AN ACT

To provide for a comprehensive strategy to counter Iran’s growing hostile presence and activity in the Western Hemisphere, and for other purposes.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Countering Iran in the Western Hemisphere Act of 2012”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States has vital political, economic, and security interests in the Western Hemisphere.

(2) Iran is pursuing cooperation with Latin American countries by signing economic and security agreements in order to create a network of diplomatic and economic relationships to lessen the blow of international sanctions and oppose Western attempts to constrict its ambitions.

(3) According to the Department of State, Hezbollah, with Iran as its state sponsor, is considered the “most technically capable terrorist group in the world” with “thousands of supporters, several thousand members, and a few hundred terrorist operatives,” and officials from the Iranian Islamic Revolutionary Guard Corps (IRGC) Qods Force have been working in concert with Hezbollah for many years.

(4) The IRGC’s Qods Force has a long history of supporting Hezbollah’s military, paramilitary, and terrorist activities, providing it with guidance, fund-
ing, weapons, intelligence, and logistical support, and in 2007, the Department of the Treasury placed sanctions on the IRGC and its Qods Force for their support of terrorism and proliferation activities.

(5) The IRGC’s Qods Force stations operatives in foreign embassies, charities, and religious and cultural institutions to foster relationships, often building on existing socioeconomic ties with the well established Shia Diaspora, and recent years have witnessed an increased presence in Latin America.

(6) According to the Department of Defense, the IRGC and its Qods Force played a significant role in some of the deadliest terrorist attacks of the past two decades, including the 1994 attack on the AMIA Jewish Community Center in Buenos Aires, by generally directing or supporting the groups that actually executed the attacks.

(7) Reports of Iranian intelligence agents being implicated in Hezbollah-linked activities since the early 1990s suggest direct Iranian government support of Hezbollah activities in the Tri-Border Area of Argentina, Brazil, and Paraguay, and in the past decade, Iran has dramatically increased its diplomatic missions to Venezuela, Bolivia, Nicaragua, Ecuador, Argentina, and Brazil. Iran has built 17 cul-
tural centers in Latin America, and it currently
maintains 11 embassies, up from 6 in 2005.

(8) Hezbollah and other Iranian proxies with a
presence in Latin America have raised revenues
through illicit activities, including drug and arms
trafficking, counterfeiting, money laundering, for-
ing travel documents, pirating software and music,
and providing haven and assistance to other terror-
ists transiting the region.

(9) Bolivia, Cuba, Ecuador, Nicaragua, and
Venezuela expressed their intention to assist Iran in
evading sanctions by signing a statement supporting
Iran’s nuclear activities and announcing at a 2010
joint press conference in Tehran their determination
to “continue and expand their economic ties to Iran”
with confidence that “Iran can give a crushing re-
response to the threats and sanctions imposed by the
West and imperialism”.

(10) The U.S. Drug Enforcement Administra-
tion concluded in 2008 that almost one-half of the
foreign terrorist organizations in the world are
linked to narcotics trade and trafficking, including
Hezbollah and Hamas.

(11) In October 2011, the United States
charged two men, Manssor Arbabsiar, a United
States citizen holding both Iranian and United
States passports, and Gholam Shakuri, an Iran-
based member of Iran’s IRGC Qods Force, with con-
spiracy to murder a foreign official using explosives
in an act of terrorism. Arbabsiar traveled to Mexico
with the express intent to hire “someone in the nar-
cotics business” to carry out the assassination of the
Saudi Arabian Ambassador in the United States.
While in the end, he only engaged a U.S. Drug En-
forcement Agency informant posing as an associate
of a drug trafficking cartel, Arbabsiar believed that
he was working with a member of a Mexican drug
trafficking organization and sought to send money
to this individual in installments and not in a single
transfer.

(12) In February 2011, actions by the Depart-
ment of the Treasury effectively shut down the Leb-
anese Canadian Bank. Subsequent actions by the
United States Government in connection with the in-
vestigation into Lebanese Canadian Bank resulted in
the indictment in December 2011 of Ayman
Joumaa, an individual of Lebanese nationality, with
citizenship in Lebanon and Colombia, and with ties
to Hezbollah, for trafficking cocaine to the Los
Zetas drug trafficking organization in Mexico City
for sale in the United States and for laundering the
proceeds.

SEC. 3. STATEMENT OF POLICY.
It shall be the policy of the United States to use a
comprehensive government-wide strategy to counter Iran’s
growing hostile presence and activity in the Western
Hemisphere by working together with United States allies
and partners in the region to mutually deter threats to
United States interests by the Government of Iran, the
Iranian Islamic Revolutionary Guard Corps (IRGC), the
IRGC’s Qods Force, and Hezbollah.

SEC. 4. DEFINITIONS.
In this Act:

(1) WESTERN HEMISPHERE.—The term “West-
ern Hemisphere” means the United States, Canada,
Mexico, the Caribbean, South America, and Central
America.

(2) RELEVANT CONGRESSIONAL COMMIT-
TEES.—The term “relevant congressional commit-
tees” means the Committee on Foreign Affairs of
the House of Representatives and the Committee on
Foreign Relations of the Senate.
SEC. 5. REQUIREMENT OF A STRATEGY TO ADDRESS IRAN’S GROWING HOSTILE PRESENCE AND ACTIVITY IN THE WESTERN HEMISPHERE.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall conduct an assessment of the threats posed to the United States by Iran’s growing presence and activity in the Western Hemisphere and submit to the relevant congressional committees the results of the assessment and a strategy to address Iran’s growing hostile presence and activity in the Western Hemisphere.

(b) Matters to Be Included.—The strategy described in subsection (a) should include—

(1) a description of the presence, activities, and operations of Iran, the Iranian Islamic Revolutionary Guard Corps (IRGC), its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere, including information about their leaders, objectives, and areas of influence and information on their financial networks, trafficking activities, and safe havens;

(2) a description of the terrain, population, ports, foreign firms, airports, borders, media outlets, financial centers, foreign embassies, charities, religious and cultural centers, and income-generating
activities in the Western Hemisphere utilized by
Iran, the IRGC, its Qods Force, Hezbollah, and
other terrorist organizations linked to Iran that may
be present in the Western Hemisphere;

(3) a description of the relationship of Iran, the
IRGC, its Qods Force, and Hezbollah with
transnational criminal organizations linked to Iran
and other terrorist organizations in the Western
Hemisphere, including information on financial net-
works and trafficking activities;

(4) a description of the relationship of Iran, the
IRGC, its Qods Force, Hezbollah, and other ter-
rorist organizations linked to Iran that may be
present in the Western Hemisphere with the govern-
ments in the Western Hemisphere, including mili-
tary-to-military relations and diplomatic, economic,
and security partnerships and agreements;

(5) a description of the Federal law enforce-
ment capabilities, military forces, State and local
government institutions, and other critical elements,
such as nongovernmental organizations, in the West-
ern Hemisphere that may organize to counter the
threat posed by Iran, the IRGC, its Qods Force,
Hezbollah, and other terrorist organizations linked
to Iran that may be present in the Western Hemisphere;

(6) a description of activity by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present at the United States borders with Mexico and Canada and at other international borders within the Western Hemisphere, including operations related to drug, human, and arms trafficking, human support networks, financial support, narco-tunneling, and technological advancements that incorporates—

(A) with respect to the United States borders, in coordination with the Governments of Mexico and Canada and the Secretary of Homeland Security, a plan to address resources, technology, and infrastructure to create a secure United States border and strengthen the ability of the United States and its allies to prevent operatives from Iran, the IRGC, its Qods Force, Hezbollah, or any other terrorist organization from entering the United States; and

(B) within Latin American countries, a multiagency action plan, in coordination with United States allies and partners in the region, that includes the development of strong rule-of-
law institutions to provide security in such
countries and a counterterrorism and counter-
radicalization plan to isolate Iran, the IRGC, its
Qods Force, Hezbollah, and other terrorist or-
ganizations linked to Iran that may be present
in the Western Hemisphere from their sources
of financial support and counter their facilita-
tion of terrorist activity; and

(7) a plan—

(A) to address any efforts by foreign per-
sons, entities, and governments in the region to
assist Iran in evading United States and inter-
national sanctions;

(B) to protect United States interests and
assets in the Western Hemisphere, including
embassies, consulates, businesses, energy pipe-
lines, and cultural organizations, including
threats to United States allies;

(C) to support United States efforts to
designate persons and entities in the Western
Hemisphere for proliferation activities and ter-
rorist activities relating to Iran, including affili-
ates of the IRGC, its Qods Force, and
Hezbollah, under applicable law including the

and

(D) to address the vital national security interests of the United States in ensuring energy supplies from the Western Hemisphere that are free from the influence of any foreign government that would attempt to manipulate or disrupt global energy markets.

(e) Development.—In developing the strategy under this section, the Secretary of State shall consult with the heads of all appropriate United States departments and agencies, including the Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative.

(d) Form.—The strategy under this section shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that the Secretary of State should keep the relevant congressional committees continually informed on the hostile actions of Iran in the Western Hemisphere.
SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit the rights or protections enjoyed by United States citizens under the United States Constitution or other Federal law, or to create additional authorities for the Federal Government that are contrary to the United States Constitution and United States law.


Attest:

Clerk.
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H.R. 3783

112th CONGRESS