A(e)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2410a(e)(2)).

(8) FOREIGN PERSON.—The term ''foreign person'' means—

(A) an individual who is not a United States person or an alien lawfully admitted for permanent residence into the United States; or

(B) a corporation, partnership, joint venture, cooperative venture, or other nongovernmental entity which is not a United States person.

(9) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization designated by the Secretary of State as a foreign terrorist organization in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(10) GOODS AND TECHNOLOGY.—The terms ''goods'' and ''technology'' have the meanings given such terms in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415).

(11) INVESTMENT.—The term ''investment'' means any of the following activities if any of such activities is undertaken pursuant to an agreement, or pursuant to the exercise of rights under such an agreement, that is entered into with the Government of Iran or a

nongovernmental entity in Iran, on or after the date of the enactment of this Act:

(A) The entry into a contract that includes responsibility for the development of petroleum resources located in Iran, or the entry into a contract providing for the general supervision and guarantee of another person's performance of such a contract.

(B) The purchase of a share of ownership, including an equity interest, in the development described in subparagraph (A).

(C) The entry into a contract providing for the participation in royalties, earnings, or profits in the development described in subparagraph (A), without regard to the form of such participation.

(D) The provision of goods, services, or technology related to petroleum resources.

(12) IRAN.—The term ''Iran'' includes any agency or instrumentality of Iran.

(13) IRANIAN DIPLOMATS AND REPRESENTATIVES OF OTHER GOVERNMENT AND MILITARY OR QUASI-GOVERNMENTAL INSTITUTIONS OF IRAN.—The term ''Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran'' includes employees, representatives, or affiliates of Iran's—

(A) Foreign Ministry;

(B) Ministry of Intelligence and Security;

(C) Revolutionary Guard Corps and affiliated entities;

(D) Crusade for Reconstruction;

(E) Qods (Jerusalem) Forces;

(F) Interior Ministry;

(G) Foundation for the Oppressed and Disabled;

(H) Prophet's Foundation;

(I) June 5th Foundation;

(J) Martyr's Foundation;

(K) Islamic Propagation Organization; and

(L) Ministry of Islamic Guidance.

(14) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result of such conduct, circumstance, or result.

(15) NUCLEAR EXPLOSIVE DEVICE.—The term ''nuclear explosive device'' means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material (as defined in section 11(aa) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(aa))) that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

(16) PERSON.—

(A) IN GENERAL.—The term ''person'' means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, or any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and

(iii) any successor to any entity described in clause (ii).

(B) EXCLUSION.—The term ''person'' does not include a government or governmental entity that is not operating as a business enterprise.

(17) PETROLEUM RESOURCES.—The term ''petroleum resources'' includes petroleum and natural gas resources, refined petroleum products, oil or liquefied natural gas, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or liquefied natural gas.

(18) REFINED PETROLEUM PRODUCTS.—The term ''refined petroleum products'' means diesel, gasoline, jet fuel (including naphtha-type and kerosene-type jet fuel), and aviation gasoline.

(19) UNITED STATES OR STATE.—The terms ''United States'' and ''State'' mean the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(20) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States; and

(B) a corporation or other legal entity that is organized under the laws of the United States or any State if a natural person described in subparagraph (A) owns more than 50 percent of the outstanding capital stock or other beneficial interest in such corporation or legal entity.

SEC. 113. EFFECTIVE DATE.

This title shall take effect on the date of the enactment of this Act and shall apply with respect to an investment or activity described in subsection (a) or (b) of section 105 of this Act that is commenced on or after such date of enactment.

SEC. 114. REPEAL.

(a) IN GENERAL.—The Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is repealed.

(b) CONFORMING AMENDMENTS.—The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8501 et seq.) is amended—

(1) in section 103(b)(3)(E), by striking ''section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note)'' and inserting ''section 112 of the Iran Threat Reduction Act of 2011'';

(2) in section 111(a)(1), by striking ''section 5 of the Iran Sanctions Act of 1996, as amended by section 102 of this Act'' and inserting ''section 105 of the Iran Threat Reduction Act of 2011'';

(3) in section 112(3), by striking ''Iran Sanctions Act of 1996, as amended by section 102 of this Act,'' and inserting ''Iran Threat Reduction Act of 2011''; and

(4) in section 201(2), by striking ''section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note)'' and inserting ''section 112 of the Iran Threat Reduction Act of 2011''.

(c) REFERENCES.—Any reference in a law, regulation, document, or other record of the United States to the Iran Sanctions Act of 1996 shall be deemed to be a reference to this title.

(d) FEDERAL ACQUISITION REGULATION.—Notwithstanding the repeal made by subsection (a), the modification to the Federal Acquisition Regulation made pursuant to section 6(b)(1) of the Iran Sanctions Act of 1996 shall continue in effect until the modification to such Regulation that is made pursuant to section 106(b)(1) of this Act takes effect.

TITLE II—IRAN FREEDOM SUPPORT

SEC. 201. CODIFICATION OF SANCTIONS.

United States sanctions with respect to Iran imposed pursuant to—

(1) sections 1 and 3 of Executive Order 12957,

(2) sections 1(e), 1(g), and 3 of Executive Order 12959,

(3) sections 2, 3, and 5 of Executive Order 13059,

(4) sections 1, 5, 6, 7, and 8 of Executive Order 13553, or

(5) sections 1, 2, and 5 of Executive Order 13574,

as in effect on September 1, 2011, shall remain in effect until the President certifies to the appropriate congressional committees, at least 90 days before the removal of such sanctions, that the Government of Iran has verifiably dismantled its nuclear weapons program, its biological and chemical weapons programs, its ballistic missile development programs, and ceased its support for international terrorism.

SEC. 202. LIABILITY OF PARENT COMPANIES FOR VIOLATIONS OF SANCTIONS BY FOREIGN SUBSIDIARIES.

(a) DEFINITIONS.—In this section:

(1) ENTITY.—The term ''entity'' means a partnership, association, trust, joint venture, corporation, or other organization.

(2) OWN OR CONTROL.—The term ''own or control'' means, with respect to an entity—

(A) to hold more than 50 percent of the equity interest by vote or value in the entity;

(B) to hold a majority of seats on the board of directors of the entity; or

(C) to otherwise control the actions, policies, or personnel decisions of the entity.

(3) SUBSIDIARY.—The term ''subsidiary'' means an entity that is owned or controlled by a United States person.

(4) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a citizen, resident, or national of the United States; and

(B) an entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own or control the entity.

(b) IN GENERAL.—A United States person shall be subject to a penalty for a violation of the provisions of Executive Order 12959 (50 U.S.C. 1701 note) or Executive Order 13059 (50 U.S.C. 1701 note), or any other prohibition on transactions with respect to Iran imposed under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), if the President determines that a subsidiary of the United States person that is established or maintained outside the United States engages in an act that, if committed in the United States or by a United States person, would violate such provisions.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsection (b) shall take effect on the date of the enactment of this Act and apply with respect to acts described in subsection (b)(2) that are—

(A) commenced on or after the date of the enactment of this Act; or

(B) except as provided in paragraph (2), commenced before such date of enactment, if such acts continue on or after such date of enactment.

(2) EXCEPTION.—Subsection (b) shall not apply with respect to an act described in paragraph (1)(B) by a subsidiary owned or controlled by a United States person if the United States person divests or terminates its business with the subsidiary not later than 90 days after the date of the enactment of this Act.

SEC. 203. DECLARATION OF CONGRESS REGARDING UNITED STATES POLICY TOWARD IRAN.

It shall be the policy of the United States to support those individuals in Iran seeking a free, democratic government that respects the rule of law and protects the rights of all citizens.

SEC. 204. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.

(a) ASSISTANCE AUTHORIZED.—The President is authorized to provide financial and political assistance (including the award of grants) to foreign and domestic individuals, organizations, and entities that support democracy and the promotion of democracy in Iran. Such assistance may include the award of grants to eligible independent prodemocracy broadcasting organizations and new media that broadcast into Iran.

(b) ELIGIBILITY FOR ASSISTANCE.—Financial and political assistance authorized under this section shall be provided only to an individual, organization, or entity that—

(1) officially opposes the use of violence and terrorism and has not been designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) at any time during the preceding 4 years;

(2) advocates the adherence by Iran to nonproliferation regimes for nuclear, chemical, and biological weapons and materiel;

(3) is dedicated to democratic values and supports the adoption of a democratic form of Government in Iran;

(4) is dedicated to respect for human rights, including the fundamental equality of women;

(5) works to establish equality of opportunity for all people; and

(6) supports freedom of the press, freedom of speech, freedom of association, and freedom of religion.

(c) FUNDING.—Financial and political assistance authorized under this section may only be provided using funds available to the Middle East Partnership Initiative (MEPI), the Broader Middle East and North Africa Initiative, the Human Rights and Democracy Fund, and the Near East Regional Democracy Fund.

(d) NOTIFICATION.—Not later than 15 days before each obligation of assistance under this section, and in accordance with the procedures under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), the President shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate of such obligation of assistance. Such notification shall include, as practicable, a description of the types of programs supported by such assistance and an identification of the recipients of such assistance.

(e) SENSE OF CONGRESS REGARDING DIPLOMATIC ASSISTANCE.—It is the sense of Congress that—

(1) contacts should be expanded with opposition groups in Iran that meet the criteria for eligibility for assistance under subsection (b);

(2) support for those individuals seeking democracy in Iran should be expressed by United States representatives and officials in all appropriate international fora; and

(3) officials and representatives of the United States should—

(A) strongly and unequivocally support indigenous efforts in Iran calling for free, transparent, and democratic elections; and

(B) draw international attention to violations by the Government of Iran of human rights, freedom of religion, freedom of assembly, and freedom of the press.

SEC. 205. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST CITIZENS OF IRAN OR THEIR FAMILY MEMBERS AFTER THE JUNE 12, 2009, ELECTIONS IN IRAN.

(a) LIST OF PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES; SANCTIONS ON SUCH PERSONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a list of all persons who are senior officials of the Government of Iran, including the Supreme Leader, the President, Members of the Cabinet, Members of the Assembly of Experts, Members of the Ministry of Intelligence Services, or any Member of the Iranian Revolutionary Guard Corps with the rank of brigadier general and above, including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz'afin.

(2) CERTIFICATION.—The President shall impose on the persons specified in the list under paragraph (1) the sanctions described in subsection (b). The President shall exempt any such person from such imposition if the President determines and certifies to the appropriate congressional committees that such person, based on credible evidence, is not responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009, regardless of whether such abuses occurred in Iran.

(3) UPDATES OF LIST.—The President shall transmit to the appropriate congressional committees an updated list under paragraph (1)—

(A) not later than every 60 days beginning after the date of the initial transmittal under such paragraph; and

(B) as new information becomes available.

(4) FORM OF REPORT; PUBLIC AVAILABILITY.—

(A) FORM.—The list required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required under paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.

(5) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required under paragraph (1), the President shall consider credible data already obtained by other countries and nongovernmental organizations, including organizations in Iran, that monitor the human rights abuses of the Government of Iran.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are ineligibility for a visa to enter the United States and sanctions described in section 106 of this Act, subject to such regulations as the President may prescribe, including regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

(c) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Iran—

(1) has unconditionally released all political prisoners, including the citizens of Iran detained in the aftermath of the June 12, 2009, presidential election in Iran;

(2) has ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Iran while engaging in peaceful political activity;

(3) has conducted a transparent investigation into the killings, arrests, and abuse of peaceful political activists that occurred in the aftermath of the June 12, 2009, presidential election in Iran and prosecuted the individuals responsible for such killings, arrests, and abuse; and

(4) has—

(A) established an independent judiciary; and

(B) is respecting the human rights and basic freedoms recognized in the Universal Declaration of Human Rights.

SEC. 206. CLARIFICATION OF SENSITIVE TECHNOLOGIES FOR PURPOSES OF PROCUREMENT BAN.

The Secretary of State shall—

(1) not later than 90 days after the date of the enactment of this Act, issue guidelines to further describe the goods, services, and technologies that will be considered ''sensitive technologies'' for purposes of section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515), and publish those guidelines in the Federal Register;

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

(3) periodically review, but in no case less than once each year, the guidelines and, if necessary, amend the guidelines on the basis of technological developments and new information regarding transfers of goods, services, and technologies to Iran and the development of Iran's indigenous capabilities to disrupt and monitor information and communications in Iran.

SEC. 207. COMPREHENSIVE STRATEGY TO PROMOTE INTERNET FREEDOM AND ACCESS TO INFORMATION IN IRAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a comprehensive strategy to—

(1) help the people of Iran produce, access, and share information freely and safely via the Internet, including in Farsi and regional languages;

(2) support the development of countercensorship technologies that enable the citizens of Iran to undertake Internet activities without interference from the Government of Iran;

(3) increase the capabilities and availability of secure mobile communications among human rights and democracy activists in Iran;

(4) provide resources for digital safety training for media, unions, and academic and civil society organizations in Iran;

(5) increase the amount of accurate Internet content in local languages in Iran;

(6) increase emergency resources for the most vulnerable human rights advocates seeking to organize, share information, and support human rights in Iran;

(7) expand surrogate radio, television, live stream, and social network communications inside Iran, including by assisting United States telecommunications and software companies to comply with the United States export licensing process for such purposes;

(8) expand activities to safely assist and train human rights, civil society, and union activists in Iran to operate effectively and securely;

(9) defeat all attempts by the Government of Iran to jam or otherwise deny international satellite broadcasting signals, including by identifying foreign providers of jamming technology;

(10) expand worldwide United States embassy and consulate programming for and outreach to Iranian dissident communities;

(11) expand access to proxy servers for democracy activists in Iran; and

(12) discourage telecommunication and software companies from facilitating Internet censorship by the Government of Iran.

(b) ELIGIBILITY FOR ASSISTANCE.—Assistance authorized under the comprehensive stategy required under subsection (a) shall be provided only to an individual, organization, or entity that meets the eligibility criteria in section 204(b) of this Act for financial and political assistance authorized under section section 204(a) of this Act.

(c) FORM.—The comprehensive strategy required under subsection (a) shall be submitted in unclassified form and may include a classified annex.

TITLE III—IRAN REGIME AND IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS ACCOUNTABILITY

SEC. 301. IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) TRANSACTIONS WITH IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.—No United States person shall knowingly conduct any commercial transaction or financial transaction with, or make any investment in—

(1) any person or entity owned or controlled by Iran's Islamic Revolutionary Guard Corps;

(2) any instrumentality, subsidiary, affiliate, or agent of Iran's Islamic Revolutionary Guard Corps; or

(3) any project, activity, or business owned or controlled by Iran's Islamic Revolutionary Guard Corps.

(b) TRANSACTIONS WITH CERTAIN FOREIGN PERSONS.—No United States person shall knowingly conduct any commercial transaction or financial transaction with, or make any investment in, any foreign person or foreign entity that conducts any transaction with or makes any investment with Iran's Islamic Revolutionary Guard Corps, which, if conducted or made by a United States person, would constitute a violation of subsection (a).

(c) PENALTIES.—Any United States person who violates subsection (a) or (b) shall be subject to 1 or more of the criminal penalties under the authority of section 206(c) of the International Emergency Economic Powers Act (50 U.S.C. 1705).

(d) WAIVER.—

(1) IN GENERAL.—The President is authorized to waive the restrictions in subsection (a) or (b) on a case-by-case basis if the President determines and notfies the appropriate congressional committees that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the national security interests of the United States.

(2) PUBLICATION IN THE FEDERAL REGISTER.—Not later than 15 days after any waiver authority is exercised pursuant to paragraph (1) of this subsection, the name of the person with respect to which sanctions are being waived shall be published in the Federal Register.

(e) AMENDMENTS TO CODE OF FEDERAL REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the President shall amend part 544 of title 31, Code of Federal Regulations (''Weapons of Mass Destruction Proliferators Sanctions Regulations''), to incorporate the provisions of this section.

(f) DEFINITIONS.—In this section, the terms ''foreign person'', ''knowingly'', and ''United States person'' have the meanings given such terms in section 112 of this Act.

SEC. 302. ADDITIONAL EXPORT SANCTIONS AGAINST IRAN.

(a) IN GENERAL.—Notwithstanding section 103(b)(2)(B)(iv) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8512(b)(2)(B)(iv)) or section 1606 of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484; 50 U.S.C. 1701 note) or any other provision of law, effective on the date of the enactment of this Act—

(1) licenses to export or reexport goods, services, or technology for the repair or maintenance of aircraft of United States origin to Iran may not be issued, and any such license issued before such date of enactment is no longer valid; and

(2) goods, services, or technology described in paragraph (1) may not be exported or reexported to Iran.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to repeal or otherwise supersede the requirements of section 740.15(d)(4) of title 15, Code of Federal Regulations (relating to reexports of vessels subject to the Export Adminstration Regulations).

SEC. 303. SANCTIONS AGAINST AFFILIATES OF IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and as appropriate thereafter, the President shall identify in, and, in the case of a foreign person or foreign entity not already so designated, shall designate for inclusion in the Annex to Executive Order 13382 (70 Fed. Reg. 38567; relating to blocking property of weapons of mass destruction proliferators and their supporters) and shall apply all applicable sanctions of the United States pursuant to Executive Order 13382 to each foreign person or foreign entity for which there is a reasonable basis for determining that the person or entity is as an agent, alias, front, instrumentality, official, or affiliate of Iran's Islamic Revolutionary Guard Corps or is an individual serving as a representative of Iran's Islamic Revolutionary Guard Corps.

(b) PRIORITY FOR INVESTIGATION.—In carrying out this section, the President shall give priority to investigating foreign persons and foreign entities identified under section 560.304 of title 31, Code of Federal Regulations (relating to the definition of the Government of Iran) and foreign persons and foreign entities for which there is a reasonable basis to suspect that the person or entity has conducted or attempted to conduct one or more sensitive transactions or activities described in subsection (c).

(c) SENSITIVE TRANSACTION OR ACTIVITY.—A sensitive transaction or activity referred to in subsection (b) is—

(1) a transaction to facilitate the manufacture, import, export, or transfer of items needed for the development of nuclear, chemical, biological, or advanced conventional weapons, including ballistic missiles;

(2) an attempt to interfere in the internal affairs of Iraq or Afghanistan, or equip or train, or encourage violence by, individuals or groups opposed to the governments of those countries;

(3) a transaction relating to the manufacture, procurement, or sale of goods, services, and technology relating to Iran's energy sector, including the development of the energy resources of Iran, export of petroleum products, and import of refined petroleum and refining capacity available to Iran;

(4) a transaction relating to the procurement of sensitive technologies (as defined in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515(c)); or

(5) a financial transaction or series of transactions valued at more than $1,000,000 in the aggregate in any 12-month period involving a non-Iranian financial institution.

(d) INADMISSIBLITY TO UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall deny admission into the United States to, any alien who, on or after the date of the enactment of this Act, is a foreign person designated for inclusion in the Annex to Executive Order 13382 pursuant to subsection (a).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to remove any sanction of the United States in force against Iran's Islamic Revolutionary Guard Corps as of the date of the enactment of this Act by reason of the fact that Iran's Islamic Revolutionary Guard Corps is an entity of the Government of Iran.

SEC. 304. MEASURES AGAINST FOREIGN PERSONS OR ENTITIES SUPPORTING IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) IDENTIFICATION AND NOTIFICATION.—The President shall notify the appropriate congressional committees in any case in which the President determines that there is credible information indicating that a foreign person or foreign entity, on or after the date of the enactment of this Act, knowingly—

(1) provides material support to Iran's Islamic Revolutionary Guard Corps or any foreign person or foreign entity that is identified pursuant to section 303(a) of this Act as an agent, alias, front, instrumentality, official, or affiliate of Iran's Islamic Revolutionary Guard Corps or an individual serving as a representative of Iran's Islamic Revolutionary Guard Corps; or

(2) conducts any commercial transaction or financial transaction with Iran's Islamic Revolutionary Guard Corps or any such person or entity.

(b) WAIVER.—

(1) IN GENERAL.—Notwithstanding any other provision of this title and subject to paragraph (2), the President is not required to make any identification or designation of or determination with respect to a foreign person or foreign entity for purposes of this title if doing so would cause damage to the national security of the United States through the divulgence of sources and methods of intelligence or other critical classified information.

(2) NOTICE TO CONGRESS.—The President shall notify Congress of any exercise of the authority of paragraph (1) and shall include in the notification an identification of the foreign person or foreign entity, including a description of the activity or transaction that would have caused the identification, designation, or determination for purposes of this title.

(c) SANCTIONS.—

(1) IN GENERAL.—The President shall apply to each foreign person or foreign entity identified in a notice under subsection (a) for a period determined by the President a majority of the sanctions described in section 106(a) of this Act.

(2) TERMINATION.—The President may terminate the sanctions applied to a foreign person or foreign entity pursuant to paragraph (1) if the President determines that the person or entity no longer engages in the activity or activities for which the sanctions were imposed and has provided assurances to the United States Government that it will not engage in the activity or activities in the future.

(d) IEEPA SANCTIONS.—The President may exercise the authorities provided under subparagraphs (A) and (C) of section 203(a)(1) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)(1)) to impose additional sanctions on each foreign person or foreign entity identified pursuant to subsection (a), for such time as the President may determine, without regard to section 202 of that Act.

(e) WAIVER.—The President may waive the application of any measure described in subsection (c) with respect to a foreign person or foreign entity if the President—

(1)(A) determines that the person or entity has ceased the activity that resulted in the notification under subsection (a) with respect to the person or entity (as the case may be) and has taken measures to prevent its recurrence; or

(B) determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States; and

(2) submits to the appropriate congressional committees a report that contains the reasons for the determination.

(f) FOREIGN PERSON DEFINED.—In this section, the term ''foreign person'' has the meaning given the term in section 112 of this Act.

SEC. 305. SPECIAL MEASURES AGAINST FOREIGN COUNTRIES SUPPORTING IRAN'S ISLAMIC REVOLUTIONARY GUARD CORPS.

(a) SANCTIONS.—With respect to any foreign entity identified pursuant to section 304(a) of this Act that is an agency of the government of a foreign country, the President shall, in addition to applying to the entity the sanctions described in section 304(c) of this Act, apply to the agency of the government of the foreign country the following measures:

(1) No assistance shall be provided to the agency of the government of the foreign country under the Foreign Assistance Act of 1961, or any successor Act, or the Arms Export Control Act, or any successor Act, other than assistance that is intended to benefit the people of the foreign country directly and that is not provided through governmental agencies or entities of the foreign country.

(2) The United States shall oppose any loan or financial or technical assistance to the agency of the government of the foreign country by international financial institutions in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d).

(3) The United States shall deny to the agency of the government of the foreign country any credit or financial assistance by any department, agency, or instrumentality of the United States Government.

(4) The United States Government shall not approve the sale to the agency of the government of the foreign country any defense articles or defense services or issue any license for the export of items on the United States Munitions List.

(5) No exports to the agency of the government of the foreign country shall be permitted of any goods or technologies controlled for national security reasons under the Export Administration Regulations.

(6) At the earliest practicable date, the Secretary of State shall terminate, in a manner consistent with international law, the authority of any air carrier that is controlled in fact by the agency of the government of the foreign country to engage in air transportation (as defined in section 40102(5) of title 49, United States Code).

(7) Additional restrictions may be imposed in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) TERMINATION.—The President may terminate the sanctions applied to an entity or government of a foreign country pursuant to subsection (a) if the President determines that the entity or government, as the case may be, no longer engages in the activity or activities for which the sanctions were imposed and has provided assurances to the United States Government that it will not engage in the activity or activities in the future.

(c) WAIVER.—The President may waive the application of any measure described in subsection (a) with respect to an entity or government of a foreign country if the President—

(1)(A) determines that the entity or government, as the case may be, has ceased the activity that resulted in the notification under section 304(a) of this Act with respect to the entity or government and has taken measures to prevent its recurrence; or

(B) determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States; and

(2) submits to the appropriate congressional committees a report that contains the reasons for the determination.

SEC. 306. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO RESTRICT CONTRACTS OR LICENSES FOR CERTAIN SANCTIONABLE PERSONS.

Notwithstanding any other provision of law, a State or local government may adopt and enforce measures to prohibit the State or local government, as the case may be, from entering into or renewing any contract with, or granting to or renewing any license for persons that conduct business operations in Iran described in section 309 of this Act.

SEC. 307. IRANIAN ACTIVITIES IN IRAQ AND AFGHANISTAN.

(a) FREEZING OF ASSETS.—In accordance with subsection (b), all property and interests in property of the foreign persons described in Executive Orders 13382 and 13224, or their affiliates, that are in the United States, that on or after the date of the enactment of this Act come within the United States, or that on or after the date of the enactment of this Act come within the possession or control of United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in with respect to any such person determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Defense to—

(1) have committed, or to pose a significant risk of committing, an act or acts of violence that have the purpose or effect of threatening United States efforts to promote security and stability in Iraq and Afghanistan;

(2) have knowingly and materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, such an act or acts of violence or any person or entity whose property and interests in property are blocked pursuant this subsection; or

(3) be owned or controlled by, or to have acted or purported to act for or on behalf of any person whose property and interests in property are blocked pursuant to this subsection.

(b) DESCRIPTION OF PROHIBITIONS.—The prohibitions described in subsection (a) include—

(1) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked; and

(2) the receipt of any contribution or provision of funds, goods, or services from any such person.

(c) FINDINGS.—Congress finds that—

(1) an increase in both the quantity and quality of Iranian arms shipments and technological expertise to the Iraqi insurgents, the Taliban, other terrorist organizations and criminal elements has the potential to significantly change the battlefield in both Iraq and Afghanistan, and lead to a large increase in United States, International Security Assistance Force, Coalition and Iraqi and Afghan casualties; and

(2) an increase in Iranian activity and influence in Iraq threatens the safety and welfare of the residents of Camp Ashraf.

(d) STATEMENT OF POLICY.—It shall be the policy of the United States to urge the Government of Iraq to—

(1) uphold its commitments to the United States to ensure the continued well-being of those individuals living in Camp Ashraf;

(2) prevent the involuntary return of such individuals to Iran in accordance with the United States Embassy Statement on Transfer of Security Responsibility for Camp Ashraf of December 28, 2008; and

(3) not close Camp Ashraf until the United Nations High Commission for Refugees can complete its process, recognize as political refugees the residents of Camp Ashraf who do not wish to go back to Iran, and resettle them in third countries.

(e) DEFINITIONS.—In this section, the terms ''foreign person'' and ''United States person'' have the meanings given such terms in section 112 of this Act.

SEC. 308. UNITED STATES POLICY TOWARD IRAN.

(a) NATIONAL STRATEGY REQUIRED.—The President shall develop a strategy, to be known as the ''National Strategy to Counter Iran'', that provides strategic guidance for activities that support the objective of addressing, countering, and containing the threats posed by Iran.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than January 30 of each year, the President shall transmit to the appropriate congressional committees a report on the current and future strategy of the United States toward Iran, and the implementation of the National Strategy to Counter Iran required under subsection (a).

(2) FORM.—If the President considers it appropriate, the report required under this subsection, or appropriate parts thereof, may be transmitted in classified form.

(c) MATTERS TO BE INCLUDED.—The report required under subsection (b) shall include a description of the security posture and objectives of Iran, including at least the following:

(1) A description and assessment of Iranian grand strategy and security strategy, including—

(A) the goals of Iran's grand strategy and security strategy, and strategic objectives; and

(B) Iranian strategy to achieve such objectives in the Middle East, Europe, Africa, Western Hemisphere, and Asia.

(2) An assessment of the capabilities of Iran's conventional forces and Iran's unconventional forces, including—

(A) the size and capabilities of Iran's conventional forces and Iran's unconventional forces;

(B) an analysis of the formal and informal national command authority for Iran's conventional forces and Iran's unconventional forces;

(C) the size and capability of Iranian foreign and domestic intelligence and special operations units, including the Iranian Revolutionary Guard Corps-Quds Force;

(D) a description and analysis of Iranian military doctrine;

(E) the types and amount of support, including funding, lethal and nonlethal supplies, and training, provided to groups designated by the United States as foreign terrorist organizations and regional militant groups; and

(F) an estimate of the levels of funding and funding and procurement sources by Iran to develop and support Iran's conventional forces and Iran's unconventional forces.

(3) An assessment of Iranian strategy and capabilities related to nuclear, unconventional, and missile forces development, including—

(A) a summary and analysis of nuclear weapons capabilities;

(B) an estimate of the amount and sources of funding expended by, and an analysis of procurement networks utilized by, Iran to develop its nuclear weapons capabilities;

(C) a summary of the capabilities of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile

forces, including developments in the preceding year, the size of Iran's ballistic missile forces and Iran's cruise missile forces, and the locations of missile launch sites;

(D) a detailed analysis of the effectiveness of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces; and

(E) an estimate of the amount and sources of funding expended by, and an analysis of procurement networks utilized by, Iran on programs to develop a capability to develop unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces.

(4) The Government of Iran's economic strategy, including—

(A) sources of funding for the activities of the Government of Iran described in this section;

(B) the role of the Government of Iran in the formal and informal sector of the domestic Iranian economy;

(C) evasive and other efforts by the Government of Iran to circumvent international and bilateral sanctions regimes;

(D) the effect of bilateral and multilateral sanctions on the ability of Iran to implement its grand strategy and security strategy described in paragraph (1); and

(E) Iran's strategy and efforts to leverage economic and political influence, cooperation, and activities in the Middle East Europe, Africa, Western Hemisphere, and Asia.

(5) Key vulnerabilities identified in paragraph (1), and an implementation plan for the National Strategy to Counter Iran required under subsection (a).

(6) The United States strategy to—

(A) address and counter the capabilities of Iran's conventional forces and Iran's unconventional forces;

(B) disrupt and deny Iranian efforts to develop or augment capabilities related to nuclear, unconventional, and missile forces development;

(C) address the Government of Iran's economic strategy to enable the objectives described in this subsection; and

(D) exploit key vulnerabilities identified in this subsection.

(7) An implementation plan for United States strategy described in under paragraph (6).

(d) CLASSIFIED ANNEX.—The reports required under subsection (b) shall be in unclassified form to the greatest extent possible, and may include a classified annex where necessary.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Appropriations, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations, the Committee on Finance, and the Permanent Select Committee on Intelligence of the Senate.

SEC. 309. DEFINITIONS.

Except as otherwise provided, in this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Finance, and the Permanent Select Committee on Intelligence of the Senate.

(2) IRAN'S BALLISTIC MISSILE FORCES.—The term ''Iran's ballistic missile forces'' includes ballistic missiles, goods, and associated equipment and those elements of the Government of Iran that employ such ballistic missiles, goods, and associated equipment.

(3) IRAN'S BALLISTIC MISSILE AND UNCONVENTIONAL WEAPONS.—The term ''Iran's ballistic missile and unconventional weapons'' means Iran's ballistic missile forces and chemical, biological, and radiological weapons programs.

(4) IRAN'S CRUISE MISSILE FORCES.—The term ''Iran's cruise missile forces'' includes cruise missile forces, goods, and associated equipment and those elements of the Government of Iran that employ such cruise missiles capable of flights less than 500 kilometers, goods, and associated equipment.

(5) IRAN'S CONVENTIONAL FORCES.—The term ''Iran's conventional forces''—

(A) means military forces of Iran designed to conduct operations on sea, air, or land, other than Iran's unconventional forces and Iran's ballistic missile forces and Iran's cruise missile forces; and

(B) includes Iran's Army, Air Force, Navy, domestic law enforcement, and elements of the Iran's Islamic Revolutionary Guard Corps, other than Iran's Islamic Revolutionary Guard Corps-Quds Force.

(6) IRAN'S UNCONVENTIONAL FORCES.—The term ''Iran's unconventional forces''—

(A) means forces of Iran that carry out missions typically associated with special operations forces; and

(B) includes—

(i) the Iran's Islamic Revolutionary Guard Corps-Quds Force;

(ii) paramilitary organizations;

(iii) formal and informal intelligence agencies and entities; and

(iv) any organization that—

(I) has been designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(II) receives assistance from Iran; and

(III) is assessed—

(aa) as being willing in some or all cases of carrying out attacks on behalf of Iran; or

(bb) as likely to carry out attacks in response to an attack by another country on Iran or its interests.

(7) AFFILIATE.—The term ''affiliate'' means any individual or entity that controls, is controlled by, or is under common control with, the company, including without limitation direct and indirect subsidiaries of the company.

(8) BUSINESS OPERATIONS.—The term ''business operations'' means—

(A) carrying out any of the activities described in section 105(a) and (b) of this Act that are sanctionable under such section;

(B) providing sensitive technology (as defined in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515(c))) to the Government of Iran; and

(C) carrying out any of the activities described in section 304(a) of this Act.

(9) COMPANY.—The term ''company'' means—

(A) a sole proprietorship, organization, association, corporation, partnership, limited liability company, venture, or other entity, its subsidiary or affiliate; and

(B) includes a company owned or controlled by the government of a foreign country, that is established or organized under the laws of, or has its principal place of business in, such foreign country and includes United States subsidiaries of the same.

(10) ENTITY.—The term ''entity'' means a sole proprietorship, a partnership, limited liability corporation, association, trust, joint venture, corporation, or other organization.

(11) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(12) GOVERNMENT OF IRAN.—The term ''Government of Iran'' includes the Government of Iran, any political subdivision, agency, or instrumentality thereof, and any person owned or controlled by, or acting for or on behalf of, the Government of Iran.

(13) PETROLEUM RESOURCES.—The term ''petroleum resources'' has the meaning given the term in section 112 of this Act.

(14) SENSITIVE TECHNOLOGY.—The term ''sensitive technology'' has the meaning given the term in section 106(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515(c)).

SEC. 310. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the authority of the President to otherwise designate foreign persons or foreign entities for inclusion in the Annex to Executive Order 13382 (70 Fed. Reg. 38567; relating to blocking property of weapons of mass destruction proliferators and their supporters).

TITLE IV—IRAN FINANCIAL SANCTIONS; DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN; AND PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN

SEC. 401. IRAN FINANCIAL SANCTIONS.

(a) FINANCIAL INSTITUTION CERTIFICATION.—Section 104(e) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8513(e)) is amended by adding at the end the following new paragraph:

''(3) CERTIFICATION.—Not later than 90 days after the date of the enactment of this paragraph, the Secretary of the Treasury shall prescribe regulations to require any person wholly owned or controlled by a domestic financial institution to provide positive certification to the Secretary if such person is engaged in corresponding relations or business activity with a foreign person or financial institution that facilitates transactions from persons and domestic financial institutions described in subsection (d).''.

(b) CENTRAL BANK OF IRAN.—Section 104(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(a)) is amended by adding at the end the following:

''(4) CENTRAL BANK OF IRAN.—

''(A) DETERMINATION.—Not later than 30 days after the date of the enactment of this paragraph, the President shall determine whether the Central Bank of Iran has—

''(i) provided financial services in support of, or otherwise facilitated, the ability of Iran to—

''(I) acquire or develop chemical, biological or nuclear weapons, or related technologies;

''(II) construct, equip, operate, or maintain nuclear enrichment facilities; or

''(III) acquire or develop ballistic missiles, cruise missiles, or destabilizing types and amounts of conventional weapons; or

''(ii) facilitated a transaction or provided financial services for—

''(I) Iran's Islamic Revolutionary Guard Corps; or

''(II) a financial institution whose property or interests in property are subject to sanctions imposed pursuant to the International Emergency Economic Powers Act—

''(aa) in connection with Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction; or

''(bb) Iran's support for acts of international terrorism.

''(B) SUBMISSION TO CONGRESS.—The President shall submit the determination made under subparagraph (A) in writing to the Congress, together with the reasons therefor.

''(C) IMPOSITION OF SANCTIONS.—

''(i) IN GENERAL.—If the President determines under subparagraph (A) that the Central Bank of Iran has engaged in any of the activities described in that paragraph, the President shall apply to the Central Bank of Iran sanctions pursuant to the International Economic Powers Act (50 U.S.C. 1701 et seq.), including blocking of property and restrictions or prohibitions on financial transactions and the exportation of property.

''(ii) EFFECTIVE PERIOD OF DESIGNATION.—The President shall maintain the sanctions imposed under clause (i) until such time as the President determines and certifies in writing to the Congress that the Central Bank of Iran is no longer engaged in any of the activities described in subparagraph (A).''.

(c) CONTINUATION IN EFFECT.—Sections 104, 106, 107, 108, 109, 110, 111, and 115 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 shall remain in effect until the President makes the certification described in section 606(a) of this Act.

SEC. 402. DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN.

Title II of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 shall remain in effect until the President makes the certification described in section 606(a) of this Act.

SEC. 403. PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN.

Title III of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 shall remain in effect until the President makes the certification described in section 606(a) of this Act.

TITLE V—SECURITIES AND EXCHANGE COMMISSION

SEC. 501. DISCLOSURES TO THE SECURITIES AND EXCHANGE COMMISSION RELATING TO SANCTIONABLE ACTIVITIES.

(a) IN GENERAL.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following new subsection:

''(r) DISCLOSURE OF CERTAIN ACTIVITIES RELATING TO IRAN, TERRORISM, AND THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.—

''(1) IN GENERAL.—The Commission shall, by rule, require any issuer described in paragraph (2) to disclose on a quarterly basis a detailed description of each activity described in paragraph (2) engaged in by the issuer or its affiliates during the period covered by the report, including—

''(A) the nature and extent of the activity;

''(B) the revenues, if any, attributable to the activity; and

''(C) whether the issuer or the affiliate of the issuer (as the case may be) intends to continue the activity.

''(2) ISSUER DESCRIBED.—An issuer is described in this paragraph if the issuer is required to file reports with the Commission under subsection (a) and the issuer or any of its affiliates has, during the period covered by the report—

''(A) engaged in an activity described in section 105 of the Iran Threat Reduction Act of 2011 for which sanctions may be imposed;

''(B) knowingly engaged in an activity described in subsection (c)(2) of section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8513) or knowingly violated regulations prescribed under subsection (d)(1) or (e)(1) of such section 104; or

''(C) knowingly conducted any transaction or dealing with—

''(i) any person the property and interests in property of which are blocked pursuant to Executive Order 13224 (66 Fed. Reg. 49079; relating to blocking property and prohibiting transacting with persons who commit, threaten to commit, or support terrorism);

''(ii) any person the property and interests in property of which are blocked pursuant to Executive Order 13382 (70 Fed. Reg. 38567; relating to blocking of property of weapons of mass destruction proliferators and their supporters); or

''(iii) any person on the list contained in Appendix A to part 560 of title 31, Code of Federal Regulations (commonly known as the 'Iranian Transactions Regulations').

''(3) SUNSET.—The provisions of this subsection and the rules issued by the Commission under paragraph (1) shall terminate on the date that is 30 days after the date on which the President makes the certification described in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)).

''(4) INVESTIGATION OF DISCLOSURES.—When an issuer reports, pursuant to this subsection, that it or any of its affiliates has engaged in any activity described in paragraph (2), the President shall—

''(A) initiate an investigation into the possible imposition of sanctions under the Iran Threat Reduction Act of 2011, section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513), the Executive Orders or regulations specified in paragraph (2)(C), or any other provision of law; and

''(B) not later than 180 days after initiating such an investigation, make a determination with respect to whether sanctions should be imposed with respect to the issuer or the affiliate of the issuer (as the case may be).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect with respect to reports required to be filed with the Securities and Exchange Commission after the date that is 90 days after the date of the enactment of this Act.

TITLE VI—GENERAL PROVISIONS

SEC. 601. DENIAL OF VISAS FOR CERTAIN PERSONS OF THE GOVERNMENT OF IRAN.

(a) IN GENERAL.—Except as necessary to meet United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international treaty obligations, the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall deny admission into the United States to, a person of the Government of Iran pursuant to section 6(j)(1)(A) of the Export Administration Act of 1979 (as in effect pursuant to the International Emergency Economic Powers Act; 50 U.S.C. 1701 et seq.), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), and section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), including a person who is a senior official of the Government of Iran who is specified in the list under section 205(a)(1), if the Secretary determines that such person—

(1) is an agent, instrumentality, or official of, is affiliated with, or is serving as a representative of the Government of Iran; and

(2) presents a threat to the United States or is affiliated with terrorist organizations.

(b) RESTRICTION ON MOVEMENT.—The Secretary of State shall restrict in Washington, D.C., and at the United Nations in New York City, the travel to only within a 25-mile radius of Washington, D.C., or the United Nations headquarters building, respectively, of any person identified in subsection (a).

(c) RESTRICTION ON CONTACT.—No person employed with the United States Government may contact in an official or unofficial capacity any person that—

(1) is an agent, instrumentality, or official of, is affiliated with, or is serving as a representative of the Government of Iran; and

(2) presents a threat to the United States or is affiliated with terrorist organizations.

(d) WAIVER.—The President may waive the requirements of subsection (c) if the President determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States.

SEC. 602. INADMISSIBILITY OF CERTAIN ALIENS WHO ENGAGE IN CERTAIN ACTIVITIES WITH RESPECT TO IRAN.

(a) IN GENERAL.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended by adding at the end the following:

''(H) INDIVIDUALS WHO ENGAGE IN CERTAIN ACTIVITIES WITH RESPECT TO IRAN.—

''(i) IN GENERAL.—Subject to clause (iii), any alien described in clause (ii) is inadmissible.

''(ii) ALIENS DESCRIBED.—An alien described in this clause is an alien who the Secretary of State determines—

''(I) engages in—

''(aa) an activity for which sanctions may be imposed pursuant to section 105(a) of the Iran Threat Reduction Act of 2011;

''(bb) an activity—

''(AA) relating to the proliferation by Iran of weapons of mass destruction or the means of delivery of such weapons; and

''(BB) for which sanctions may be imposed pursuant to Executive Order 13382 (70 Fed. Reg. 38567) (or any successor thereto);

''(cc) an activity—

''(AA) relating to support for international terrorism by the Government of Iran; and

''(BB) for which sanctions may be imposed pursuant to Executive Order 13224 (66 Fed. Reg. 49079) (or any successor thereto); or

''(dd) any other activity with respect to Iran for which sanctions may be imposed pursuant to any other provision of law;

''(II) is the chief executive officer, president, or other individual in charge of overall management of, a member of the board of directors of, or a shareholder with a controlling interest in, an entity that engages in an activity described in subclause (I); or

''(III) is a spouse or minor child of—

''(aa) an alien who engages in an activity described in subclause (I); or

''(bb) the chief executive officer, president, or other individual in charge of overall management of, a member of the board of directors of, or a shareholder with a controlling interest in, an entity that engages in an activity described in subclause (I).

''(iii) NOTICE; WAIVER WITH RESPECT TO CERTAIN ENTITIES.—

''(I) NOTICE.—The Secretary of State may notify an alien the Secretary determines may be inadmissible under this subparagraph—

''(aa) that the alien may be inadmissible; and

''(bb) of the reason for the inadmissibility of the alien.

''(II) WAIVER.—The President may waive the application of this subparagraph and admit an alien to the United States if—

''(aa) the alien is described in subclause (II) or (III)(bb) of clause (ii);

''(bb) the entity that engaged in the activity that would otherwise result in the inadmissibility of the alien under this subparagraph is no longer engaging the activity or

has taken significant steps toward stopping the activity; and

''(cc) the President has received reliable assurances that the entity will not knowingly engage in an activity described in clause (ii)(I) again.''.

(b) REGULATIONS.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) REGULATIONS WITH RESPECT TO INADMISSIBILITY OF ALIENS WHO ENGAGE IN CERTAIN TRANSACTIONS WITH IRAN.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall issue regulations and guidelines for interpreting and enforcing the prohibition under subparagraph (H) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) on the admissibility of aliens who engage in certain sanctionable activities with respect to Iran.''.

SEC. 603. AMENDMENTS TO CIVIL AND CRIMINAL PENALTIES PROVISIONS UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

(a) IN GENERAL.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended—

(1) in subsection (a), by striking ''attempt to violate, conspire to violate'' and inserting ''attempt or conspire to violate'';

(2) in subsection (b), by striking ''not to exceed'' and all that follows and inserting ''that is not less than twice the value of the transaction that is the basis of the violation.''; and

(3) in subsection (c) to read as follows:

''(c) CRIMINAL PENALTIES.—A person who willfully commits, attempts or conspires to commit, or aids or abets in the commission of, an unlawful act described in subsection (a) shall be fined not less than $1,000,000, imprisoned for not more than 20 years, or both. A person other than a natural person shall be fined in an amount not less than the greater of half of the value of the transaction that is the basis of the violation or $10,000,000.''.

(b) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to any violation of section 206(a) of the International Emergency Economic Powers Act (50 U.S.C. 1705(a)) that occurs on or after such date of enactment.

SEC. 604. EXCLUSION OF CERTAIN ACTIVITIES.

Nothing in this Act or any amendment made by this Act shall apply to—

(1) activities subject to the reporting requirements of title V of the National Security Act of 1947; or

(2) involving a natural gas development and pipeline project initiated prior to the date of enactment of this Act—

(A) to bring gas from Azerbaijan to Europe and Turkey;

(B) in furtherance of a production sharing agreement or license awarded by a sovereign government, other than the Iranian government, before the date of enactment of this Act; and

(C) for the purpose of providing energy security and independence from Russia and other governments engaged in activities subject to sanctions under this Act.

SEC. 605. REGULATORY AUTHORITY.

(a) IN GENERAL.—The President shall, not later than 90 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.

(b) CONSULTATION WITH CONGRESS.—Not less than 10 days prior to the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

SEC. 606. SUNSET.

(a) SUNSET.—The provisions of this Act and the amendments made by this Act shall terminate, and shall cease to be effective, on the date that is 30 days after the date on which the President certifies to Congress that Iran—

(1) has ceased and verifiably dismantled its efforts to design, develop, manufacture, or acquire—

(A) a nuclear explosive device or related materials and technology;

(B) chemical and biological weapons; and

(C) ballistic missiles and ballistic missile launch technology;

(2) no longer provides support for acts of international terrorism; and

(3) poses no threat to United States national security, interests, or allies.

(b) NOTIFICATION.—The President shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than 15 days before making a certification described in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

Mr. KUCINICH. Mr. Speaker, I rise to claim time in opposition.

The SPEAKER pro tempore. Does the gentleman from California oppose the motion?

Mr. BERMAN. I do not oppose the motion.

The SPEAKER pro tempore. On that basis, the gentleman from Ohio will control 20 minutes in opposition.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. BERMAN) be allowed to control half of the time in the affirmative.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the Iran Threat Reduction Act, which I introduced together with the distinguished ranking member of our committee, the gentleman from California (Mr. BERMAN). I would also like to thank the gentleman from California (Mr. SHERMAN), the ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade, for his key contributions on this bill.

As is well known and articulated in the Declaration of National Emergency continued by successive U.S. Presidents, the Iranian regime poses an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

The revelation in October of Iran's plot to assassinate the Saudi ambassador to the United States on our soil and in the process murder and maim countless Americans is a stark reminder of the regime's desire of a world without America. The exemplary work of U.S. officials foiled their plot, but the regime's threat remains. We would be naive to think that they will not try again.

Meanwhile, Tehran continues to call for the destruction of our ally, Israel, while denying the Holocaust and making every effort to isolate the Jewish state. Ahmadinejad is more than willing to put Iran's money where his mouth is, providing weapons, money, and support for several terrorist groups, including Hezbollah and Hamas, which are waging war against Israel and our allies in the Middle East.

And last month, the International Atomic Energy Agency released a report providing extensive evidence that Tehran has been working on nuclear weapons for years, despite repeated calls for the regime to abandon these efforts. Their hostility is evident, and their intentions are crystal clear. We clearly understand the urgency of the Iranian threat.

Many of our closest allies understand this sense of urgency—from the Israelis to the British and the Canadians. We tried the olive branch of engagement, negotiation, and diplomacy. And what did we get, Mr. Speaker? Diatribes against the United States and our allies and a plot to shed blood on our soil.

The resolution passed by the IAEA Board of Governors in November does not even begin to cover the ground that we need. The resolution had no deadline for compliance by the regime and no consequence, just rhetoric. We need overwhelming, crippling sanctions against Iranian officials and their nuclear program; and we need those sanctions to be fully implemented with serious penalties for their violation.

□ 2010

We must undermine the foundations of the Iranian regime in order to compel it to abandon its deadly path. The Iran Threat Reduction Act closes loopholes in existing sanctions against Iran's energy and financial sectors, sanctions senior Iranian regime officials and expands sanctions against those who help rogue regimes expand their dangerous weapons programs.

I hope that our Members join us in stopping this dangerous regime in its tracks.

Mr. Speaker, I would like to place in the RECORD my correspondence with the chairmen of other committees of referral on this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 4, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairman, House Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: I am writing concerning H.R. 1905, the ''Iran Threat Reduction Act of 2011,'' which the Committee on Foreign Affairs reported favorably. As a result of your having consulted with us on provisions in H.R. 1905 that fall within the Rule X jurisdiction of the Committee on the Judiciary, we are able to agree to discharging our Committee from further consideration of this bill in order that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1905 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1905, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 4, 2011.

Hon. LAMAR SMITH,
Chairman, House Committee on the Judiciary Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 1905, the Iran Threat Reduction Act of 2011, and for your agreement to discharge the Committee on the Judiciary from further consideration of this bill so that it may proceed expeditiously to the House floor.

I am writing to confirm our mutual understanding that, by forgoing consideration of H.R. 1905 at this time, you are not waiving any jurisdiction over the subject matter in that bill or similar legislation. I look forward to continuing to consult with your Committee as such legislation moves ahead, and would be glad to support a request by your Committee for conferees to a House-Senate conference on this, or any similar, legislation.

I will seek to place a copy of our exchange of letters on this matter into the Congressional Record during floor consideration of H.R. 1905.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 16, 2011.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your cooperation with the Foreign Affairs Committee regarding H.R. 1905, the Iran Threat Reduction Act of 2011.

I am writing to confirm the agreement between the Foreign Affairs Committee and the Oversight and Government Reform Committee regarding the final text of those sections of H.R. 1905 which the Parliamentarian has indicated involve the jurisdiction of your Committee. In agreeing to waive consideration of that bill, this Committee understands that the Oversight and Government Reform Committee is not waiving jurisdiction over the relevant provisions in that bill or any other related matter. I will seek to place a copy of this letter and your response in the Congressional Record during floor consideration of the bill. Additionally, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Thank you again for your consideration and assistance in this matter.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, November 18, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairwoman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR MADAM CHAIRWOMAN: Thank you for your letter concerning H.R. 1905, the Iran Threat Reduction Act of 2011. I concur in your judgment that provisions of the bill are within the jurisdiction of the Oversight and Government Reform Committee.

I am willing to waive this committee's right to consider the bill. In so doing, I do not waive its jurisdiction over the subject matter of the bill. I appreciate your commitment to insert this exchange of letters into the committee report and the Congressional Record, and your support for outside conferees from the Committee should a conference be convened.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 21, 2011.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BACHUS: Thank you for your cooperation with the Foreign Affairs Committee regarding H.R. 1905, the Iran Threat Reduction Act of 2011.

I am writing to confirm the agreement between the Foreign Affairs Committee and the Financial Services Committee regarding the final text of those sections of H.R. 1905 which the Parliamentarian has indicated involve the jurisdiction of your Committee. In agreeing to waive consideration of that bill, this Committee understands that the Financial Services Committee is not waiving jurisdiction over the relevant provisions in that bill or any other related matter. I will seek to place a copy of this letter and your response in the Congressional Record during floor consideration of the bill. Additionally, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Thank you again for your consideration and assistance in this matter.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, November 23, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: I am writing concerning H.R. 1905, the Iran Threat Reduction Act of 2011. Based on the agreement made by the staff of our two committees regarding H.R. 1905 and in the interest of permitting your Committee to proceed expeditiously with the bill, I am willing to forego at this time the consideration of provisions in this bill that fall under the jurisdiction of the Committee on Financial Services under Rule X of the Rules of the House of Representatives.

The Committee on Financial Services takes this action with our mutual understanding that by foregoing consideration of H.R. 1905 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward. Our Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such requests.

Further, I ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of this bill. I look forward to working with you as this important measure moves through the legislative process.

Sincerely,

SPENCER BACHUS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, December 5, 2011.

Hon. ILEANA ROS-LEGTINEN,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: I am writing regarding H.R. 1905, the ''Iran Threat Reduction Act of 2011,'' which was favorably reported out of your Committee on November 2, 2011. I commend you on your efforts to make sure that the United States is better able to address the critical threats that Iran poses.

There have been productive conversations between the staffs of our Committees, during which we have proposed changes to provisions within the jurisdiction of the Committee on Ways and Means in the bill to clarify the intent and scope of the bill with respect to compliance with U.S. international trade obligations, thereby reducing our exposure to trade sanctions and retaliation against our exporters. I believe that compliance with our trade obligations makes for a more credible U.S. response to Iran's behavior and helps us develop a stronger multilateral response to Iran. Accordingly, I appreciate your commitment to address the concerns raised by the Committee on Ways and Means in sections 106, 205, 304, 305, 309 and 401 in H.R. 1905.

Assuming these issues are resolved satisfactorily, in order to expedite floor consideration of the bill, the Committee on Ways and Means will forgo action on H.R. 1905. Further, the Committee will not oppose the bill's consideration on the suspension calendar, based on our understanding that you will work with the Committee as the legislative process moves forward in the House of Representatives and in the Senate, to ensure that the Committee's concerns continue to be addressed. This is also being done with

the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1905, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 5, 2011.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth HOB, Washington, DC.

DEAR CHAIRMAN CAMP: Thank you for your cooperation with the Foreign Affairs Committee regarding H.R. 1905, the Iran Threat Reduction Act of 2011.

I am writing to confirm the agreement between the Foreign Affairs Committee and the Committee on Ways and Means regarding the final text of those sections of H.R. 1905 which the Parliamentarian has indicated involve the jurisdiction of your Committee. In agreeing to waive consideration of that bill, this Committee understands that the Committee on Ways and Means is not waiving jurisdiction over the relevant provisions in that bill or any other related matter. I will seek to place a copy of this letter and your response in the Congressional Record during floor consideration of the bill. Additionally, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened

Thank you again for your consideration and assistance in this matter.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

With that, Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. I would like to place in the RECORD an article from the Christian Science Monitor entitled, ''Used-car salesman as Iran proxy? Why assassination plot doesn't add up for experts,'' and also from Mother Jones, ''Four Things You Need to Know About the Iran Bomb Plot.''

[From The Christian Science Monitor—CSMonitor.com, Oct. 12, 2011]

USED-CAR SALESMAN AS IRAN PROXY? WHY ASSASSINATION PLOT DOESN'T ADD UP FOR EXPERTS

(By Scott Peterson)

The U.S. has blamed the specialist Qods Force in an Iran assassination plot. But those who track the group say the plot doesn't reflect the careful planning, efficiency, and strategy the Qods Force is known for.

How careful is Iran's Qods Force when it comes to covert operations abroad?

This wing of the Revolutionary Guard was accused by U.S. military commanders in Iraq in 2007 and 2008 of jeopardizing the efforts of more than 150,000 American troops on the ground, of backing militias of all stripes, and of exercising strong influence on Baghdad's rulers.

Yet how many Iranian Qods Force operatives did that take? One U.S. diplomat posted to Baghdad at the time had the consensus answer: There were just eight Qods Force men in all of Iraq.

IN PICTURES: IRAN'S MILITARY MIGHT

Indeed, the Qods Force has a reputation for careful, methodical work—as well as effective use of local proxies, and ultimately their pragmatic deployment by Tehran as covert tools to expand Iran's influence across a region in flux. That explains why Iran experts are raising questions about fresh U.S. charges of an Iran-backed bomb plot, this time to kill the Saudi ambassador to Washington and blow up the Saudi and Israeli embassies.

A criminal complaint filed by U.S. prosecutors on Tuesday charge Mansour Arbabsiar—a naturalized U.S. citizen with an Iranian passport from Corpus Christi, Texas—and Gholam Shakuri, ''an Iran-based member of Iran's Qods Force,'' with plotting to kill the Saudi diplomat on U.S. soil in an operation ''directed by factions of the Iranian government.''

DETAILS OF ALLEGED PLOT

Those who know Iran well are skeptical, but do not rule out any possibility. Mr. Arbabsiar may have arranged for $100,000 to be transferred from Iran as a downpayment of $1.5 million for the hit, as U.S. charges indicate.

Arbabsiar may also have boasted to one alleged accomplice in the plot—an associate of Mexico's Zeta drug cartel, who also happened to be an informant of the U.S. Drug Enforcement Administration—that his cousin was a ''big general'' in the Iranian military.

While also describing a series of potential attacks to the associate, he may even have stated—apparently in secretly taped conversations—that mass American casualties as a result were not a problem: ''They want that guy [the ambassador] done [killed], if the hundred go with him f* *k 'em,'' reads the legal complaint.

WHY THE PLOT DOESN'T ADD UP

But Iran specialists who have followed the Islamic Republic for years say that many details in the alleged plot just don't add up.

''It's a very strange case, it doesn't really fit Iran's mode of operation,'' says Alireza Nader, an Iran analyst at the Rand Corp. in Arlington. Va., and coauthor of studies about the Revolutionary Guard.

''When you look at Iranian use of terrorism, it has some very specific objectives, whether it's countering the United States in Iraq or Afghanistan, or retaliating against perceived Israeli actions,'' says Mr. Nader.

''This [plot] doesn't seem to serve Iran's interests in any conceivable way,'' says Nader. ''Assassinating the Saudi ambassador would increase international pressure against Iran, could be considered an act of war . . . by Saudi Arabia, it could really destabilize the government in Iran; and this is a political system that is interested in its own survival.''

NO APPARENT COST-BENEFIT ANALYSIS

Iran has been trying to evade sanctions, strengthen relations with non-Western partners, while continuing with its nuclear program, notes Nader.

He says it is ''difficult'' to believe that either Qassim Soleimani—the canny commander of the Qods Force—or Iran's deliberative supreme religious leader, Ayatollah Seyyed Ali Khamenei, would order such an attack that ''would put all of Iran's objectives and strategies at risk.''

That view has been echoed by many Iran watchers, who are raising doubts about the assassination plot allegations.

''This plot, if true, departs from all known Iranian policies and procedures,'' writes Gary Sick, an Iran expert at Columbia University and principal White House aide during the 1979 Iranian revolution and hostage crisis.

While Iran may have many reasons to be angry at the U.S. and Saudi Arabia, Mr. Sick notes in a posting on the Gulf2000/Columbia experts list that he moderates, ''it is difficult to believe that they would rely on a non-Islamic criminal gang to carry out this most sensitive of all possible missions.''

Relying on ''at least one amateur and a Mexican criminal drug gang that is known to be riddled with both Mexican and U.S. intelligence agents'' appears to be sloppy, adds Sick. ''Whatever else may be Iran's failings, they are not noted for utter disregard of the most basic intelligence tradecraft.''

The odd set of details means that the usual cost-benefit calculation that experts often attribute to Tehran's decisionmaking does not apply here, says Muhammad Sahimi, in an analysis for the Tehran Bureau website.

At a time when pressure is building on Iran over ''gross human rights violations,'' sanctions are showing signs of working, Iran is ''deeply worried about the fate of its strategic partner in Syria . . . tensions with Turkey are increasing . . . and a fierce power struggle is under way within Iran,'' says Mr. Sahimi, ''it is essentially impossible to believe that the IRI [Islamic Republic of Iran] would act in such a way as to open a major new front against itself.''

PREVIOUS ASSASSINATIONS ONLY TARGETED IRANIANS

Sahimi also notes that, even at the height of the regime's assassinations of opponents in the past, it did not target non-Iranians.

''It is keenly aware that it is under the American microscope,'' says Sahimi, making even less likely Iran embarking ''on such a useless assassination involving a low-level, non-player individual.''

Such reservations are not the same ones given by Iranian officials when they dismiss the charges of a murder plot. But analysts suggest more information will need to be revealed before judgment can be made.

''Iran does have a history of terrorism, but they also like to go through proxies—and true and tested proxies, not necessarily just anybody,'' says Nader of Rand, citing Hezbollah in Lebanon, for example, or Iraqi Shiite insurgents trained in Iranian camps.

The man arrested by U.S. law enforcement at JFK airport on Sept. 29 does not seem to fit that mold.

NOT YOUR AVERAGE PROXY

Arbabsiar, a former used car salesman, would appear to have been a surprise choice of the Qods Force. Yet he apparently traveled several times to Mexico to recruit drug-cartel hit men, had $100,000 from Iran paid into a U.S. account and promised much more, and discussed the plot on a normal telephone.

''The Iranian modus operandi is only to trust sensitive plots to their own employees, or to trusted proxies such as Hezbollah, Saudi Hezbollah, Hamas, the Sadr faction in Iraq, Iran-friendly extremist Muslims in Afghanistan and other pro-Iranian Muslim groups,'' wrote Kenneth Katzman of the Congressional Research Service on Gulf2000 on Wednesday.

''Are we to believe that this Texas car seller was a Qods sleeper agent for many years resident in the U.S.? Ridiculous,'' said Mr. Katzman, who authored a study of the Revolutionary Guard in the 1990s. ''They (the Iranian command system) never ever use such has-beens or loosely connected people for sensitive plots such as this.''

And what kind of man is he? The Associated Press spoke to Arbabsiar's friend and former Texas business partner David Tomscha, who said he was ''sort of a hustler.'' The Iranian-American, the AP reported, ''was likable, albeit a bit lazy.''

''He's no mastermind,'' Mr. Tomscha told the AP. ''I can't imagine him thinking up a plan like that. I mean, he didn't seem all that political. He was more of a businessman.''

[From Mother Jones, Oct. 12, 2011]

4 THINGS YOU NEED TO KNOW ABOUT THE IRAN BOMB PLOT

(By Adam Serwer)

The assassination was never going to take place. On Tuesday, FBI Director Robert Mueller described Iranian American Mansour Arbabsiar's alleged plot to assassinate the Saudi Ambassador to the United States as straight out of a ''Hollywood script.'' In a sense he was right—because the plot was controlled from the beginning by the FBI. According to the criminal complaint, when Arbabsiar traveled to Mexico in May 2011, to allegedly find an assassin from the ranks of Mexican drug cartels, he ended up talking to a paid DEA informant who dodged drug charges in exchange for cooperating with authorities. In keeping with previous sting cases, the FBI was careful to record statements from Arbabsiar dismissing the possibility of numerous civilian casualties, something that makes an entrapment defense all but impossible to mount.

The US thinks Iran is responsible. The criminal complaint states that Arbabsiar believed his cousin, Ali Gholam Shakcuri, was a member of the al-Quds Force, an elite faction of Iran's Revolutionary Guards. Under interrogation, Arbabsiar allegedly identified two men who were ''known to the United States to be senior members of the Quds Force,'' one of whom allegedly met with Arbabsiar and Shakcuri in Iran to discuss the operation. Despite the al-Quds Force's reputation for lethal effectiveness however, Arbabsiar and his cousin don't come off as any more competent than the average target of an FBI sting. They discuss the plot in ham-handed ''code'' in telephone conversations, and Shakcuri allegedly wires $100,000 to an American bank controlled by the FBI. That's not exactly the kind of subtlety you expect from an ''elite unit'' made up of Iranian Revolutionary Guard's ''most skilled warriors,'' a group so effective that attacks in Iraq were attributed to them on the basis of their lethality and sophistication. (Iran's government has denied involvement.)

So much for Miranda rights halting interrogation. Arbabsiar was arrested in late September, but he wasn't brought before a judge until Tuesday. That's because when he was arrested at the airport upon returning from another trip to Mexico, he ''knowingly and voluntarily waived his Miranda rights and his right to speedy presentment.'' Not only did he cooperate with interrogators, he flipped and implicated his cousin Shakuri by calling him and discussing the plot while the FBI was listening in. And all without waterboarding.

So, about targeted killing . . . The New York Times' Charlie Savage recently reported on the contents of the legal memo authorizing the targeting of recently killed radical cleric Anwar al-Awlaki, which concluded that ''Mr. Awlaki could be legally killed, if it was not feasible to capture him, because intelligence agencies said he was taking part in the war between the United States and Al Qaeda and posed a significant threat to Americans, as well as because Yemeni authorities were unable or unwilling to stop him.'' Iran could make similar arguments about the Saudi ambassador if they felt so inclined, if they wanted to justify the plot, true or otherwise. All of which is to say that those rules may not be enough of a framework to prevent a future in which other countries that acquire drone technology decide to use them to eliminate their stated enemies as frequently as the U.S. does.

I would also like to place in the RECORD a quote from Mr. Greg Thielmann, the former State Department and Senate Intelligence Committee analyst who says that ''studies are still going on, but there's nothing that indicates Iran is really building a bomb.''

Mr. Speaker, U.S. policy towards Iran for the last three decades has primarily taken the form of economic sanctions, threats, and isolationism. While U.S. sanctions have been effective at hurting Iran's economy and ordinary Iranian people, it can be argued that U.S. policy over the last 30 years has not been effective at creating any meaningful change in the conduct of the Iranian Government.

I would like to place in the RECORD a reprint from Foreign Affairs magazine, November 2011, which cites the ineffectiveness of the United States sanctions policy.

[From Brookings, Dec. 13, 2011, Reprinted by permission of Foreign Affairs, November 2011, Vol 87, No 6. Copyright 2011 by the Council on Foreign Relations, Inc.]

THE SELF-LIMITING SUCCESS OF IRAN SANCTIONS

(By Suzanne Maloney, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy; Ray Takeyh, Senior Fellow for Middle Eastern Studies, Council on Foreign Relations)

Since the 1979 revolution that ousted Iran's pro-American monarchy and replaced it with a theocratic regime hostile to the West, the United States has sought to temper Iran's geopolitical ambitions through a combination of tough rhetoric and economic sanctions. After more than 30 years, the cycle is as unsurpising as it is ineffective; the United States and its allies orchestrate stringent economic measures through the United Nations, and then await concessions that somehow never materialize. Indeed, as UN proscriptions have amassed and Iran's trade with its traditional partners withers, there is no indication that the theocratic state is prepared to adjust its aspirations with respect to either its nuclear programme or its claims to regional power.

A closer look reveals that the international community missed a critical turning point in Iran's international orientation, and squandered the single obvious opportunity to shift Iranian policies towards a more constructive direction. In the 1990s, Iran appeared to be on the verge of discarding its radical patrimony, at least with respect to its foreign policy, much as other revolutionary states such as China and Vietnam have done. The end of the long war with Iraq and the death of the Islamic Republic's charismatic founder facilitated a period of reconstruction, a respite from the state's existential insecurities, and a predictable reconsideration of the regime's ideological verities. By the end of the decade, a reformist cadre led by President Muhammad Khatami sought to rejoin the international community by conceding to its mandates and adhering to its conventions. At the dawn of the twenty-first century, Iran finally appeared ready to usher in its own Thermidorian Reaction.

Yet this prospect appeared to fade after the election of hardliner Mahmoud Ahmadinejad to succeed Khatami in 2005. In the succeeding years, the Islamic Republic has regressed towards policies that resemble the worst excesses of its zealous early years: at home, unambiguous repression of any dissent and an insistence on absolute fealty to an aging clerical tyrant; abroad, provocative policies towards its neighbours and belligerence towards Washington. Unexpectedly, it has been a younger generation of Iranian politicians—Ahmadinejad and his cohort—who have rejected the nascent pragmatism of their elders; these children of the revolution are seeking to revive its mandates rather than to restrain them.

At the same moment as Iran's formidable new right wing came to the fore, the region began an even more dramatic set of political transformations, first with the US interventions to Iran's east and west that removed the theocracy's most menacing adversaries, and later with the advent of a powerful, far-reaching movement for democratic accountability across the Arab world. As a result of these intersecting trends, Iran's paranoid, combative leadership has been emboldened to take advantage of the opportunities to be found in an uncertain regional environment with a shifting balance of power. For this reason, the threats posed by Iran's domestic and regional policies loom ever larger for Washington and the broader international community.

To date, however, the Obama administration has stuck to the essential framework of the carrot-and-stick diplomacy it adopted upon taking office in 2009—an approach that differs merely in style from that of the Bush administration during its second term. This self-described 'dual-track' strategy relies on economic pressure to persuade Tehran to enter negotiations and moderate its policies, consistent with the basic American formula for dealing with Iran since 1979. The achievements of such an approach have always been open to question.

Even as the Obama administration has imposed the broadest and most robust multilateral restrictions on Iran in history, all of Tehran's most disturbing policies, including its aggressive nuclear programme, proceed apace. Sanctions have imposed heavy financial and political costs on the Islamic Republic, but they have not convinced Iranian leaders that their interests would be better served by relinquishing their nuclear ambitions, abandoning their other reckless policies, or even opening a serious dialogue with Washington. This obduracy is a function of the complex political transformation within Iran over the course of the past decade, the regime's well-honed capabilities for evading and insulating itself against sanctions, and of course the momentous changes that have swept the broader region. As a result, in dealing with the Islamic Republic of 2011 economic sanctions can have little expectation of achieving meaningful changes in Tehran's policies. This article examines the history of sanctioning the Islamic Republic, and argues that despite their increasing severity, sanctions have failed to achieve their intended policy results thanks to the regime's capacity for resisting international pressure. Moreover, the rise of a new generation of hard-liners and the uncertain aftermath of the Arab Spring has exacerbated the regime's aversion to compromise.

U.S. policy towards Iran has failed to ensure a peaceful Iran that aids regional security. Yet today we are considering legislation that significantly restricts any efforts by the U.S. Government, including Members of Congress, to engage Iran diplomatically, and it further hurts ordinary Iranian

people by imposing indiscriminate sanctions. Proponents of the Iran Threat Reduction Act claim that it's a last ditch effort to prevent military confrontation with Iran. Yet, this bill takes away the most effective tool to prevent war—diplomacy. As the United States only now begins to extricate itself from the highly questionable military campaigns in Iraq and Afghanistan, we cannot allow the United States to be plunged into yet another disastrous war.

I oppose nuclear proliferation for military purposes for all countries and believe that sanctions have proven to be a failed policy. We must rely on diplomacy, not outlaw it, and avoid taking steps which push us closer to military confrontation.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield myself 2 minutes.

This bill may represent our last chance to find a peaceful means to pressure the Iranian regime into stopping its nuclear weapons program. Within the next year, possibly in the next 6 months, this program may become irreversible unless we act now.

We know that sanctions are having an impact in Iran. President Ahmadinejad recently said that Iranian banks ''cannot make international transactions anymore.'' Just this weekend, Iran's Central Bank governor said ''the situation of sanctions is harder than a physical fight.'' With this bill before us today, we intend to make his fight much harder.

No sanctions can be deemed truly effective until Iran ends its nuclear weapons program. We know that Iran is steadily increasing its stockpile of low-enriched uranium, moving its centrifuges to a hardened underground facility and making progress in other ways towards a nuclear-weapons capability. We need to do more and faster.

H.R. 1905 builds on past efforts by imposing sanctions on foreign commercial enterprises that do business with Iran's Islamic Revolutionary Guards Corps, by widening the scope of sanctions on human-rights abusers, and by other means. But one of the most important elements of this bill is my measure to impose sanctions on Iran's Central Bank, which provides key financial support for Iran's nuclear-weapons and terrorism activities. This measure would cut Iran entirely off from the world's banking system, dealing an unprecedented blow to Iran's economy.

This may cause short-term difficulties for the world's oil market. And it may rankle some of our allies. But it is necessary because stopping Iran's nuclear program is of paramount strategic importance—and we are running out of time.

Mr. Speaker, our absolute goal must be to stop Iran's nuclear weapons program. That's the goal of this bill. We may have only a few more months to deal peacefully with this crisis. There is no time to lose.

I urge my colleagues to support this bill.

I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Speaker, I would like to place in the RECORD an article from the Washington Post ombudsman entitled, ''Getting ahead of the facts on Iran,'' which states that the IAEA report does not say Iran has a bomb nor does it say it is building one.

[From The Washington Post, December 9, 2011]

GETTING AHEAD OF THE FACTS ON IRAN

(By Patrick B. Pexton)

Headlines are tricky and difficult. They're written quickly, with print and Web publishing deadlines always looming, and with space limitations, yet headline writers try to be creative, informative, and occasionally, humorous.

Few readers remember the hundreds of well-crafted headlines that entice yet describe a story accurately. But when a headline is bad, it sticks with you, like a burr you can't get out of your sock.

So it was with recent headlines that appeared on one of The Post's online photo galleries.

I was bombarded—about 1,500 e-mails—with complaints about this headline (it was an organized campaign, but more about that in a minute).

The photo slideshow depicted Iran's nuclear research facilities and originally had a headline and subhead that readers felt were misleading: ''Iran's quest to possess nuclear weapons, the main headline said, followed by this subhead: ''Intelligence shows that Iran received foreign assistance to overcome key hurdles in acquiring a nuclear weapon, according to the International Atomic Energy Agency.''

The gallery was linked to two stories by The Post's national intelligence reporter, Joby Warrick, one on Nov. 6 and one on Nov. 8 describing the latest IAEA report, in which the U.N. agency said that Iran's drive for nuclear technology has military aspects that could bring it to the threshold of a nuclear bomb.

''But the IAEA report does not say Iran has a bomb, nor does it say it is building one, only that its multiyear effort pursuing nuclear technology is sophisticated and broad enough that it could be consistent with building a bomb.

Iran steadfastly denies it is aiming for a nuclear bomb and says its program is aimed at civilian nuclear energy and research. Of course, Tehran could be lying. But no one knows for sure.

This is what the U.S. director of national intelligence, James R. Clapper, told the Senate Armed Services Committee in March: ''We continue to assess [that] Iran is keeping open the option to develop nuclear weapons in part by developing various nuclear capabilities that better position it to produce such weapons, should it choose to do so. We do not know, however, if Iran will evantually decide to build nuclear weapons.''

So are there 1,500 Post readers so attuned to headlines that they wrote me spontaneously to object? Well, no.

This was an effort organized by a left-leaning nonprofit goup called Just Foreign Policy. On the group's board, among others, are Julian Bond, longtime NAACP chairman, and Tom Hayden, former California legislator and 1960s activist. Founded in 2006, Just Foreign Policy is a shoestring operation, and it has no staff in Washington.

Robert Naiman, a recent master's degree graduate from the University of Illinois, runs the group's online campaigns from his home in Urbana.

''We're not a super-sophisticated operation,'' Neiman acknowledged with a chuckle. But it is savvy enough to use the Web effectively. ''We try to inform and agitate,'' he added. The group works mainly to end the wars in Iraq and Afghanistan and to prevent new ones, such as with Iran.

''Most of what I do is read the newspaper and try to tell people about what I read,'' Naiman said. ''I stumbled on the headline, and was astonished, even knowing The Post's editorial line on Iran. I'm old-fashioned. The editorial page is one thing and the news is the other. The gallery headlines belonged more in the former and not the latter.''

So he spotlighted the headline on the top of Just Foreign Policy's home page, with this message: ''U.S. media helped railroad the nation into war with Iraq by treating unproven claims about Iraq's alleged [weapons of mass destruction] program as facts. Now we're seeing the same behavior concerning Iran.''

Visitors to Naiman's site could click on a link that sent a pre-written e-mail urging yours truly to fact-check the headline. Daily Kos and other left-leaning Web sites picked it up, adding fuel to the fire. Pretty soon, the ombudsman's inbox was crammed.

I think Naiman and his Web army were right. The headline and subhead were misleading.

Photo galleries generally are built by photo editors and then passed to copy editors for captions and headlines. I couldn't identify exactly where in the process these headlines went wrong, but when I raised the issue it was quickly fixed.

In a Web-driven world, one bad headline can check the globe in minutes and undermine The Post's credibility. It can also play into the hands of those who are seeking further confrontaion with Iran.

I would like to place in the RECORD an article, ''Experts Cast Doubt on Iran Sanction Strategy'' which raises questions about the Iranian stockpile and how much enriched uranium they actually have.

EXPERTS CAST DOUBT ON IRAN SANCTIONS STRATEGY

Monday, November 28, 2011

(By Ardavon Naimi)

WASHINGTON, DC.—''We have succeeded in imposing the strongest sanctions to date on the Iranian regime,'' said Tom Donilon, National Security Advisor, last week at the Brookings Institution. Donilon, addressing the administration's concerns regarding Iran's nuclear program in light of the latest IAEA report, stated that sanctions have isolated Iran internationally, helped delay Iran's nuclear program, and facilitated divisions inside Iran's political establishment.

But according to some of the experts participating in a panel discussion preceding Donilon's keynote address, the sanctions have largely punished ordinary Iranians and have united, not divided, political factions in Iran.

According to Kevan Harris, U.S. Institute of Peace Jennings Randolph peace scholar and Ph.D. candidate at the Johns Hopkins University, the sanctions are ''not as smart as we think.''

Harris described the effects of sanctions inside of Iran. ''Sanctions are having an impact . . . in what I like to call 'trickle down' sanctions.'' Sanctions affect the ability of certain banks and large enterprises to obtain foreign exchange and goods, consequently affecting small and medium sized enterprises

inside Iran—such as the construction and automobile industry. This process has resulted in the rising cost of business. This trickling down helps to rise ''unemployed to a certain extent, and also decreases wages,'' affecting everyday Iranians.

Harris challenged the assumption that sanctions facilitate divisions inside Iran's political elite. ''If you threaten countries . . . all of a sudden they have a real big incentive to start working together,'' said Harris. ''At high peaks of perceived external threat, the discourse of unity raises and the discourse of factionalism dies down.''

We spend a lot of resources on sanctions . . . political and economic . . . we need to ask ourselves, what's the cost benefit of that versus spending resources on diplomatic options.''

Ray Takeyh, Senior Fellow for Middle Eastern studies at the Council on Foreign Relations believes that ''Iran's nuclear program is driven by domestic political factors.'' Yet, Takeyh takes the argument against sanctions a step further. He believes that Iran's nuclear program is actually the Islamic Republic's only perceived path to ''international legitimacy.'' By withstanding sanctions and obtaining a nuclear weapon, Iran would ''extract tributes from international concession.'' ''This program . . . may be beyond diplomatic mediation . . . underpinned by economic coercion,'' said Takeyh.

Harris challenged Takeyh's assertion, stating ''if the goal of the program is their perceived only path to international legitimacy, then it seems like an alternative policy would be to provide a different path to international legitimacy for Iran that they don't perceive as open.''

Charles Ferguson, President of the Federation of American Scientists, discussed the latest IAEA report on Iran's nuclear program. ''Is there anything really new in the annex of the IAEA report?'' asked Ferguson, ''you have to say, not really. There's not a whole lot of new stuff in there.'' Although there are reasons for concern regarding Iran's ongoing efforts, Ferguson says that ''most of the things that are documented, that we know well, happened prior to 2004.''

Iran continues to build up its stockpile of 19.75 percent enriched uranium, yet Ferguson acknowledges that ''even at 20 percent enrichment, it's still going to take a few hundred kilos of that amount of material to have enough for one bomb . . . and Iran so far according to the IAEA, has something like 80 kilograms enriched to that level.'' Even when factoring in Iran's 4900 kilograms of 3.5 percent low enriched uranium, Ferguson concludes that it is ''still not enough material to provide Iran with a true breakout capability.'' Ferguson suggested that the best response to Iran's defiance is not further isolation, but creating openings for dialogue to facilitate increased safeguards and limits on Iran's nuclear program.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on the bill. We will postulate that Iran has been a terrible actor and that having nuclear weapons is a threat to international stability and something that we should resist.

I am concerned about the legislation that is before us being potentially counterproductive in two areas. It's not something that we ought to be coming forward with here at 8:15 at night on the unanimous consent calendar. There are legitimate issues here, and there is controversy. My friend from California said, well, there may be disruptions in the oil markets. Well, I think of what has motivated people in terms of their concern about what has happened; according to an article in the Wall Street Journal, new sanctions could raise the price of gas in the United States by a dollar a gallon. An article in The New York Times estimated it could cost Americans $100 billion a year. This is not inconsequential. At a time when our economy is in tough shape, when we are concerned about being able to move forward, we ought to think carefully about doing something.

Now, if it would stop nuclear weapons for Iran, it might be worth it. There's no evidence that that is the case. We look only at the failed policy with Cuba where we have had massive efforts at sanctioning Cuba, a little, tiny island off the American coast, and what we have done, most independent experts agree, is that we have propped up Castro. We have given him a reason. If we had been freely trading and interacting with the Cuban people, I think Castro would have been a thing of the past.

Being careful about what we do with Iran matters. But I'm deeply concerned about language here that would prohibit any official or unofficial capacity—having no person employed by the United States contacting in an official or unofficial capacity.

My reading of this is that it is inappropriate to tie the hands of the administration to require 15 days' notice to exercise a waiver authority. Where we have been successful in the past, for example, in defusing a real nuclear problem with Cuba, there was actual engagement with the administration. President Kennedy and others were able to work dealing with the real problem, dealing with the Soviet Union, our adversaries, people who could actually destroy us.

I am deeply concerned that we not forestall opportunities to engage in diplomacy, which needs to be a part of any reasonable sanction policy going forward trying to deal with Iran.

□ 2020

From my vantage point, I think we need to be careful about how we move forward dealing with sanctions policies: sanctions first, ask questions later. My hope is that we'll have an opportunity to deal with this issue with the gravity that it requires, have interaction on the floor, be careful about what we're doing going forward with the economic impacts and the fact that it may very well likely further embolden this administration, the administration of Iran. I don't think that's something that is appropriate to us.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

A nuclear Iran is unacceptable. Our fundamental strategic objective must be to stop Iran before it obtains nuclear weapons capabilities and to compel it to permanently dismantle its pursuit of such weapons. That is the test we face. And if we fail, it will come as no consolation to the families of the victims of past and future Iranian attacks or to our allies.

We don't know how much time we have left. In its report on Iran's nuclear program last November, the International Atomic Energy Agency stated that not only has Iran continued to make significant progress regarding its nuclear program, but the IAEA said that it had uncovered solid evidence that Iran has been working on a nuclear explosive device as well.

Given the Iranian regime's history of concealing its clandestine nuclear activities, Tehran may very well be closer to a nuclear weapons capability than we even assume. Some estimates now place them a mere 6 months to a year away from having all the ingredients in place to build a nuclear weapon. Every day they move closer and closer to realizing their nuclear ambitions, and our nightmare scenario moves closer and closer to becoming a reality.

The Iranian regime is not interested in any outcome other than a nuclear Iran, though they are happy to use negotiations to buy time to make progress in their nuclear program. Yet we know that when sanctions have been applied, even limited sanctions, they have had an impact on the Iranian regime.

It is time to build on this lesson and apply crippling sanctions against the regime and its enablers. That is the purpose of the bill before us, the Iran Threat Reduction Act, which our Foreign Affairs Committee adopted unanimously last month. This legislation updates and strengthens previous Iran sanctions laws so that the United States can take effective action to address the multiple threats posed by the regime in Tehran.

The bill closes loopholes in the energy and financial sanctions that are in place now and counters the regime's efforts to evade them, including by targeting the Central Bank of Iran. The bill also focuses on the Iranian Revolutionary Guard Corps and the senior Iranian regime officials.

Over 350 Members of Congress have cosponsored this strongly bipartisan legislation. Let us meet our responsibilities to the American people and protect the security of our Nation from this growing threat.

With that, I reserve the balance of my time.

Mr. KUCINICH. I realize, Mr. Speaker, that there are a number of people who want to speak on this who are in favor of this resolution. In order to make sure that everyone is provided a chance, although I may disagree with what Mr. SHERMAN is about to say, I'll defend his right to speak, and so I yield 4 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I thank the gentleman for his generous grant of time,

especially because he will probably disagree with almost everything I have to say.

I'd like to thank Chairman ILEANA ROS-LEHTINEN for bringing together the best ideas of so many Members—and, of course, of her own—to move toward another important step toward dissuading Iran from developing nuclear weapons and for her ability to build a coalition that has over 300 Members cosponsoring this bill.

We have to create circumstances where the regime in Tehran has to choose between its nuclear weapons program and regime survival. We owe a special debt of gratitude to the mullahs who are running Iran, because it is their incompetence and their corruption that creates a risk to regime survival even at a time of very high oil prices. And we owe a debt of gratitude to the Iranian people, who rose upon against this regime in the summer of 2009 and whose desire for freedom poses a real threat to regime survival.

Looking at the particulars of this bill, I want to thank the chairwoman for including in this bill, in title III, provisions dealing with the Iran Revolutionary Guard Corps. These are based on the Revolutionary Guard Corps Designation Implementation Act, which I introduced in 2009 along with the chairwoman, ED ROYCE, and DAN BURTON. This title III makes it clear to foreign companies that, if they do business with the Iran Revolutionary Guard Corps, they cannot do business in the United States.

I also want to thank the chairwoman for cosponsoring, both last year and this year, my bill, the Stop Iran's Nuclear Program Act, and for including many of those provisions in this legislation that's before us today, in particular, including a provision that would sanction those companies that loan money to Iran, whether in dollars or in euros or in any other currency, that tell the foreign incorporated subsidiaries of U.S. multinational corporations that they, too, cannot do business with Iran.

To build upon the provision that CHUCK SCHUMER and I were able to write and was included in CISADA, which was adopted last year, to indicate that those who give Iran the technologies to suppress the Internet and to apprehend dissidents through the Internet will be sanctioned. Companies should not be providing that kind of technology to Iran. Now, this bill would require the State Department to actually implement those provisions by designating the technologies that cannot be sold to Iran.

This bill also includes the provision of the Stop Iran's Nuclear Weapons Program Act that allows States to do even more to help this Federal policy, by providing that those insurance companies that are helping Iran may not be able to do business in their particular State.

Finally, I want to point out that this bill includes provisions aimed at the Central Bank of Iran, but that is not a reason for us not to also pass the Menendez-Kirk language that's in the Defense authorization bill.

The Menendez-Kirk language would, like this bill, sanction those U.S. banks that violate our law by doing business with Iran and would freeze those assets that the Central Bank of Iran has foolishly left in the United States or may have done so. But the key thing about the Kirk-Menendez language is that it tells European and Asian and other non-U.S. banks that they must stop their business with the Central Bank of Iran and virtually all the major banks of Iran as well. It imposes secondary sanctions. And I believe the Kirk-Menendez language will make it difficult for Iran to sell oil or to buy anything with its oil revenue.

I urge the passage of this bill, the Kirk-Menendez language, and other sanctions against Iran.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes to the Democratic whip for the House, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from California (Mr. BERMAN) for yielding. I also want to thank him and my dear friend ILEANA ROS-LEHTINEN for their leadership on this bill. I know that Mr. BERMAN, in particular, is very focused on the central bank and sanctioning of them, and so I thank him for his leadership.

Mr. Speaker, last month the IAEA released a report on Iran's covert nuclear program that was troubling, to say the least. Not only is Iran continuing to enrich uranium, but they're also believed to be pursuing the development of delivery technologies to create a warhead that could threaten Israel and our allies in Europe and the Persian Gulf, not to mention the over 200,000 Americans that are in the region.

□ 2030

On top of these dangerous risks, Iran's continued nuclear development runs the risk, of course, of launching a nuclear arms race in the Middle East. Indeed, just last week, a former Saudi Arabian Ambassador to the United States, Prince Turki Al-Faisal, confirmed our worst fears, suggesting that his country might begin to pursue a nuclear capability in response to Iranian nuclear development.

Iran has continued its sponsorship of terrorism against our ally, Israel, and carries out gross human rights abuses against its own people. Sanctions against Iran's energy, transportation, and financial sectors are intended to, and I believe, will make clear to Iran the steep costs of its choices. That is why I am in strong support of this resolution, the Iran Threat Reduction Act and the Iran, North Korea, and Syria Nonproliferation Reform and Modernization Act, and I urge my colleagues to vote ''yes'' on both.

We know from history that ignoring the threats of leaders, ignoring their building up of capabilities to threaten the rest of the world, is done so at great peril and at great cost.

I urge my colleagues to support this very important piece of legislation. I thank Mr. BERMAN and Ms. ILEANA ROS-LEHTINEN.

Mr. KUCINICH. Could I ask, Mr. Speaker, how much time all parties have remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 9¾ minutes, the gentleman from California has 6 minutes, and the gentlewoman from Florida has 3½ minutes.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

I would like to place in the RECORD an article from the Arms Control Association which states that the IAEA board resolution avoided direct censure of Iran, and did not declare Iran to be in noncompliance with its nonproliferation activities.

[From armscontrol.org, Nov. 8, 2011]

THE IAEA'S IRAN REPORT: ASSESSMENT AND IMPLICATIONS

The IAEA report and annex released today provides disturbing and ''credible'' additional details regarding Iranian nuclear warhead development efforts that have allowed Tehran to acquire some of the expertise needed to build nuclear weapons, should it decide to do so.

The broad outline in the IAEA' s latest report on the military dimensions of Iran's program is not new, but rather, provides greater detail regarding weapons-related activities outlined in previous public reports.

The IAEA report and annex reinforce what the nonproliferation community has recognized for some time: that Iran engaged in various nuclear weapons development activities until 2003, then stopped many of them, but continued other.

The activities documented in the IAEA report, including research related to nuclear warheads, underscore that Tehran's claims that it is only seeking the peaceful use of nuclear energy are false.

Iran's warhead work also contradicts its obligation not to pursue nuclear weapons under the nuclear Nonproliferation Treaty (NPT), under which states parties commit ''not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.''

The report suggests that Iran is working to shorten the timeframe to building the bomb once and if it makes that decision. But it remains apparent that a nuclear-armed Iran is still not imminent nor is it inevitable.

The report should prompt greater international pressure on Tehran to respond more fully to the IAEA's questions, allow for more extensive inspections of its nuclear facilities, engage more seriously in talks on its nuclear program, and to agree to confidence building steps to help resolve the crisis.

COMPARISON OF THE IAEA'S FINDINGS WITH PUBLIC U.S. INTELLIGENCE ASSESSMENTS

Because the IAEA report is based largely on intelligence the United States and other IAEA member states have been sharing with the agency for some time, in addition to the agency's own investigations, the information in the report likely provides greater insight into current U.S. assessments about Iran's nuclear program.

The U.S. intelligence community appears to stand by the judgment made in the 2007 NIE that Iran had a nuclear weapons program that was halted in the fall of 2003.

Moreover, in his testimony before a Senate committee in March 2011, U.S. Director of National Intelligence James Clapper confirmed that the intelligence community still had a high level of confidence that Iran has not yet made a decision to restart its nuclear weapons program.

Because the weapons program is believed to refer to the series of projects the IAEA report details, Clapper's statement is not inconsistent with the notion that some weapons-related R&D has resumed which is not part of a determined, integrated weapons-development program of the type that Iran maintained prior to 2003.

Consistent with the finding of the 2007 U.S. National Intelligence Estimate, the IAEA report says that a comprehensive weapons program (known as the AMAD Plan) ''was stopped rather abruptly pursuant to a 'halt order,' '' in late 2003, but that some of the program's activities were resumed later. Key personnel are still involved in those renewed activities apparently tying up loose ends regarding their prior research and development work.

SUMMARY OF KEY IAEA FINDINGS ON WEAPONS-RELATED ACTIVITIES

The IAEA deserves credit for continuing to press the issue and to present this important information to the IAEA Board of Governors in spite of Tehran's unwillingness to cooperate with the investigation. This resolve helps to bolster the integrity of the agency and show that countries cannot simply get away with nonproliferation violations by denial and obfuscation.

According to the report, Iran was engaged in an effort prior to the end of 2003 which ran the full range of nuclear weapons development, from acquiring the raw nuclear material to working on a weapon they could eventually deliver via a missile. Just as important as the type of work being carried out is how that work was organized. The series of projects that made up Iran's nuclear program appears to have been overseen by ''senior Iranian figures'' and engaged in ''working level correspondence'' consistent with a coordinated program.

Key components of this program include:

Fissile Material Production: As documented in previous reports, Iran ran an undeclared effort to produce uraniumtetrafluoride (also known as Green Salt), a precursor for the uranium used in the enrichment process. The affiliation between this project and other projects directly related to warhead development suggests that Iran's nuclear weapons program included both fissile material production and warhead development Although the report does not detail a uranium enrichment effort as part of the AMAD Plan, the secret nature of the Natanz enrichment plant prior to 2002 suggests that it was originally intended to produce the highly enriched uranium (HEU) for weapons.

High Explosives Testing: Iran's experiments involving exploding bridgewire (EBW) detonators and the simultaneous firing of explosives around a hemispherical shape points to work on nuclear warhead design. The agency says that the type of high explosives testing matches an existing nuclear weapon design. Iran admits to carrying out such work, but claims it is for conventional military purposes and disputes some of the technical details.

Warhead Design Verification: Iran carried out experiments using high explosives to test the validity of its warhead design and engaged in preparatory work to carry out a full-scale underground nuclear test explosion.

Shahab–3 Re-entry Vehicle: Documentation reviewed by the IAEA has suggested that, as late as 2003, Iran sought to develop a nuclear warhead small enough to ft on the Shahab–3 missile. Confronted with some of the studies, Iran admitted to the IAEA that such work would constitute nuclear weapons development, but Tehran denies carrying out the research.

The IAEA admits that it has less information regarding warhead-related work Iran has continued to pursue since 2003, but the report has provided some insight into the type of activities that Iran subsequently resumed, which seems to be focused on warhead design verification. The act that the agency was able to detail some of the organizational changes that have taken place since 2003, including the current position of the person who formerly oversaw the AMAD Plan, suggests that intelligence agencies still have considerable insight into Iran's nuclear program. Tehran will likely be concerned about its inability to hide such important information and will likely engage in further restructuring following this report, which may delay its efforts once again.

Considering the IAEA's reliance on intelligence information from states, it went through considerable length to demonstrate why it thought this information was credible. It was not just a matter of acquiring consistent information from over 10 countries, but it seems some of the most incriminating evidence comes from the AQ Khan network, which Iran admits it relied upon. The information from the Khan network includes details about nuclear warhead designs the network gave Iran that match up to the research and experiments detailed in the intelligence information.

THE IAEA BOARD OF GOVERNORS NEEDS TO RESPOND

The report will be considered by the IAEA Board of Governors at its next meeting Nov. 17–18, along with a draft resolution censuring Iran for violating its nonproliferation commitments. The Board's 35 members cannot ignore Iran's warhead development activities or Tehran's refusal to cooperate with the IAEA's investigation into that work. It must also insist that Iran improve its cooperation with the agency prior to the next board meeting.

A consensus response is unlikely given existing divisions among the 35 countries, and in particular, Cuba's current membership on the board. Beijing and Moscow have also unfortunately played an unhelpful role prior to the release of the report by calling on Director-General Yukiya Amano to limit the information detailed it contains.

However, it is important that the board's response receives support from as many countries as possible to demonstrate to Tehran that it cannot engage in work directly related to nuclear weapons with impunity.

In particular, developing countries on the IAEA Board of Governors should no longer treat the Iran nuclear issue as a test case for preserving the right to the peaceful uses of nuclear energy. Rather, it is time that all states insist that Iran stop abusing that right for the development of a nuclear weapons capability and take meaningful steps to cooperate with the IAEA and suspend enrichment work, particularly enrichment of uranium at the 20% level.

RIGHTS AND RESPONSIBILITIES

Iran cannot complain that Western states are trying to deny the Islamic Republic its nuclear ''rights.'' The U.S. position, consistent with the 2006 offer by the P5+1, has been that Iran could resume enrichment some time in the future after it reestablishes confidence with the international community that it is not pursuing nuclear weapons.

As Secretary of State Hillary Rodham Clinton explained it to the House Committee on Foreign Affairs on March 1, 2011, it is the U.S. Government's position is that ''under very strict conditions'' and ''having responded to the international community's concerns,'' Iran would have a ''right'' to enrich uranium under IAEA inspections.

In response to the IAEA's report, the international community should redouble efforts to implement existing U.N. Security Council-mandated sanctions on Iran's nuclear and missile sectors and, if Iran remains unwilling to cooperate with the IAEA and ignore the Security Council, further isolate Iran diplomatically and economically.

MAINTAIN PRESSURE AND ENGAGE

In response to the report, the White House has appropriately underscored that the United States continues to focus on using diplomatic channels to pressure Iran to abandon its sensitive nuclear activities.

To keep open the option for an effective negotiated resolution to the crisis, President Barack Obama should also reiterate the willingness of the United States and its P5+1 partners to follow-through on the recent letter from the EU's Catherine Ashton to Iran's leaders offering to engage them in further talks to address the nuclear program.

Continuing pressure through targeted sanctions against Iran's nuclear and missile sectors, coupled with the pursuit of a negotiated agreement to resolve serious concerns over Iran's sensitive nuclear activities and to limit its uranium enrichment capacity provides the best chance of preventing a nuclear-armed Iran.

Talk of military strikes against Iranian nuclear and military targets is unhelpful and counterproductive. Military strikes by the United States and/or Israel would only achieve a temporary delay in Iran's nuclear activities, convince Iran's leadership to openly pursue nuclear weapons, rally domestic support behind a corrupt regime, and would result in costly long-term consequences for U.S. and regional security and the U.S. and global economy.

Ultimately, resolving the nuclear issue will require sufficient pressure and inducement to convince Iran that it stands more to gain from forgoing a nuclear-weapons option and much to lose from any decision to build them.

My friend from Oregon earlier mentioned the question of oil prices, and it's something that we ought to be concerned about.

I would like to place in the RECORD an article from Slate that says that this sanction could lead to an increase in the price of gasoline that could be as much as $1.25 a gallon.

[From Slate, Dec. 2, 2011]

WILL SANCTIONS AGAINST IRAN RAISE GAS PRICES?

(By Brian Palmer)

The Senate unanimous passed a bill Thursday that would impose economic sanctions on Iran, over the objection of the White House. One of the administration's complaints was that the move could increase oil prices. How much could sanctioning Iran cost us at the pump?

The nightmare scenario would be an additional $1.25 per gallon. Iran produces just over 5 percent of the world's crude, which doesn't seem like a lot. But oil demand is price-insensitive—people and businesses refuse to change their fuel-buying habits until the costs go way up. That means a reduction in supply will have a disproportionate affect on prices. In the past, price increases have been about 10 times greater than their precipitating drops in production. Based on the same historical data, and given

that oil is currently hovering at around $100 per barrel, a complete shutdown of Iranian exports could force prices as high as $150. (That's 5 percent, times the tenfold multiplier, times the current price of $100.) Since a one-dollar change in the cost of a barrel of oil usually translates to a two-and-a-half-cent surge in retail gas prices, cutting Iran off from world oil markets could increase the price of gasoline by a dollar and a quarter.

This theoretical scenario is extremely unlikely, however. The Senate bill permits the president to delay the sanctions if there isn't adequate supply on the market. In addition, the bill would make it harder for foreign banks to deal with the Iranian central bank, which acts as a middle man in oil transactions. But it wouldn't make buying Iranian crude impossible, and sanctioned countries have historically found ways to sell their oil. (Consider, for example, the oil for food program that undermined sanctions against Iraq. The Senate sanctions against Iran also have a humanitarian exemption.) There hasn't been a truly effective, worldwide boycott of a country's oil exports since 1951–53, when Iran nationalized its oil industry. As long as Iranian oil continues to flow to Asia and parts of Europe, the sanctions would have a relatively small impact on prices.

There's also the possibility that Saudi Arabia could make up for some of the banned Iranian oil, as it did during the first and second Persian Gulf wars. The Saudis wouldn't be able to plug the gap entirely, because they don't have as much excess capacity as they used to. They could soften the blow, though.

There is one long-shot scenario that should be mentioned, in which oil prices go even higher than $150 per barrel. When pressured in the past, Iran has threatened to block oil deliveries through the Strait of Hormuz. Around 17 percent of oil traded globally passes through that waterway.

While such an occurrence could theoretically lead to $8-per-gallon gasoline, based on the historic relationship between supply and price, it's a practical impossibility. Demand would drop significantly at those dizzying prices, causing the cost of a barrel of oil to increase more in proportion with changes to supply. More importantly, the economic shock of such a scenario would likely trigger a naval response from the U.S. and its allies.

Mr. Speaker, an article in the Wall Street Journal raises this question as well. It says that crude flirts with $100 a barrel on geopolitical unrest. And it also quotes a commodity strategist at the Standard Bank in London as saying the timing of an Iranian embargo could hardly be worse. Relatively small disruptions could cause spikes in oil prices.

A director of the Treasury Department's Office of Foreign Assets Control, Mr. Adam Szubin, stated that there are real scenarios in which an oil spike might hit. This is from an article: U.S. officials warn that new sanctions could be a boon to Iran. There's another article that cites that, and an article from The New York Times which states that U.S. officials have declared they'd hold Iran accountable for a purported plot, but they've now decided that a proposed move against Iran's central bank would disrupt international oil markets and further damage the reeling American and world economies. I think that's something that we ought to be concerned about; that if, in fact, we are moving forward with sanctions, sanctions which will have an effect on the price of oil, is this the timing to do that kind of thing, and are we prepared in this Congress to accept the responsibility for a sharp increase in the price of oil?

Here's a quote from a blog called San Francisco Gate quoting the Undersecretary of State, Wendy Sherman, telling the Senate Foreign Relations Committee, ''There's absolutely a risk the price of oil would go up, which would mean that Iran, would, in fact, have more money to fuel its nuclear ambitions, not less.''

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the gentleman from New York (Mr. ENGEL), a senior member of the committee, a leader in these efforts for many years, the ranking member of the Western Hemisphere Subcommittee.

Mr. ENGEL. I rise in strong support of this legislation.

Under no circumstances should Iran be allowed to develop a nuclear weapon. This is a dangerous regime which supports terrorism and calls for the destruction of Israel. And every day they're getting closer to weaponizing a stockpile of enriched uranium.

No amount of naivete or wishful thinking will get the Iranian regime to back down. They are liars, and diplomacy hasn't worked and won't work. They'll only play for time.

We heard the same arguments about not putting the sanctions on the apartheid regime in South Africa. Now we hear that oil is going to go sky high.

Well, you know what? I think morality is more important than the price of oil. I think morality says that this terrible regime should not be allowed to have nuclear weapons, should not be allowed to wipe Israel off the face of the Earth, should not be allowed to do the horrible things that it does.

This important bill imposes tough sanctions on Iran's Islamic Revolutionary Guard Corps and against the Central Bank of Iran, and the Iranians have to know our sanctions will only be increased if they don't back off soon.

We have bipartisan support here. People say Congress doesn't work together. We worked together on this. This is important. We need to pass this bill.

Mr. KUCINICH. Mr. Speaker, I yield myself 1 minute.

I would respectfully respond to my friend from New York that the price of oil is, in fact, a moral question.

I want to raise the question of the constitutionality of this particular proposal. I believe that it's unconstitutional because it is an unconstitutional abridgement of freedom of speech and freedom of association. It is an unconstitutional abridgement of the right of free expression by Federal employees. It is a violation of whistleblower protections which have been granted a constitutional basis; that, in fact, it violates our own speech and debate clause of the Constitution of the United States because we have an obligation to inquire and to ask questions; that it violates the Constitution's separation of powers and challenges the President's power to engage in foreign diplomacy; that it is operationally impossible; that you can have even Admiral Mullen, former Chair of the Joint Chiefs, point out that with the miscommunications that can occur from a lack of diplomacy, we could be putting our own people at risk.

In fact, there was an article that was published that deals with a scenario that would happen in the Gulf where there are run-ins between American and Iranian vessels. The no contact provision, if enacted, could outlaw the U.S. Navy's bridge-to-bridge communications with Iranian vessels.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Florida (Mr. DEUTCH), someone who has provided a major contribution to this legislation that's now before the House.

Mr. DEUTCH. I thank the ranking member, my friend, Mr. BERMAN.

The legislation before us today will give the United States the tools to impose the most stringent, the most crippling sanctions aimed at cracking down on what is the greatest threat to international security, a nuclear armed Iran.

The Iran Threat Reduction Act builds on the already significant steps this Congress took, along with our partners in the EU and at the United Nations last year, to dramatically ratchet up pressure on the Iranian regime in order to thwart its illicit quest for nuclear weapons. The bill comes on the heels of the IAEA report that confirmed what we already knew—the Iranian regime is pursuing nuclear weapons. It comes on the heels of the foiled Iranian assassination plot and the dangerous attack coordinated by the regime on the British Embassy. And it comes even as the Iranian regime contributes to the brutal crackdown on the Syrian people that has left over 5,000 dead, so that the regime can continue to use Syria as a conduit for routing weapons to Hezbollah and Hamas to be used against Israel.

Mr. Speaker, I am proud to have authored two provisions contained in this bill. And I would like to thank the bill's sponsors, Chairman ROS-LEHTINEN and Ranking Member BERMAN, for working with me to include the Iran Transparency and Accountability Act and the Iran Human Rights Democracy Promotion Act.

□ 2040

The requirements of these provisions put the onus of determining the extent and nature of a company's involvement in Iran on that company by requiring the disclosure of all material business

with Iran on its SEC filings. This forced disclosure will accelerate the imposition of sanctions.

Mr. Speaker, this legislation also includes mandatory sanctions on those who perpetrate the most egregious human rights abuses. This regime's use of intimidation and brutality to suppress its opposition must be stopped, and the United States must stand with the people of Iran in their quest for democracy and freedom. Mr. Speaker, a nuclear armed Iran is unacceptable, and we cannot permit it to happen. We must make it clear that we are serious, determined, and aggressive in our approach to halt Iran's illegal, destabilizing, and dangerous pursuit of weapons of mass destruction.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

I would like to place in the RECORD an article by Seymour Hersh which cites the IAE's report suggesting, according to the Arms Control Association, that Iran is working to shorten a time frame to build a bomb once and if it makes the decision. But it remains apparent that a nuclear-armed Iran is still not imminent, nor is it inevitable.

[The New Yorker Online Only Daily Comment, November 18, 2011]

IRAN AND THE I.A.E.A.

(Posted by Seymour M. Hersh)

The first question in last Saturday night's Republican debate on foreign policy dealt with Iran, and a newly published report by the International Atomic Energy Agency. The report, which raised renewed concern about the ''possible existence of undeclared nuclear facilities and material in Iran,'' struck a darker tone than previous assessments. But it was carefully hedged. On the debate platform, however, any ambiguity was lost. One of the moderators said that the I.A.E.A. report had provided ''additional credible evidence that Iran is pursuing a nuclear weapon'' and asked what various candidates, upon winning the Presidency, would do to stop Iran. Herman Cain said he would assist those who are trying to overthrow the government. Newt Gingrich said he would coordinate with the Israeli government and maximize covert operations to block the Iranian weapons program. Mitt Romney called the state of Iran's nuclear program Obama's ''greatest failing, from a foreign-policy standpoint'' and added, ''Look, one thing you can know . . . and that is if we reelect Barack Obama Iran will have a nuclear weapon.'' The Iranian bomb was a sure thing Saturday night.

I've been reporting on Iran and the bomb for The New Yorker for the past decade, with a focus on the repeatedly inability of the best and the brightest of the Joint Special Operations Command to find definitive evidence of a nuclear-weapons production program in Iran. The goal of the high-risk American covert operations was to find something physical—a ''smoking calutron,'' as a knowledgeable official once told me—to show the world that Iran was working on warheads at an undisclosed site, to make the evidence public, and then to attack and destroy the site.

The Times reported, in its lead story the day after the report came out, that I.A.E.A. investigators ''have amassed a trove of new evidence that, they say, makes a 'credible' case'' that Iran may be carrying out nuclear-weapons activities. The newspaper quoted a Western diplomat as declaring that ''the level of detail is unbelievable. . . . The report describes virtually all the steps to make a nuclear warhead and the progress Iran has achieved in each of those steps. It reads like a menu.'' The Times set the tone for much of the coverage. (A second Times story that day on the I.A.E.A. report noted, more cautiously, that ''it is true that the basic allegations in the report are not substantially new, and have been discussed by experts for years.'')

But how definitive, or transformative, were the findings? The I.A.E.A. said it had continued in recent years ''to receive, collect and evaluate information relevant to possible military dimensions of Iran's nuclear program'' and, as a result, it has been able ''to refine its analysis.'' The net effect has been to create ''more concern.'' But Robert Kelley, a retired I.A.E.A. director and nuclear engineer who previously spent more than thirty years with the Department of Energy's nuclear-weapons program, told me that he could find very little new information in the I.A.E.A. report. He noted that hundreds of pages of material appears to come from a single source: a laptop computer, allegedly supplied to the I.A.E.A. by a Western intelligence agency, whose provenance could not be established. Those materials, and others, ''were old news,'' Kelley said, and known to many journalists. ''I wonder why this same stuff is now considered 'new information' by the same reporters.''

A nuanced assessment of the I.A.E.A. report was published by the Arms Control Association (A.C.A.), a nonprofit whose mission is to encourage public support for effective arms control. The A.C.A. noted that the I.A.E.A. did ''reinforce what the nonproliferation community has recognized for some times: that Iran engaged in various nuclear weapons development activities until 2003, then stopped many of them, but continued others.'' (The American intelligence community reached the same conclusion in a still classified 2007 estimate.) The I.A.E.A.'s report ''suggests,'' the A.C.A. paper said, that Iran ''is working to shorten the timeframe to build the bomb once and if it makes that decision. But it remains apparent that a nuclear-armed Iran is still not imminent nor is it inevitable.'' Greg Thielmann, a former State Department and Senate Intelligence Committee analyst who was one of the authors of the A.C.A. assessment, told me, ''There is troubling evidence suggesting that studies are still going on, but there is nothing that indicates that Iran is really building a bomb.'' He added, ''Those who want to drum up support for a bombing attack on Iran sort of aggressively misrepresented the report.''

Joseph Cirincione, the president of the Ploughshare Fund, a disarmament group, who serves on Hillary Clinton's International Security Advisory Board, said, ''I was briefed on most of this stuff several years ago at the I.A.E.A. headquarters in Vienna. There's little new in the report. Most of this information is well known to experts who follow the issue.'' Cirincione noted that ''post-2003, the report only cites computer modelling and a few other experiments.'' (A senior I.A.E.A. official similarly told me, ''I was underwhelmed by the information.'')

The report did note that its on-site camera inspection process of Iran's civilian nuclear enrichment facilities—mandated under the Nuclear Non-Proliferation Treaty, to which Iran is a signatory—''continues to verify the non-diversion of declared nuclear material.'' In other words, all of the low enriched uranium now known to be produced inside Iran is accounted for; if highly enriched uranium is being used for the manufacture of a bomb, it would have to have another, unknown source.

The shift in tone at the I.A.E.A. seems linked to a change at the top. The I.A.E.A.'s report had extra weight because the Agency has had a reputation for years as a reliable arbiter on Iran. Mohammed ElBaradei, who retired as the I.A.E.A.'s Director General two years ago, was viewed internationally, although not always in Washington, as an honest broker—a view that lead to the awarding of a Nobel Peace Prize in 2005. ElBaradei's replacement is Yukiya Amano of Japan. Late last year, a classified U.S. Embassy cable from Vienna, the site of the I.A.E.A. headquarters, described Amano as being ''ready for prime time.'' According to the cable, which was obtained by WikiLeaks, in a meeting in September, 2009, with Glyn Davies, the American permanent representative to the I.A.E.A., said, ''Amano reminded Ambassador on several occasions that he would need to make concessions to the G-77 [the group of developing countries], which correctly required him to be fair-minded and independent, but that he was solidly in the U.S. court on every strategic decision, from high-level personnel appointments to the handling of Iran's alleged nuclear weapons program.'' The cable added that Amano's ''willingness to speak candidly with U.S. interlocutors on his strategy . . . bodes well for our future relationship.''

It is possible, of course, that Iran has simply circumvented the reconnaissance efforts of America and the I.A.E.A., perhaps even building Dick Cheney's nightmare: a hidden underground nuclear-weapons fabrication facility. Iran's track record with the I.A.E.A. has been far from good: its leadership began construction of its initial uranium facilities in the nineteen-eighties without informing the Agency, in violation of the nonproliferation treaty. Over the next decade and a half, under prodding from ElBaradei and the West, the Iranians began acknowledging their deceit and opened their enrichment facilities, and their records, to I.A.E.A. inspectors.

The new report, therefore, leaves us where we've been since 2002, when George Bush declared Iran to be a member of the Axis of Evil—with lots of belligerent talk but no definitive evidence of a nuclear-weapons program.

I would ask how much time is left on all sides.

The SPEAKER pro tempore (Mr. SCHWEIKERT). The gentleman from Ohio has 6 minutes. The gentlewoman from Florida has 3½ minutes. The gentleman from California has 3 minutes.

Mr. KUCINICH. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. OLSON), an esteemed member of the Committee on Energy and Commerce.

Mr. OLSON. I thank the chair of the Committee on Foreign Affairs and the ranking member for the opportunity to speak here tonight on H.R. 1905.

Mr. Speaker, I rise tonight in strong support of H.R. 1905, the Iran Threat Reduction Act. While Iranian leadership continues to give public assurances that their nuclear program is for peaceful purposes, their words don't match their actions.

A recent International Atomic Energy Agency report makes it clear that Iran is developing advanced delivery systems for nuclear weapons. Mr. Speaker, the only reason why Iran would develop advanced delivery systems is to have the means to deliver a

nuclear bomb on peaceful neighbors like Israel. This outcome is unacceptable, and the United States must continue to enact tougher sanctions to ensure that this never happens.

H.R. 1905 will add new sanctions targeting the Central Bank of Iran, making it difficult for foreign companies to do business with Iran. H.R. 1905 will also increase sanctions on members of the Iranian Revolutionary Guard Corps.

Mr. Speaker, the biggest threat to world peace is the religious fanatics in Iran having a nuclear bomb. Iran's acquisition of nuclear weapons simply cannot happen. Not on our watch. I implore my colleagues to support this bipartisan legislation which will force Iran to abandon its quest for nuclear weapons.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

I would like to place in the RECORD a letter from 26 organizations that urge Congress to oppose the provision restricting contact with Iranian officials.

DECEMBER 8, 2011.

DEAR REPRESENTATIVE: We urge you to oppose the provision restricting contact with Iranian officials in the Iran sanctions bill H.R. 1905 and to work with your colleagues to remove it from the bill when it comes to the House floor. We are concerned that Section 601c of this legislation would undermine prospects for a diplomatic resolution of Iran's disputed nuclear program, increasing the threat of war.

This provision was inserted into the bill during committee markup, after most of the cosponsors had already signed onto H.R. 1905. Section 601c of H.R. 1905 would expressly prohibit contact between U.S. government officials and certain Iranian officials, as noted below:

(c) Restriction on contact.—No person employed with the United States Government may contact in an official or unofficial capacity any person that—(1) is an agent, instrumentality, or official of, is affiliated with, or is serving as a representative of the Government of Iran; and (2) presents a threat to the United States or is affiliated with terrorist organizations. (d) Waiver.—The President may waive the requirements of subsection (c) if the President determines and so reports to the appropriate congressional committees 15 days prior to the exercise of waiver authority that failure to exercise such waiver authority would pose an unusual and extraordinary threat to the vital national security interests of the United States.

If this provision were to be enacted into law, it could have a chilling effect on any diplomatic engagement that this or any future administration might wish to pursue to address Iran's nuclear program, its role in exacerbating or de-escalating regional conflicts, and its failure to respect the human rights of its citizens. It would also place restrictions on members of Congress, likely precluding the potential for inter-parliamentary dialogue with Iranian parliamentarians.

As Ambassadors Thomas Pickering and William Luers have pointed out, this provision also raises ''serious constitutional issues over the separation of powers''. For the administration to exercise its waiver authority, the President would have to certify 15 days in advance that the failure to do so would ''pose an unusual and extraordinary threat to the vital national security interests of the United States''.

At a time of heightened tensions between the U.S. and Iran, sustained and flexible diplomacy is an essential tool to prevent war. Just before he retired from the position of Chairman of the Joint Chiefs of Staff, Admiral Mullen called for an established channel of communications with Iran, noting that: ''We haven't had a connection with Iran since 1979. Even in the darkest days of the Cold War we had links of the Soviet Union . . . If something happens it's virtually assured that we won't get it right, that there will be miscalculations which would be extremely dangerous in that part of world . . . I think any channel would be terrific.''

We urge every member of Congress to oppose Section 601c of H.R. 1905 speak out on the House floor against efforts designed to constrain diplomatic engagement with Iran.

Sincerely,

Friends Committee on National Legislation; Americans for Peace Now; Arms Control Association; Center for Interfaith Engagement, Eastern Mennonite University; Church of the Brethren; Council for a Livable World; Fellowship of Reconciliation; Just Foreign Policy; Lancaster Interchurch Peace Witness; Mainstream Media Project; Maryknoll Office for Global Concerns; Mennonite Central Committee; Minnesota Peace Project.

Middle East Peace Now; National Iranian American Council; New Internationalism Project, Institute for Policy Studies; Peace Action; Peace Action West; Peace Catalyst International; Progressive Democrats for America; Project on Middle East Democracy; Student Peace Alliance; United Church of Christ, Justice and Witness Ministries; United Methodist Church, General Board of Church and Society; Women's Action for New Directions; 3P Human Security: Partners for Peacebuilding Policy.

It's interesting that what we're actually suggesting here is taking diplomacy off the table. I was here for the debate in Iraq. I led the effort in this Congress in challenging the then-Bush administration's assertions that Iraq had weapons of mass destruction which they intended to use against the United States. I was here. I don't know how many of you were here. But I saw a case being made for war, and that case was based on exaggerations and unfortunately in some cases distortions and lies.

We have to be very careful that we're not setting the stage for still another war. We must be very careful that when we assert a certain level of preparedness on the part of Iran with respect to their nuclear capability that we aren't actually shutting the door that needs to be open in order to try to resolve any difficulty between our nations. We can say, well, we want to get them back to the table, but then don't talk to them.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to one of the cofounders of the Iran Working Group, someone who has brought the issue of Iran, its policies, and particularly it's nuclear weapons program, to the attention of this body and the public, the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I'd like to thank the chairlady from Florida and the ranking member, Mr. BERMAN from California, for their very forceful and effective advocacy.

Iran made a choice to ignore international standards and comity and secretly develop a nuclear weapon. Iran made a choice to eschew sincere diplomatic efforts to come up with a deal, an agreement where they could have their civilian nuclear energy program but have the fuel manufactured outside of Iran. Now, Iran must, in my view, be confronted with a choice as to whether it will enjoy economic stability or give up its nuclear weapons ambitions.

I think the time is here to force that choice upon the Iranians. I think it's unfortunate it has to be done, but it has to be done. We cannot let the world's most horrific weapon fall into the hands of one of the world's most horrendous regimes. For that reason, I strongly support the legislation by Ms. ROS-LEHTINEN and Mr. BERMAN and urge a ''yes'' vote.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

I want to say I have respect for all of my colleagues who are concerned about nuclear proliferation. We all ought to be concerned about nuclear proliferation. We can start with our own country. Right now we've set the stage for continuing to develop nuclear weapons. It's very difficult to be able to have a strong position of standing on this issue if we have one set of rules for ourselves and another set of rules for the rest of the world.

I don't want to see a nuclear proliferation in Iran, but I think that if we want to have a standing where people want to take what we say, we have to be consistent. We have to make sure that what we do is consistent with what we say.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I have no further requests for time, and I reserve the balance of my time to close.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to my distinguished colleague and good friend who's been very active on these issues, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Thank you, Mr. BERMAN.

I want to take issue with my colleague from Ohio. I don't think there is a comparison between the situation in Iraq and Iran because it has become abundantly clear that Iran is pursuing nuclear weapons; and a nuclear Iran would not only threaten the United States but democratic nations all across the globe.

The legislation before us builds on the comprehensive Iran Sanctions Act passed last Congress and imposes new and stronger sanctions, and this bill is the next logical step in U.S. policy to prevent Iran from acquiring nuclear weapons.

The Iranian President, a Holocaust denier, has stated that a nuclear Iran would use the weapons at its disposal and has even called for the destruction of the State of Israel. And I don't think we can let a nuclear Iran become a reality.

I would urge my colleagues to vote ''yes'' on H.R. 1905.

□ 2050

Mr. KUCINICH. I would ask how much time is remaining.

The SPEAKER pro tempore. The gentleman from Ohio has 6 minutes remaining.

Mr. KUCINICH. I would respectfully suggest to my friend from New Jersey that the certainty that Congress had in the debate in October of 2002 with respect to Iraq is very much paralleled with the certainty that some of my friends here have about not only Iran's intention to have a bomb but an intention to use it. That's why we need diplomacy. That's why the provisions of this bill in section 603(c), which say U.S. Government employees can't have any contact with Iranians, is really upside down.

Mr. BERMAN. Will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from California.

Mr. BERMAN. I appreciate that very much.

Just on this one issue, there is nothing in this bill that prohibits Americans from having contact with Iranians. There is nothing in this bill that prohibits the President of the United States or his Secretary of State or such other emissaries or agencies he chooses from engaging diplomatically on the issue of ending Iran's nuclear weapons program. I would not support a bill that prohibited that.

Mr. KUCINICH. In reclaiming my time, section 603(c) was added in committee. I would inquire of the gentleman, was it stripped from the bill?

Mr. BERMAN. I appreciate the gentleman for yielding.

Section 603 was not stripped from the bill, and section 603 does not prohibit the administration from engaging diplomatically on this issue.

Mr. KUCINICH. I reclaim my time.

Perhaps the President is not restricted, which is good for the gentleman to say; but the very clear and plain reading of that is that it says no U.S. Government employee.

I reserve the balance of my time.

The SPEAKER pro tempore. At this time, the Chair needs to make a time correction.

The remaining time for the gentleman from Ohio is 2 minutes.

Mr. BERMAN. Mr. Speaker, I think I am the last speaker on my side of our side who intends to speak on this issue.

How much time remains?

The SPEAKER pro tempore. The gentleman from California has 1 minute remaining, and the gentleman from Ohio has 2 minutes remaining.

Mr. BERMAN. The chairman of the committee, the gentlelady from Florida, has the right to close. Am I correct in that assumption?

The SPEAKER pro tempore. Yes.

Mr. BERMAN. Is the gentleman from Ohio, if I may ask through the Chair, the last speaker on his side?

Mr. KUCINICH. Correct.

Mr. BERMAN. Mr. Speaker, in that case I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 minute.

Mr. BERMAN. Again, I would like to repeat that this crisis only ends one of three ways.

Iran gets a nuclear weapons capability, and don't listen to straw man arguments. No one is saying Iran today has a nuclear bomb, but the IAEA has made it perfectly clear they are pursuing a nuclear weapons capability. Once they have that capability, they throw out the inspectors; they shut off the cameras; and they get the bomb.

Either we stop them from getting the bomb; we have a military confrontation; or we have a diplomatic resolution where they end their nuclear weapons program through diplomacy.

The provision the gentleman cited does not prohibit diplomacy by the President or his emissaries. Time will not permit me to read the statute, itself, right now, but I would be happy to show any of my members why diplomacy is still allowed.

This is not a unilateral effort. This administration and this Congress, in working with them, have pursued a multilateral effort with the international community to stop Iran from getting a nuclear weapon, and we will continue to do that.

I yield back the balance of my time.

Mr. KUCINICH. I yield myself 1 minute.

I am quoting from an article in The Hill, which I cited earlier:

Section 601 would prohibit U.S. Government employees in any official or unofficial capacity from contacting anyone who is affiliated with the Iranian Government who presents a threat to the United States or is affiliated with a terrorist organization.

Look, if you want to stop war, you have to have communication with people. I mean, if you look back to the Cuban Missile Crisis, which is one of the gravest crises of the 20th century, it was the fact that the United States and Russia were able to engage in a communication.

So we have to be very careful that we don't pass any kind of a law that would restrict, not just First Amendment rights and not just freedom of association, but would restrict the basic kind of diplomacy that's used, because everyone here knows that diplomacy is not just leaders talking to leaders. All kinds of backdoor diplomacy goes on, and I think that that needs to be taken into consideration.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. As I said, Mr. Speaker, I am going to close; so the gentleman from Ohio must use his time.

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio has 1 minute remaining.

Mr. KUCINICH. I thank my colleagues very much, for whom I have the greatest respect, for the opportunity to discuss this; although I painfully must disagree with you here.

Broad sanctions against Iran can only further isolate Iran from the international community and cause the regime to be increasingly secretive. The sanctions actually play directly into the hands of the Iranian Government. They directly undermine the efforts of the Iranian people, who have courageously challenged their government often at the cost of their lives. The sanctions could be seen as a gift to the regime, not just a political gift for polarization within their country to cross opposition, but also an economic gift because the price of oil will go up, and Iran will cash in on that.

Section 302 of this bill revokes the President's authority to license the export of civilian aircraft parts and repairs for Iranian civil aircraft, authority which would ensure the safety of flight for humanitarian purposes. This provision recklessly places the lives of Iranian Americans in danger. We ought to defeat this bill and stand for diplomacy.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Iran remains the world's leading state sponsor of terrorism. According to our Treasury Department, Iran is a critical transit point for funding to support al Qaeda in Afghanistan and Pakistan. This network serves as the core pipeline through which al Qaeda moves money, facilitators, and operatives from across the Middle East to South Asia, including al Qaeda's operational commander. Also, Tehran is providing key support to the regime in Damascus, another state sponsor of terrorism that is of proliferation concern and which is currently engaged in the violent repression of the people of Syria.

Iran is also directly responsible for the deaths of many Americans. It continues to sponsor violent extremist groups in Iraq and Afghanistan that have killed our men and women in uniform. Just last week, a Federal judge found that the Iranian regime provided material aid and support for al Qaeda's 1998 attacks on the U.S. Embassies in Kenya and Tanzania.

Just imagine what an emboldened Iran would do if allowed to obtain nuclear weapons and the means by which to deliver them. Remember what the regime has already said that it wants to do. Ahmadinejad has openly proclaimed that Iran seeks a world without America and Zionism; and Iran's so-called supreme leader has stated

that Iran is prepared to transfer the experience, knowledge, and technology of its scientists.

We should take them at their word and impose crippling sanctions on this regime, and it starts tonight, Mr. Speaker, with this bill, H.R. 1905, the Iran Threat Reduction Act. Let's pass it tonight.

I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, last year, when we passed the Comprehensive Iran Sanctions and Divestment Act, I came to the floor stating that we must go further. Our stated goal then, as it is now, was to protect Americans, our allies, and the Iranians who suffer under a tyrannical regime. We have made it clear that it is unacceptable for Iran to develop nuclear weapons.

While a step in the right direction, last year's version of Iran Sanctions gave too much flexibility to the administration and included vast loopholes that weakened the law's effectiveness. As I speak now, the Obama administration has only applied sanctions to ten foreign companies and has given leeway to companies operating in Iran. Iran has continued development of nuclear weapons and poses an even greater threat to America and her allies.

Today's bill, H.R. 1905, the Iran Threat Reduction Act, takes the threat of Iran's nuclear program seriously. This legislation would mandate sanctions against the Central Bank of Iran. It would also impose sanctions on foreign banks that continue to do business with the Iranian Central Bank. Just last week the Senate unanimously supported sanctioning the Iranian Central Bank. As the House and Senate are deeply divided on other major issues, we all believe that Iran is a threat that must be dealt with swiftly and that the Central Bank must be sanctioned. H.R. 1905 also would reassert that it is U.S. policy to ensure Iran does not obtain the ability to produce nuclear weapons. Finally, the bill would close the loophole in current U.S. law that allows foreign subsidiaries of U.S. corporations to bypass U.S. sanctions.

Will this legislation single-handedly prevent a nuclear Iran from emerging? Likely it will not. We may have waited too long for our actions today to single-handedly dismantle Iran's nuclear ambitions. However, with this legislation, allies are already indicating they will follow our lead and potentially sanction the Iranian Central Bank as well. As we show the rest of the world we take this threat seriously, they will too. I urge my colleagues to support this measure.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of the Iran Threat Reduction Act, though I do have concerns about new language added to the bill in the Committee on Foreign Affairs. It is my hope that this language will be corrected before this bill advances.

The passage last year of the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA) was a key step in the effort to prevent Iran from gaining the ability to develop a nuclear weapon and it is important that we continue to apply pressure to the Iranian regime.

It is clear that if President Ahmadinejad and his regime were allowed to access a nuclear weapon, Iran would pose a significant threat to global stability and security and a threat to the security of the State of Israel.

This bill is an appropriate next step as we work to increase pressure on Iran to end its nuclear program and end its open hostility toward Israel and the United States. By authorizing new sanctions against Iran and by imposing sanctions against additional activities, this bill successfully expands on the precedent set by CISADA and sends the right message to Iran and to the international community.

However, as I said, changes were made to this bill during the committee process that raise questions about whether or not the bill inappropriately limits the ability of any American President and his or her entire Administration to conduct diplomacy with Iran. This new language could end up jeopardizing American security by preventing our diplomats from resolving minor issues before they become more serious disputes.

The Obama Administration, for example, has done an excellent job to this point in addressing the threat of a nuclear Iran. Just last month, the Administration imposed additional sanctions on Iran, including labeling Iran as a "primary money-laundering concern." The Administration should also be commended for ensuring the success of sanctions by securing the cooperation of the international community in imposing serious sanctions that had not even been considered by many of our allies until President Obama's pressure led them to toughen their stance against Iran. It makes no sense to tie the Administration's hands now, particularly given the successful efforts by President Obama to toughen the international community's stand against Iran.

The lead Democratic sponsor of this bill and the senior Democrat on the Foreign Affairs Committee, my good friend Mr. BERMAN, has made clear that he does not believe that this bill should limit the President's ability to conduct diplomacy as he sees fit, and I agree with that assessment. Like Mr. BERMAN, I believe that this issue must be clarified in conference to ensure that this bill does not inadvertently exacerbate problems that it is intended to fix.

I believe that it is imperative that we continue working constructively with our allies to strengthen sanctions against Iran and so I urge my colleagues to support this bill and to ensure going forward that it is implemented in a productive way.

Mr. WAXMAN. Mr. Speaker, I strongly support this legislation whose purpose is to deny Iran both the ability to support terrorist organizations and to develop nuclear weapons and ballistic missiles.

I want to express my strong admiration and support for Representative HOWARD BERMAN, the ranking member of the House Foreign Affairs Committee. Without Representative BERMAN's forceful and steadfast leadership, this legislation to impose the most stringent sanctions yet on Iran would not have come before us. We are standing firm against Iran because of Representative BERMAN's ceaseless efforts to forge a bipartisan consensus to act against the grave threat to Israel and other allies that is posed by Iran and its leadership.

Iran is a growing danger to peace and stability in the Middle East and beyond. Its nuclear program in and of itself is the most dangerous threat to peace in the world today. Together with its support for Hamas in Gaza, Hezbollah in Lebanon and the Syrian regime, Iran is an ongoing and growing danger to the region and the world.

Iran's unremitting hostility to the United States, to Israel and others requires the most forceful response.

It is clear that Iran's leaders are determined to acquire a nuclear weapon. All of the independent international assessments, including from the International Atomic Energy Agency, attest to a steady progression to weaponize its uranium assets. At the same time, Iran is perfecting its medium and long-range missile capabilities.

Together, these initiatives can only have one purpose: at the least, to enable Iran to exercise nuclear blackmail in pursuit of its extreme agenda. But this also means that Iran will have the Iranian people. capability to actually use a nuclear weapon, and bring a catastrophe upon us all—and upon the Iranian people.

This is unacceptable. Iran's nuclear program must be stopped. Iran simply must not be permitted to acquire a nuclear weapon.

President Obama has been exceptionally clear on Iran. Just last week, on December 8, President Obama again was emphatic in stating U.S. policy:

". . . What I can say with respect to Iran, I think it's very important to remember, particularly given some of the political noise out there, that this administration has systematically imposed the toughest sanctions on Iraq—on Iran ever.

"When we came into office, the world was divided, Iran was unified and moving aggressively on its own agenda. Today, Iran is isolated, and the world is unified in applying the toughest sanctions that Iran has ever experienced. And it's having an impact inside of Iran. And that's as a consequence of the extraordinary work that's been done by our national security team.

"Now, Iran understands that they have a choice: They can break that isolation by acting responsibly and foreswearing the development of nuclear weapons, which would still allow them to pursue peaceful nuclear power, like every other country that's a member of the Non-Proliferation Treaty, or they can continue to operate in a fashion that isolates them from the entire world. And if they are pursuing nuclear weapons, then I have said very clearly, that is contrary to the national security interests of the United States; it's contrary to the national security interests of our allies, including Israel; and we are going to work with the world community to prevent that."

With respect to what the United States is willing to do to prevent Iran from acquiring nuclear weapons, President Obama said, "No options off the table means I'm considering all options."

The best way to avoid getting to that point is to do everything we can to impose the harshest pressure on Iran in order to make its present nuclear course unsustainable to the regime.

The Iran Threat Reduction Act will put into force the strongest sanctions yet against Iran. It imposes sanctions on Iran's oil industry, including sanctions on the importation of gasoline, which Iran desperately needs. There are increased sanctions on defense products and technology.

Sanctions are also imposed on the Central Bank of Iran and across the financial and banking sectors. Because Iran is pursuing a nuclear weapon, it will become exceedingly impossible for Iran to engage in international commerce.

The best alternative to the present regime is to encourage Iranians opposed to its brutal repression to continue to work for democracy and freedom. To this end, this bill provides financial and political assistance to individuals and organizations that support democracy in Iran.

In addition, the legislation specifically targets for sanctions those who are part of, or associated with, the Islamic Revolutionary Guard Corps—the Iranian regime's arm of repression who wantonly violate the human rights of the Iranian people.

Taken together, these measures constitute the imposition of crippling sanctions against the Iranian government and those who do business with it.

This bill delivers one message to the Iran's leaders: stop now.

We cannot tolerate an Iran armed with nuclear weapons, and the means to deliver them against Israel and other countries, such as Saudi Arabia, in the Middle East.

The very best strategy to stop Iran's nuclear program is to make business and commerce in Iran untenable for as long as Iran is pursuing a nuclear capability, and to target the regime's repressive elements—the Revolutionary Guard—with massive penalties.

By every indication, time—and patience—with Iran is growing shorter. This legislation is the least we can do to bring relentless pressure on Iran to change course.

I support this bill and once again thank Representative HOWARD BERMAN for his courageous leadership in helping us face the most dangerous foreign policy crisis in the world today.

Mr. HOLT. Mr. Speaker, the recent IAEA report on Iran's nuclear program indicates that Iran continues to pursue a clandestine nuclear weapons program. Specifically, the IAEA's November 2011 report noted that Iran has carried out a number of activities that are relevant to the development of a nuclear explosive device. These include efforts, some successful, to procure nuclear related and dual-use equipment and materials by military related individuals; efforts to develop undeclared pathways for the production of nuclear material; the acquisition of nuclear weapons development information and documentation from a clandestine nuclear supply network; and work on the development of an indigenous design of a nuclear weapon including the testing of components.

These are ominous developments that the House simply cannot ignore.

I am glad that the House is considering this legislation. I recognize that sanctions like this are crude instruments, but the threatening actions of the government of Iran must be countered. This bill will help increase diplomatic pressure on Iran by further tightening sanctions, particularly on entities associated with Iran's Revolutionary Guard Corps (IRGC), which is a key player in Iran's nuclear weapons acquisition effort. The IRGC's activities are a key reason why this legislation is necessary.

I recognize that this legislation is not perfect. I am particularly troubled by a provision that was added during the committee mark up that would make it extremely difficult for American officials to meet directly or indirectly with some Iranian officials. I vote for this with the expectation that this particular provision will be modified before it goes to the President for his signature.

Today we are also considering H.R. 2105, which would strengthen our nonproliferation regime against Iran, North Korea, and Syria. It's worth remembering that Syria had an undeclared nuclear facility under construction at the time it was bombed a few years ago. This bill would impose a series of new constraints on countries that may be thinking about, or are known or suspected to be, supplying proliferation-related technology to any of these three states. One provision would prohibit U.S. nuclear cooperation with a country that is assisting the nuclear program of Iran, North Korea, or Syria, or is transferring advanced conventional weapons to such countries.

I regret that these bills are necessary. I wish that our past peaceful, diplomatic efforts had produced changes in their proliferation-related behavior. Unfortunately, they have not. These rogue regimes are willing to tolerate considerable international isolation as they continue to pursue prohibited weapons programs. But I believe there is a point at which the diplomatic and economic isolation will begin to threaten their hold on power, and it is when that point is reached that we will likely have our best chance of peacefully disarming these rogue states. That is why I still believe that diplomacy, backed by enforceable sanctions, can ultimately achieve the goal we all share, and why I will support these bills.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1905, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 2100

IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION REFORM AND MODERNIZATION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2105) to provide for the application of measures to foreign persons who transfer to Iran, North Korea, and Syria certain goods, services, or technology, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2105

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Iran, North Korea, and Syria Nonproliferation Reform and Modernization Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Statement of policy.
Sec. 3. Reports on proliferation relating to Iran, North Korea, and Syria.
Sec. 4. Application of measures to certain foreign persons.
Sec. 5. Determination exempting a foreign person from the application of certain measures.
Sec. 6. Restrictions on nuclear cooperation with countries aiding proliferation by Iran, North Korea, or Syria.
Sec. 7. Identification of countries that enable proliferation to or from Iran, North Korea, or Syria.
Sec. 8. Prohibition on United States assistance to countries assisting proliferation activities by Iran, North Korea, or Syria.
Sec. 9. Restriction on extraordinary payments in connection with the International Space Station.
Sec. 10. Exclusion from the United States of senior officials of foreign persons who have aided proliferation relating to Iran.
Sec. 11. Prohibition on certain vessels landing in the United States; enhanced inspections.
Sec. 12. Sanctions with respect to critical defense resources provided to or acquired from Iran, North Korea, or Syria.
Sec. 13. Definitions.
Sec. 14. Repeal of Iran, North Korea, and Syria Nonproliferation Act.

SEC. 2. STATEMENT OF POLICY.

It shall be the policy of the United States to fully implement and enforce sanctions against Iran, North Korea, and Syria for their proliferation activities and policies.

SEC. 3. REPORTS ON PROLIFERATION RELATING TO IRAN, NORTH KOREA, AND SYRIA.

(a) REPORTS.—Not later than 90 days after the date of the enactment of this Act and every 120 days thereafter, the President shall transmit to the appropriate congressional committees a report identifying every foreign person with respect to whom there is credible information indicating that such person—

(1) on or after January 1, 1999, transferred to or acquired from Iran, on or after January 1, 2005, transferred to or acquired from Syria, or on or after January 1, 2006, transferred to or acquired from North Korea—

(A) goods, services, or technology listed on—

(i) the Nuclear Suppliers Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 1, and subsequent revisions) and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 2, and subsequent revisions);

(ii) the Missile Technology Control Regime Equipment and Technology Annex of June 11, 1996, and subsequent revisions;

(iii) the lists of items and substances relating to biological and chemical weapons the export of which is controlled by the Australia Group;

(iv) the Schedule One or Schedule Two list of toxic chemicals and precursors the export of which is controlled pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; or

(v) the Wassenaar Arrangement list of Dual Use Goods and Technologies and Munitions list of July 12, 1996, and subsequent revisions; or