

In the House of Representatives, U. S.,

October 26, 2005.

Resolved, That the bill from the Senate (S. 1713) entitled “An Act to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Iran Nonproliferation*
3 *Amendments Act of 2005”.*

4 ***SEC. 2. FINDINGS.***

5 *Congress makes the following findings:*

6 *(1) The Director of Central Intelligence’s most*
7 *recent Unclassified Report to Congress on the Acquisi-*
8 *tion of Technology Relating to Weapons of Mass De-*
9 *struction and Advanced Conventional Munitions, 1*
10 *July Through 31 December 2003, states “Russian en-*
11 *tities during the reporting period continued to supply*
12 *a variety of ballistic missile-related goods and tech-*
13 *anical know-how to countries such as Iran, India, and*
14 *China. Iran’s earlier success in gaining technology*

1 *and materials from Russian entities helped accelerate*
2 *Iranian development of the Shahab-3 MRBM, and*
3 *continuing Russian entity assistance has supported*
4 *Iranian efforts to develop new missiles and increase*
5 *Tehran’s self-sufficiency in missile production.”*

6 (2) *Vice Admiral Lowell E. Jacoby, the Director*
7 *of the Defense Intelligence Agency, stated in testimony*
8 *before the Select Committee on Intelligence of the Sen-*
9 *ate on February 16, 2005, that “Tehran probably will*
10 *have the ability to produce nuclear weapons early in*
11 *the next decade”.*

12 (3) *Iran has—*

13 (A) *failed to act in accordance with the*
14 *Agreement Between Iran and the International*
15 *Atomic Energy Agency for the Application of*
16 *Safeguards in Connection with the Treaty on the*
17 *Non-Proliferation of Nuclear Weapons, done at*
18 *Vienna June 19, 1973 (commonly referred to as*
19 *the “Safeguards Agreement”);*

20 (B) *acted in a manner inconsistent with the*
21 *Protocol Additional to the Agreement Between*
22 *Iran and the International Atomic Energy Agen-*
23 *cy for the Application of Safeguards, signed at*
24 *Vienna December 18, 2003 (commonly referred to*
25 *as the “Additional Protocol”);*

1 (C) acted in a manner inconsistent with its
2 obligations under the Treaty on the Non-Pro-
3 liferation of Nuclear Weapons, done at Wash-
4 ington, London, and Moscow July 1, 1968, and
5 entered into force March 5, 1970 (commonly re-
6 ferred to as the “Nuclear Non-Proliferation Trea-
7 ty”); and

8 (D) resumed uranium conversion activities,
9 thus ending the confidence building measures it
10 adopted in its November 2003 agreement with
11 the foreign ministers of the United Kingdom,
12 France, and Germany.

13 (4) On September 24, 2005, the Board of Gov-
14 ernors of the International Atomic Energy Agency
15 (IAEA) formally declared that Iranian actions con-
16 stituted noncompliance with its nuclear safeguards
17 obligations, and that Iran’s history of concealment of
18 its nuclear activities has given rise to questions that
19 are within the purview of the United Nations Secu-
20 rity Council.

21 (5) The executive branch has on multiple occa-
22 sions used the authority provided under section 3 of
23 the Iran Nonproliferation Act of 2000 (Public Law
24 106–178; 50 U.S.C. 1701 note) to impose sanctions on

1 *entities that have engaged in activities in violation of*
2 *restrictions in the Act relating to—*

3 *(A) the export of equipment and technology*
4 *controlled under multilateral export control lists,*
5 *including under the Australia Group, Chemical*
6 *Weapons Convention, Missile Technology Control*
7 *Regime, Nuclear Suppliers Group, and the*
8 *Wassenaar Arrangement or otherwise having the*
9 *potential to make a material contribution to the*
10 *development of weapons of mass destruction or*
11 *cruise or ballistic missile systems to Iran; and*

12 *(B) the export of other items to Iran with*
13 *the potential of making a material contribution*
14 *to Iran's weapons of mass destruction programs*
15 *or on United States national control lists for*
16 *reasons related to the proliferation of weapons of*
17 *mass destruction or missiles.*

18 *(6) The executive branch has never made a deter-*
19 *mination pursuant to section 6(b) of the Iran Non-*
20 *proliferation Act of 2000 that—*

21 *(A) it is the policy of the Government of the*
22 *Russian Federation to oppose the proliferation to*
23 *Iran of weapons of mass destruction and missile*
24 *systems capable of delivering such weapons;*

1 (B) the Government of the Russian Federa-
2 tion (including the law enforcement, export pro-
3 motion, export control, and intelligence agencies
4 of such government) has demonstrated and con-
5 tinues to demonstrate a sustained commitment to
6 seek out and prevent the transfer to Iran of
7 goods, services, and technology that could make
8 a material contribution to the development of
9 nuclear, biological, or chemical weapons, or of
10 ballistic or cruise missile systems; and

11 (C) no entity under the jurisdiction or con-
12 trol of the Government of the Russian Federa-
13 tion, has, during the 1-year period prior to the
14 date of the determination pursuant to section
15 6(b) of such Act, made transfers to Iran report-
16 able under section 2(a) of the Act.

17 (7) On June 29, 2005, President George W. Bush
18 issued Executive Order 13382 blocking property of
19 weapons of mass destruction proliferators and their
20 supporters, and used the authority of such order
21 against 4 Iranian entities, Aerospace Industries Or-
22 ganization, Shahid Hemmat Industrial Group,
23 Shahid Bakeri Industrial Group, and the Atomic En-
24 ergy Organization of Iran, that have engaged, or at-
25 tempted to engage, in activities or transactions that

1 *have materially contributed to, or pose a risk of mate-*
2 *rially contributing to, the proliferation of weapons of*
3 *mass destruction or their means of delivery (including*
4 *missiles capable of delivering such weapons), includ-*
5 *ing efforts to manufacture, acquire, possess, develop,*
6 *transport, transfer, or use such items.*

7 **SEC. 3. AMENDMENTS TO IRAN NONPROLIFERATION ACT**
8 **OF 2000 RELATED TO INTERNATIONAL SPACE**
9 **STATION PAYMENTS.**

10 (a) *TREATMENT OF CERTAIN PAYMENTS.*—*Section*
11 *7(1)(B) of the Iran Nonproliferation Act of 2000 (Public*
12 *Law 106–178; 50 U.S.C. 1701 note) is amended—*

13 (1) *by striking the period at the end and insert-*
14 *ing a comma; and*

15 (2) *by adding at the end the following:*

16 *“except that such term does not mean payments in*
17 *cash or in kind made or to be made by the United*
18 *States Government prior to January 1, 2012, for*
19 *work to be performed or services to be rendered prior*
20 *to that date necessary to meet United States obliga-*
21 *tions under the Agreement Concerning Cooperation on*
22 *the Civil International Space Station, with annex,*
23 *signed at Washington January 29, 1998, and entered*
24 *into force March 27, 2001, or any protocol, agree-*

1 *ment, memorandum of understanding, or contract re-*
2 *lated thereto.”.*

3 (b) *EXCEPTION.*—Section 6(h) of the Iran Non-
4 *proliferation Act of 2000 (Public Law 106–178; 50 U.S.C.*
5 *1701 note) is amended by inserting after “extraordinary*
6 *payments in connection with the International Space Sta-*
7 *tion” the following: “, or any other payments in connection*
8 *with the International Space Station,”.*

9 (c) *REPORTING REQUIREMENTS.*—Section 6 of the
10 *Iran Nonproliferation Act of 2000 (Public Law 106–178;*
11 *50 U.S.C. 1701 note) is amended by adding at the end the*
12 *following new subsection:*

13 “(i) *REPORT ON CERTAIN PAYMENTS RELATED TO*
14 *INTERNATIONAL SPACE STATION.*—

15 “(1) *IN GENERAL.*—The President shall, together
16 *with each report submitted under section 2(a), submit*
17 *to the Committee on Foreign Relations of the Senate*
18 *and the Committee on International Relations of the*
19 *House of Representatives a report that identifies each*
20 *Russian entity or person to whom the United States*
21 *Government has, since the date of the enactment of the*
22 *Iran Nonproliferation Amendments Act of 2005, made*
23 *a payment in cash or in kind for work to be per-*
24 *formed or services to be rendered under the Agreement*
25 *Concerning Cooperation on the Civil International*

1 *Space Station, with annex, signed at Washington*
2 *January 29, 1998, and entered into force March 27,*
3 *2001, or any protocol, agreement, memorandum of*
4 *understanding, or contract related thereto.*

5 “(2) *CONTENT.—Each report submitted under*
6 *paragraph (1) shall include—*

7 “(A) *the specific purpose of each payment*
8 *made to each entity or person identified in the*
9 *report; and*

10 “(B) *with respect to each such payment, the*
11 *assessment of the President that the payment*
12 *was not prejudicial to the achievement of the ob-*
13 *jectives of the United States Government to pre-*
14 *vent the proliferation of ballistic or cruise mis-*
15 *sile systems in Iran and other countries that*
16 *have repeatedly provided support for acts of*
17 *international terrorism, as determined by the*
18 *Secretary of State under section 620A(a) of the*
19 *Foreign Assistance Act of 1961 (22 U.S.C.*
20 *2371(a)), section 6(j) of the Export Administra-*
21 *tion Act of 1979 (50 U.S.C. App. 2405(j)), or*
22 *section 40(d) of the Arms Export Control Act (22*
23 *U.S.C. 2780(d)).”.*

1 **SEC. 4. AMENDMENTS TO THE IRAN NONPROLIFERATION**
2 **ACT OF 2000 TO MAKE SUCH ACT APPLICABLE**
3 **TO IRAN AND SYRIA.**

4 (a) *REPORTS ON PROLIFERATION RELATING TO IRAN*
5 *OR SYRIA.*—Section 2 of the Iran Nonproliferation Act of
6 2000 (Public Law 106–178; 50 U.S.C. 1701 note) is amend-
7 ed—

8 (1) in the heading, by striking “**TO IRAN**” and
9 inserting “**RELATING TO IRAN AND SYRIA**”; and

10 (2) in subsection (a)—

11 (A) in the matter preceding paragraph

12 (1)—

13 (i) by inserting “or acquired from”
14 after “transferred to”; and

15 (ii) by inserting after “Iran” the fol-
16 lowing: “, or on or after January 1, 2005,
17 transferred to or acquired from Syria”; and

18 (B) in paragraph (2), by inserting after
19 “Iran” the following: “or Syria, as the case may
20 be,”.

21 (b) *DETERMINATION EXEMPTING FOREIGN PERSONS*
22 *FROM CERTAIN MEASURES.*—Section 5(a) of the Iran Non-
23 proliferation Act of 2000 (Public Law 106–178; 50 U.S.C.
24 1701 note) is amended—

1 (1) in paragraph (1), by striking “transfer to
2 Iran” and inserting “transfer to or acquire from Iran
3 or Syria, as the case may be,”; and

4 (2) in paragraph (2), by striking “Iran’s efforts”
5 and inserting “the efforts of Iran or Syria, as the case
6 may be,”.

7 (c) *RESTRICTION ON EXTRAORDINARY PAYMENTS IN*
8 *CONNECTION WITH THE INTERNATIONAL SPACE STA-*
9 *TION.*—Section 6(b) of the Iran Nonproliferation Act of
10 2000 (Public Law 106–178; 50 U.S.C. 1701 note) is amend-
11 ed—

12 (1) in the heading, by striking “TO IRAN” and
13 inserting “RELATING TO IRAN AND SYRIA”;

14 (2) in paragraphs (1) and (2), by striking “to
15 Iran” each place it appears and inserting “to or from
16 Iran and Syria”; and

17 (3) in paragraph (3), by striking “to Iran” and
18 inserting “to or from Iran or Syria”.

19 (d) *DEFINITIONS.*—Section 7(2) of the Iran Non-
20 proliferation Act of 2000 (Public Law 106–178; 50 U.S.C.
21 1701 note) is amended—

22 (1) in subparagraph (C) to read as follows:

23 “(C) any foreign government, including any
24 foreign governmental entity; and”;

1 (2) *in subparagraph (D), by striking “subpara-*
2 *graph (B) or (C)” and inserting “subparagraph (A),*
3 *(B), or (C), including any entity in which any entity*
4 *described in any such subparagraph owns a control-*
5 *ling interest”.*

6 (e) *SHORT TITLE.—*

7 (1) *AMENDMENT.—Section 1 of the Iran Non-*
8 *proliferation Act of 2000 (Public Law 106–178; 50*
9 *U.S.C. 1701 note) is amended by striking “Iran Non-*
10 *proliferation Act of 2000” and inserting “Iran and*
11 *Syria Nonproliferation Act”.*

12 (2) *REFERENCES.—Any reference in a law, regu-*
13 *lation, document, or other record of the United States*
14 *to the Iran Nonproliferation Act of 2000 shall be*
15 *deemed to be a reference to the Iran and Syria Non-*
16 *proliferation Act.*

Amend the title so as to read “An Act to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments, and for other purposes.”.

Attest:

Clerk.

109TH CONGRESS
1ST SESSION

S. 1713

AMENDMENTS