

world will see plainly the status of democracy in every country. Additionally, it will allow the United States to help foster independent journalism in countries in every region that do not have the tradition or the capacity for a professional free press.

In addition to the foreign policy benefits, I support this legislation, because I believe that it is a fitting tribute to a great American, Daniel Pearl. Mr. Pearl was a Wall Street Journal correspondent who was abducted and beheaded in Karachi, Pakistan in early 2002. His life was spent in the pursuit of spreading truth through professional journalism and in his death he has become a symbol of the free press. This bill adds to the legacy he built with his life.

The SPEAKER pro tempore (Mr. PERRIELLO). The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 3714, 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.

Mr. BERMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1500

#### IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2194

*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 "Iran Refined Petroleum Sanctions Act of 2009".

#### SEC. 2. FINDINGS; SENSE OF CONGRESS; STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The illicit nuclear activities of the Government of Iran—combined with its development of unconventional weapons and ballistic missiles, and support for international terrorism—represent a serious threat to the security of the United States and U.S. allies in Europe, the Middle East, and around the world.

(2) The United States and other responsible nations have a vital interest in working together to prevent the Government of Iran from acquiring a nuclear weapons capability.

(3) The International Atomic Energy Agency (IAEA) has repeatedly called attention to Iran's unlawful nuclear activities, and, as a result, the United Nations Security Council

has adopted a range of sanctions designed to encourage the Government of Iran to suspend those activities and comply with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (commonly known as the "Nuclear Non-Proliferation Treaty").

(4) As a presidential candidate, then-Senator Obama stated that additional sanctions, especially those targeting Iran's dependence on imported refined petroleum, may help to persuade the Government of Iran to abandon its illicit nuclear activities.

(5) On October 7, 2008, then-Senator Obama stated, "Iran right now imports gasoline, even though it's an oil producer, because its oil infrastructure has broken down. If we can prevent them from importing the gasoline that they need and the refined petroleum products, that starts changing their cost-benefit analysis. That starts putting the squeeze on them."

(6) On June 4, 2008, then-Senator Obama stated, "We should work with Europe, Japan, and the Gulf states to find every avenue outside the U.N. to isolate the Iranian regime—from cutting off loan guarantees and expanding financial sanctions, to banning the export of refined petroleum to Iran."

(7) Major European allies, including the United Kingdom, France, and Germany, have advocated that sanctions be significantly toughened should international diplomatic efforts fail to achieve verifiable suspension of Iran's uranium enrichment program and an end to its nuclear weapons program and other illicit nuclear activities.

(8) The serious and urgent nature of the threat from Iran demands that the United States work together with U.S. allies to do everything possible—diplomatically, politically, and economically—to prevent Iran from acquiring a nuclear weapons capability.

(9) The human rights situation in Iran has steadily deteriorated in 2009, as punctuated by the transparent fraud that occurred on June 12, 2009, the brutal repression and murder, arbitrary arrests, and show trials of peaceful dissidents, and ongoing suppression of freedom of expression.

(10) The Iranian regime has been unresponsive to, and at times contemptuous of, the Obama Administration's unprecedented and serious efforts at engagement, revealing that Tehran is not interested in a diplomatic resolution, as made clear, for example, by the following:

(A) Iran's apparent rejection of the Tehran Research Reactor plan, generously offered by the United States and its partners, of potentially great benefit to the Iranian people, and endorsed by Iran's own negotiators in October, 2009.

(B) Iran's ongoing clandestine nuclear weapons program, as evidenced by its work on the secret uranium enrichment facility at Qom, its subsequent refusal to cooperate fully with IAEA inspectors, and its announcement that it would build 10 new uranium enrichment facilities.

(C) Iran's ongoing arms exports and support to terrorists in direct contravention of United Nations Security Council resolutions.

(D) Iran's absurd claims that the West, and specifically the United States, have fomented the waves of anti-regime protests that followed the June 12, 2009, election in Iran.

(E) Iran's July 31, 2009, arrest of three young Americans on spying charges.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) international diplomatic efforts to address Iran's illicit nuclear efforts, unconventional and ballistic missile development programs, and support for international terrorism are more likely to be effective if the President is empowered with the explicit au-

thority to impose additional sanctions on the Government of Iran;

(2) the concerns of the United States regarding Iran are strictly the result of the actions of the Government of Iran;

(3) the revelation in September 2009 that Iran is developing a secret uranium enrichment site on an Islamic Revolutionary Guard Corps base near Qom, which appears to have no civilian application, highlights the urgency for Iran to fully disclose the full nature of its nuclear program, including any other secret locations, and provide the International Atomic Energy Agency (IAEA) unfettered access to its facilities pursuant to Iran's legal obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and Iran's Safeguards Agreement with the IAEA;

(4) because of its involvement in Iran's nuclear program and other destabilizing activities, the President should impose sanctions, including the full range of sanctions otherwise applicable to Iran, on any individual or entity that is an agent, alias, front, instrumentality, representative, official, or affiliate of the Islamic Revolutionary Guard Corps or is an individual serving as a representative of the Islamic Revolutionary Guard Corps, or on any person that has conducted any commercial transaction or financial transaction with such entities;

(5) Government to Government agreements with Iran to provide the regime with refined petroleum products, such as the September 2009 agreement under which the Government of Venezuela committed to provide 20,000 barrels of gasoline per day to Iran, undermine efforts to pressure Iran to suspend its nuclear weapons program and cease all enrichment activities; and

(6) the people of the United States—

(A) have feelings of friendship for the people of Iran; and

(B) hold the people of Iran, their culture, and their ancient and rich history in the highest esteem.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to prevent Iran from achieving the capability to make nuclear weapons, including by supporting international diplomatic efforts to halt Iran's uranium enrichment program;

(2) to fully implement and enforce the Iran Sanctions Act of 1996 as a means of encouraging foreign governments to—

(A) direct state-owned entities to cease all investment in, and support of, Iran's energy sector and all exports of refined petroleum products to Iran; and

(B) require private entities based in their territories to cease all investment in, and support of, Iran's energy sector and all exports of refined petroleum products to Iran;

(3) to impose sanctions on—

(A) the Central Bank of Iran, and any other financial institution in Iran that is engaged in proliferation activities or support of terrorist groups, and

(B) any other financial institution that conducts financial transactions with the Central Bank of Iran or with another financial institution described in subparagraph (A).

including through the use of Executive Orders 13224, 13382, and 13438 and United Nations Security Council Resolutions 1737, 1747, 1803, and 1835;

(4) to persuade the allies of the United States and other countries to take appropriate measures to deny access to the international financial system by Iranian banks and financial institutions involved in proliferation activities or support of terrorist groups;

(5) to support all Iranian citizens who embrace the values of freedom, human rights, civil liberties, and the rule of law; and

(6) for the Secretary of State to make every effort to assist United States citizens held hostage in Iran at any time during the period beginning on November 4, 1979 and ending on January 20, 1981, and their survivors in matters of compensation related to such citizens' detention.

### SEC. 3. AMENDMENTS TO THE IRAN SANCTIONS ACT OF 1996.

(a) EXPANSION OF SANCTIONS.—Section 5(a) of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended to read as follows:

“(a) SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN AND EXPORTATION OF REFINED PETROLEUM TO IRAN.—

“(1) DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN.—

“(A) INVESTMENT.—Except as provided in subsection (f), the President shall impose 2 or more of the sanctions described in paragraphs (1) through (6) of section 6(a) if the President determines that a person has knowingly, on or after the date of the enactment of this Act, made an investment of \$20,000,000 or more (or any combination of investments of at least \$5,000,000 each, which in the aggregate equals or exceeds \$20,000,000 in any 12-month period), that directly and significantly contributed to the enhancement of Iran's ability to develop petroleum resources of Iran.

“(B) PRODUCTION OF REFINED PETROLEUM PRODUCTS.—Except as provided in subsection (f), the President shall impose the sanctions described in section 6(b) if the President determines that a person knowingly sells, leases, or provides to Iran any goods, services, technology, information, or support, or enters into a contract to sell, lease, or provide to Iran any goods, services, technology, information, or support, that would allow Iran to maintain or expand its domestic production of refined petroleum products, including any assistance in the construction, modernization, or repair of refineries that make refined petroleum products, if—

“(i) the value of the goods, services, technology, information, or support provided in such sale, lease, or provision, or to be provided in such contract, exceeds \$200,000; or

“(ii) the value of the goods, services, technology, information, or support provided in any combination of such sales, leases, or provision in any 12-month period, or to be provided under contracts entered into in any 12-month period, exceeds \$500,000.

“(2) EXPORTATION OF REFINED PETROLEUM PRODUCTS TO IRAN.—

“(A) IN GENERAL.—Except as provided in subsection (f), the President shall impose the sanctions described in section 6(b) if the President determines that a person knowingly provides Iran with refined petroleum products or knowingly engages in any of the activities described in subparagraph (B), if—

“(i) the value of such products or of the goods, services, technology, information, or support provided or to be provided in connection with such activity exceeds \$200,000; or

“(ii) the value of such products, or of the goods, services, technology, information, or support, provided or to be provided in connection with any combination of providing such products or such activities, in any 12-month period exceeds \$500,000.

“(B) ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A) are the following:

“(i) Providing ships, vehicles, or other means of transportation to deliver refined petroleum products to Iran, or providing services relating to the shipping or other transportation of refined petroleum products to Iran.

“(ii) Underwriting or otherwise providing insurance or reinsurance for an activity described in clause (i).

“(iii) Financing or brokering an activity described in clause (i).”.

(b) DESCRIPTION OF SANCTIONS.—Section 6 of such Act is amended—

(1) by striking “The sanctions to be imposed on a sanctioned person under section 5 are as follows:” and inserting the following:

“(a) IN GENERAL.—The sanctions to be imposed on a sanctioned person under subsections (a)(1)(A) and (b)(1) of section 5 are as follows:”;

(2) in paragraph (4), by striking “section 5” each place it appears and inserting “subsections (a)(1)(A) and (b) of section 5”; and

(3) by adding at the end the following:

“(b) ADDITIONAL MANDATORY SANCTIONS.—The sanctions to be imposed on a sanctioned person under paragraphs (1)(B) and (2) of section 5(a) are as follows:

“(1) FOREIGN EXCHANGE.—The President shall prohibit any transactions in foreign exchange by the sanctioned person.

“(2) BANKING TRANSACTIONS.—The President shall prohibit any transfers of credit or payments between, by, through, or to any financial institution, to the extent that such transfers or payments involve any interest of the sanctioned person.

“(3) PROPERTY TRANSACTIONS.—The President shall prohibit any acquisition, holding, withholding, use, transfer, withdrawal, transportation, importation, or exportation of, dealing in, or exercising any right, power, or privilege with respect to, or transactions involving, any property in which the sanctioned person has any interest by any person, or with respect to any property, subject to the jurisdiction of the United States.

“(c) ADDITIONAL MEASURE RELATING TO REFINED PETROLEUM PRODUCTS.—

“(1) IN GENERAL.—The head of each executive agency shall ensure that each contract with a person entered into by such executive agency for the procurement of goods or services, or agreement for the use of Federal funds as part of a grant, loan, or loan guarantee to a person, includes a clause that requires the person to certify to the contracting officer or other appropriate official of such agency that the person does not conduct any activity described in paragraph (1)(B) or (2) of section 5(a).

“(2) EXCLUSION.—Paragraph (1) shall not apply to a loan or other program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), or to any payment of educational assistance by the Secretary of Veterans Affairs under title 38, United States Code.

“(3) REMEDIES.—

“(A) IN GENERAL.—If the head of the executive agency determines that such 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 an executive agency may terminate a contract, or agreement described in paragraph (1), with such person or debar or suspend such person from eligibility for Federal contracts or such agreements for a period not to exceed 3 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension 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 under section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) each person that is debarred, suspended, proposed for debarment, or declared ineligible by the head of an executive agency on the basis of a determination of a false certification under subparagraph (A).

“(C) 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).

“(4) IMPLEMENTATION THROUGH THE FEDERAL ACQUISITION REGULATION.—Not later than 120 days after the date of the enactment of the Iran Refined Petroleum Sanctions Act of 2009, the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide for the implementation of the requirements of this subsection.

“(5) CLARIFICATION REGARDING CERTAIN PRODUCTS.—Section 5(f)(2) applies with respect to the imposition of remedies under paragraph (3) to the same extent as such section applies with respect to sanctions under subsection (a) or (b) of section 5.”.

(c) ADDITIONAL MANDATORY SANCTIONS RELATING TO TRANSFER OF NUCLEAR TECHNOLOGY.—Section 5(b) of the Iran Sanctions Act of 1996 is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such paragraphs 2 ems to the right;

(2) by striking “The President shall impose” and inserting the following:

“(1) IN GENERAL.—The President shall impose”;

(3) by striking “section 6” and inserting “section 6(a)”;

(4) by adding at the end the following:

“(2) ADDITIONAL SANCTION.—

“(A) RESTRICTION.—In any case in which a person is subject to sanctions under paragraph (1) because of an activity described in such paragraph that relates to the acquisition or development of nuclear weapons or related technology or of missiles or other advanced conventional weapons that are capable of delivering a nuclear weapon, then notwithstanding any other provision of law, the following measures shall apply with respect to the country that has jurisdiction over such person, unless the President determines and notifies the appropriate congressional committees that the government of such country has taken, or is taking, effective actions to penalize such person and to prevent a reoccurrence of such activity in the future:

“(i) No agreement for cooperation between the United States and the government of such country may be submitted to the President or to Congress pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), or may enter into force.

“(ii) No license may be issued for the export, and no approval may be given for the transfer or retransfer, directly or indirectly, to such country of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to an agreement to cooperation.

“(B) 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 laws.

“(C) 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)).”.

(d) STRENGTHENING OF WAIVER AUTHORITY AND SANCTIONS IMPLEMENTATION.—

(1) INVESTIGATIONS.—Section 4(f) of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(A) in paragraph (1)—

(i) by striking “should initiate” and inserting “shall immediately initiate”;

(ii) by inserting “or 5(b)” after “section 5(a)”;

(iii) by striking “as described in such section” and inserting “as described in section 5(a)(1) or other activity described in section 5(a)(2) or 5(b) (as the case may be)”;

(B) in paragraph (2), by striking “should determine, pursuant to section 5(a), if a person has engaged in investment activity in Iran as described in such section” and inserting “shall determine, pursuant to section 5(a) or (b) (as the case may be), if a person has engaged in investment activity in Iran as described in section 5(a)(1) or other activity described in section 5(a)(2) or 5(b) (as the case may be)”.

(2) GENERAL WAIVER AUTHORITY.—Section 9(c) of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(A) in paragraph (1)—

(i) by inserting after “on a person described in section 5(c),” the following: “or on a country described in section 5(b)(2)(A) (if the President certifies to the appropriate congressional committees that the President is unable to make the determination described in such section 5(b)(2)(A) with respect to the government of that country);”; and

(ii) by striking “important to the national interest of the United States” and inserting “vital to the national security interest of the United States”; and

(B) in paragraph (2)—

(i) in subparagraphs (A), (B), and (D), by striking “or (b)” each place it appears and inserting “or (b)(1)”; and

(ii) by amending subparagraph (C) to read as follows:

“(C) an estimate of the significance of the provision of the items described in paragraph (1) or (2) of section 5(a) or section 5(b)(1) to Iran’s ability to develop its petroleum resources, to maintain or expand its domestic production of refined petroleum products, to import refined petroleum products, or to develop its weapons of mass destruction or other military capabilities (as the case may be); and”.

(E) REPORTS ON UNITED STATES EFFORTS TO CURTAIL CERTAIN BUSINESS AND OTHER TRANSACTIONS RELATING TO IRAN.—Section 10 of such Act is amended—

(1) in subsection (a), by amending paragraph (4) to read as follows:

“(4) Iran’s use in the Middle East, the Western Hemisphere, Africa, and other regions, of Iranian diplomats and representatives of other government and military or quasi-governmental institutions or proxies of Iran, including, but not limited to, Hezbollah, to promote acts of international terrorism or to develop or sustain Iran’s nuclear, chemical, biological, and missile weapons programs.”; and

(2) by adding at the end the following:

“(d) REPORTS ON CERTAIN BUSINESS AND OTHER TRANSACTIONS RELATING TO IRAN.—

“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Iran Refined Petroleum Sanctions Act of 2009, and every 6 months thereafter, the President shall submit a report to the appropriate congressional committees regarding any person who has—

“(A) provided Iran with refined petroleum products;

“(B) sold, leased, or provided to Iran any goods, services, or technology that would allow Iran to maintain or expand its domestic production of refined petroleum products; or

“(C) engaged in any activity described in section 5(a)(2)(B).

“(2) DESCRIPTION.—For each activity set forth in subparagraphs (A) through (C) of paragraph (1), the President shall provide a complete and detailed description of such activity, including—

“(A) the date or dates of such activity;

“(B) the name of any persons who participated or invested in or facilitated such activity;

“(C) the United States domiciliary of the persons referred to in subparagraph (B);

“(D) any Federal Government contracts to which the persons referred to in subparagraph (B) are parties; and

“(E) the steps taken by the United States to respond to such activity.

“(3) ADDITIONAL INFORMATION.—The report required by this subsection shall also include a list of—

“(A) any person that the President determines is an agent, alias, front, instrumentality, representative, official, or affiliate of the Islamic Revolutionary Guard Corps or is an individual serving as a representative of the Islamic Revolutionary Guard Corps;

“(B) any person that the President determines has knowingly provided material support to the Islamic Revolutionary Guard Corps or an agent, alias, front, instrumentality, representative, official, or affiliate of the Islamic Revolutionary Guard Corps; and

“(C) any person who has conducted any commercial transaction or financial transaction with the Islamic Revolutionary Guards Corps or an agent, alias, front, instrumentality, representative, official, or affiliate of the Islamic Revolutionary Guard Corps.

“(4) FORM OF REPORTS; PUBLICATION.—The reports required under this subsection shall be—

“(A) submitted in unclassified form, but may contain a classified annex; and

“(B) published in the Federal Register.

“(E) REPORTS ON GLOBAL TRADE RELATING TO IRAN.—Not later than one year after the date of the enactment of the Iran Refined Petroleum Sanctions Act of 2009 and annually thereafter, the President shall submit to the appropriate congressional committees a report, with respect to the immediately preceding 12-month period, on the dollar value amount of trade, including in the energy sector, between Iran and each country maintaining membership in the Group of Twenty Finance Ministers and Central Bank Governors.”.

(F) CLARIFICATION AND EXPANSION OF DEFINITIONS.—Section 14 of such Act is amended—

(1) in paragraph (13)(B)—

(A) by inserting “financial institution, insurer, underwriter, guarantor, any other business organization, including any foreign subsidiary, parent, or affiliate of such a business organization,” after “trust.”; and

(B) by inserting “, such as an export credit agency” before the semicolon at the end;

(2) by redesignating paragraphs (15) and (16) as paragraphs (17) and (18), respectively; and

(3) by striking paragraph (14) and inserting the following:

“(14) KNOWINGLY.—The term ‘knowingly’ means—

“(A) having actual knowledge; or

“(B) having the constructive knowledge deemed to be possessed by a reasonable individual who acts under similar circumstances.

“(15) PETROLEUM RESOURCES.—The term ‘petroleum resources’ includes petroleum, oil or liquefied natural gas, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or compressed or liquefied natural gas.

“(16) REFINED PETROLEUM PRODUCTS.—The term ‘refined petroleum products’ means gasoline, kerosene, diesel fuel, residual fuel oil, and distillates and other goods classified in headings 2709 and 2710 of the Harmonized Tariff Schedule of the United States.”.

(G) TERMINATION OF CERTAIN PROVISIONS.—Section 8 of the Iran Sanctions Act of 1996 is amended—

(1) by striking “The requirement under section 5(a)” and inserting “(a) SANCTIONS RELATING TO INVESTMENT.—The requirement under section 5(a)(1)(A)”;

(2) by striking “with respect to Iran”; and

(3) by adding at the end the following:

“(b) REFINED PETROLEUM PRODUCTS.—The requirements under paragraphs (1)(B) and (2) of section 5(a) and section 6(b) to impose sanctions shall no longer have force or effect if the President determines and certifies to the appropriate congressional committees that Iran—

“(1) has ceased its efforts to design, develop, manufacture, or acquire a nuclear explosive device or related materials and technology; and

“(2) has ceased nuclear-related activities, including uranium enrichment, that would facilitate the efforts described in paragraph (1).”.

(H) EXTENSION OF ACT.—Section 13(b) of the Iran Sanctions Act of 1996 is amended by striking “2011” and inserting “2016”.

(I) TECHNICAL AMENDMENTS.—

(1) MULTILATERAL REGIME.—Section 4 of such Act is amended—

(A) in subsection (b)(2), by striking “(in addition to that provided in subsection (d))”; and

(B) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(2) REFERENCE TO COMMITTEE ON FOREIGN AFFAIRS.—Section 14(2) of such Act is amended by striking “International Relations” and inserting “Foreign Affairs”.

(3) CONFORMING AMENDMENTS.—(A) Section 5(c)(1) of such Act is amended by striking “or (b)” and inserting “or (b)(1)”. (B) Section 9(a) of such Act is amended by striking “or 5(b)” each place it appears and inserting “or 5(b)(1)”.

**SEC. 4. EFFECTIVE DATE; RULE OF CONSTRUCTION.**

(a) IN GENERAL.—The amendments made by this Act shall take effect upon the expiration of the 60-day period beginning on the date of the enactment of this Act, except that—

(1) paragraphs (1) and (2) of section 5(a), section 5(b)(2), and section 6(b), of the Iran Sanctions Act of 1996, as amended by this Act, shall apply to conduct engaged in on or after October 28, 2009, notwithstanding section 5(f)(3) of the Iran Sanctions Act of 1996; and

(2) the amendments made by subsection (d) of section 3 of this Act shall apply with respect to conduct engaged in before, on, or after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—

(1) EXISTING SANCTIONS NOT AFFECTED.—The amendments made by subsections (a) and (b) of section 3 of this Act shall not be construed to affect the requirements of section 5(a) of the Iran Sanctions Act of 1996 as in effect before the date of the enactment of this Act, and such requirements continue to apply, on and after such date of enactment, to conduct engaged in before October 28, 2009.

(2) WAIVER AUTHORITY.—The amendments made by subsection (d) of section 3 of this Act shall not be construed to affect any exercise of the authority under section 4(f) or section 9(c) of the Iran Sanctions Act of 1996 as in effect on the day before the date of the enactment of this Act.

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

The SPEAKER pro tempore. Is the gentleman gentlewoman from Florida opposed to the motion?

Ms. ROS-LEHTINEN. No, I do not oppose the motion.

The SPEAKER pro tempore. The gentleman from Ohio will control the 20 minutes in opposition.

Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. BERMAN. Mr. Speaker, I ask unanimous consent to split the time evenly, the 20 minutes, in support of the bill with my colleague, the ranking member from Florida (Ms. ROS-LEHTINEN).

The SPEAKER pro tempore. Without objection, the gentlewoman from Florida will control 10 minutes.

There was no objection.

Mr. BERMAN. Mr. Speaker, I ask unanimous consent to extend the time of the debate on H.R. 2194 by an additional 20 minutes, with my control of 10 of those additional 20 minutes and the gentleman from Ohio's control in opposition of 10 of those 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. KUCINICH. Mr. Speaker, reserving the right to object, what we are saying is that in my friend's interest of making sure that there is an opportunity for Members to speak on the various sides here, you want to make sure the time is evenly divided for the underlying bill and also for the extension of time?

Mr. BERMAN. Perhaps, more accurately, you want to make sure the time is divided, and I am prepared to say the rules require that; and the extension of time I have in mind of an additional 20 minutes—

Mr. KUCINICH. The additional time is going to be evenly distributed.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I have a further unanimous consent request: that the 10 additional minutes of time on behalf of the supporters of this legislation be split, 5 minutes for the majority and 5 minutes for the ranking member.

The SPEAKER pro tempore. Without objection, the gentlewoman from Florida will control an additional 5 minutes.

There was no objection.

#### PARLIAMENTARY INQUIRY

Mr. BERMAN. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BERMAN. Is it correct we are now in a situation where we will have a 1-hour debate on this bill in which I will have 15 minutes to yield, the rank-

ing member will have 15 minutes to yield, and the gentleman from Ohio will have 30 minutes under his control?

The SPEAKER pro tempore. The gentleman is correct.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield myself 4½ minutes.

Mr. Speaker, this bill has one overriding goal: to prevent Iran from achieving a nuclear weapons capability. The prospect of a nuclear-armed Iran is the most serious and urgent strategic challenge faced by the United States, and we must use all of the diplomatic means at our disposal—including tougher sanctions—to prevent that from becoming a reality.

A nuclear-armed Iran would spread its influence by intimidating its neighbors; it would, with near impunity, continue to support terrorists and destabilize the Middle East; it would spark an arms race in the region that would tear the Nuclear Nonproliferation Treaty to shreds; and, most frightening of all, it could, in the light of Iran's repeated threats to wipe another nation off the map, result in the actual use of nuclear weapons.

When one considers the regime's ideological nature, the fact that it sent thousands of children to their deaths in the Iran-Iraq war, and its current disregard for the human rights of its own citizens, it is clear the Iranian regime is anything but a rational actor, and we certainly cannot take the chance that a nuclear Iran would behave responsibly.

With each passing day, the situation becomes more urgent as Iran takes additional steps to develop its nuclear weapons capability. By many estimates, it would have that capability by sometime next year, and even the predictions that they could not be ready to deliver a bomb within 5 years have to be reevaluated on a shorter time frame based on recent revelations about Iran's nuclear program.

In September, Iran's efforts to construct a new secret uranium enrichment facility were exposed to the world. And what was Tehran's response when the international community rightly condemned it for that action? To declare that it will build 10 more.

The Iranian nuclear issue could have been resolved without further sanctions. President Obama has offered Iran an outstretched hand, but regrettably Iran has not unclenched its fist. The regime has refused to endorse even a confidence-building measure—agreed to by its negotiators in Geneva—that

would have seen Iran ship most of its low-enriched uranium abroad to be further enriched for use in Iran's civilian nuclear medical research reactor. That deal would have bought everyone significant time, delaying Iran's nuclear-arms clock for up to a year as negotiators dealt with the heart of the issue: Iranian compliance with the U.N. Security Council requirement that it suspend its enrichment program altogether. By rejecting the deal, Iran retains its full stock of low-enriched uranium, enough to serve as the basis for one nuclear bomb, and it forces the world to respond urgently.

The bill before us today is an important part of that response. It would take advantage of Iran's considerable dependency on refined-petroleum imports. It would sanction foreign companies that sell refined petroleum to Iran, or help Iran with its own domestic refining capacity, by depriving those companies of access to the United States market. And in so doing, we are asking no more of foreign companies than we currently demand of American firms. I believe the passage and implementation of this act would have a powerful effect on the Iranian economy, and I believe it would force unpalatable budgetary choices on the Iranian regime, vastly increasing the domestic political cost of pursuing its nuclear program.

That said, I want to reiterate that my overriding goal in moving forward with this legislation is to prevent Iran from developing a nuclear weapons capability. As we move toward a likely conference with the Senate, most likely early next year, and as the administration continues its efforts to pursue stronger multilateral sanctions, I am open to making adjustments to the bill that would make it as effective as possible in meeting that objective, including providing incentives to other nations to join us in supporting a strong multilateral sanctions regime. One possibility would be to provide an exemption for companies whose host nations are already enforcing robust sanctions in their national law.

But for now, it is sufficient to say that Iran has had ample time to respond positively to President Obama's generous engagement offer. Regrettably, the response has been only one of contempt. It is time for this body to act.

I urge the support of this legislation.

DECEMBER 14, 2009.

Hon. HOWARD L. BERMAN,  
*Chairman, Committee on Foreign Affairs, 2170 Rayburn House Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing regarding the Iran Refined Petroleum Sanctions Act of 2009 (H.R. 2194, 111th Congress). As you know, the bill was referred to the Committee on Ways and Means based on the Committee's jurisdiction over international trade.

There have been some productive conversations between the staffs of our Committees, during which we have proposed some changes to H.R. 2194 that I believe help to clarify the intent and scope of the bill, particularly with respect to U.S. international trade obligations. I appreciate your commitment to

address the concerns raised by the Committee on Ways and Means as this legislation moves forward.

In order to expedite this legislation for floor consideration, the Committee on Ways and Means will forgo action on this bill and will not oppose its consideration on the suspension calendar, based on our understanding that you will work with the Committee on Ways and Means as the legislative process moves forward in the House of Representatives and in the Senate, to ensure that our concerns are addressed. This is done with the understanding between our Committees that it does not in any way prejudice the Committee on Ways and Means with respect to the appointment of conferees or the full exercise of its jurisdictional prerogative on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming our understanding with respect to H.R. 2194, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD.

Sincerely,

CHARLES B. RANGEL,  
Chairman, Committee on Ways and Means.

DECEMBER 14, 2009.

Hon. CHARLES B. RANGEL,  
Chairman, Committee on Ways and Means, 1102 Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009.

I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Ways and Means. I agree that the inaction of your Committee with respect to the bill does not in any way prejudice the Committee on Ways and Means regarding the appointment of conferees or the full exercise of its jurisdictional prerogative on this bill or similar legislation in the future.

I also appreciate the strong concerns raised by the Committee on Ways and Means regarding certain provisions of the bill and the proposals your Committee has offered to help to clarify the bill's intent and scope, particularly with respect to U.S. international trade obligations. As to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard. As the bill moves through the legislative process, I look forward to working with you to address the trade-related concerns raised by the Committee on Ways and Means.

I look forward to working with the Committee on Ways and Means as this bill moves through the legislative process. I will ensure that our exchange of letters is included in the CONGRESSIONAL RECORD.

Sincerely,

HOWARD L. BERMAN,  
Chairman.

DECEMBER 2, 2009.

Hon. HOWARD L. BERMAN,  
Chairman, House Foreign Affairs Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BERMAN: I am writing in regards to H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009, which was introduced into the House on April 30, 2009.

I appreciate your efforts to work with the Committee on Oversight and Government Reform on the provisions of H.R. 2194 that

fall within the Oversight Committee's jurisdiction. These provisions include issues related to the federal procurement process.

In the interest of expediting consideration of H.R. 2194, the Oversight Committee will not request a sequential referral of this bill. I would, however, request your support for the appointment of conferees from the Oversight Committee should H.R. 2194 be considered in conference with the Senate. This letter should not be construed as a waiver of the Oversight Committee's jurisdiction over subjects addressed in H.R. 2194 that fall within the jurisdiction of the Oversight Committee.

Finally, I request that you include our exchange of letters on this matter in the Foreign Affairs Committee Report on H.R. 2194 and in the Congressional Record during consideration of this legislation on the House floor.

Thank you for your attention to these matters,

Sincerely,

EDOLPHUS TOWNS,  
Chairman.

DECEMBER 8, 2009.

Hon. EDOLPHUS TOWNS,  
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2194, the "Iran Refined Petroleum Sanctions Act of 2009."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Oversight and Government Reform. I acknowledge that your Committee will not formally consider the bill and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill which fall within the Committee's Rule X jurisdiction.

Further, as to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard.

I will ensure that our exchange of letters is included in the Congressional Record, and I look forward to working with you on this important legislation.

Sincerely,

HOWARD L. BERMAN,  
Chairman.

DECEMBER 4, 2009.

Hon. HOWARD BERMAN,  
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009. This bill was referred to the Committee on Foreign Affairs, and in addition, to this Committee, among others.

There is an agreement with regard to this bill, and so in order to expedite floor consideration, I agree to forego further consideration by the Committee on Financial Services. I do so with the understanding that this decision will not prejudice this Committee with respect to its jurisdictional prerogatives on this or similar legislation. I request your support for the appointment of conferees from this Committee should this bill be the subject of a House-Senate conference.

Please place this letter in the Congressional Record when this bill is considered by the House. I look forward to the bill's consid-

eration and hope that it will command the broadest possible support.

BARNEY FRANK,  
Chairman.

DECEMBER 9, 2009.

Hon. BARNEY FRANK,  
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2194, the "Iran Refined Petroleum Sanctions Act of 2009."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Financial Services. I acknowledge that your Committee will not formally consider the bill and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill which fall within the Committee's Rule X jurisdiction.

Further, as to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard.

I will ensure that our exchange of letters is included in the CONGRESSIONAL RECORD, and I look forward to working with you on this important legislation.

Sincerely,

HOWARD L. BERMAN,  
Chairman.

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

Mr. KUCINICH. I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank the gentleman from Ohio for permitting me to speak on this.

I have great respect for the Chair and ranking member, and I deeply share their concern about a nuclear-armed Iran. It is something that I think we are all deeply opposed to, we're deeply concerned about, in terms of the potential instability in that delicate region and frankly around the world. But I have a deep concern that the approach that is being offered here is not calculated to reach that objective.

First and foremost, there is correspondence, a letter from the Deputy Secretary of State, Mr. Steinberg, talking about the problems of sanctions legislation on the Senate side, that talks about how we are entering a critical period of intense diplomacy to impose significant international pressure on Iran.

It is not at all clear, Mr. Speaker, that moving forward right now with new sanctions on companies of other countries that are involved with the petroleum activities is actually going to be helpful at a time when the administration is ramping up its international efforts to deal with Iran; I think efforts that we all support and feel need to be as productive as possible.

I think there is also a very real question about whether the focus of this legislation is going to have its intended

use, because there is nobody in the Iranian Government, in the Revolutionary Guard, in the inner circle of either the President or the Supreme Ruler that's not going to get their gasoline. The extent to which it is successful, and that remains questionable, it's going to be impactful on the people of Iran, common people who in the main are amongst the few Middle Eastern countries where they still have a favorable view of the United States. Sanctioning those people, not the leadership is not helpful.

I found it interesting on the front page of today's Washington Post, they discuss the evidence of Iran's nuclear-armed being expedited, despite sanctions. In fact, there is evidence in this article that it is the sanctions themselves that have spurred the indigenous development of that capacity in Iran. One of them said, "thank God for the sanctions" against us.

We need to be very careful about the application of sanctions and how they're going to be worked. I think we have a shortsighted view for dual use technology and dealing with export controls that have actually developed other countries' capacity, including those that aren't friendly to us, along with all companies from other competitor nations around the world. I think we need to be very careful here.

Last but by no means least, Mr. Speaker, I am concerned that the United States is really the only major country in the world that doesn't have a thoughtful sanctions policy—when to impose them, how to impose them, and, most important, when to take them off. I would respectfully suggest that this is not the right time. This is an instrument that's not likely to be successful, and it may complicate our efforts against Iran. While I agree with the gentleman's objective, I don't agree with the legislation and urge its rejection.

THE DEPUTY SECRETARY OF STATE,  
Washington, DC, December 11, 2009.

Hon. JOHN F. KERRY,  
Chairman, Committee on Foreign Relations,  
U.S. Senate.

DEAR MR. CHAIRMAN: I wanted to follow up on our conversations regarding Iran, and possible sanctions legislation to be taken up by the Senate (S. 2799). We share Congress's concerns on Iran and its nuclear program, and the need to take decisive action. One of the top national security priorities for the Obama Administration is to deny Iran a nuclear weapons capability. As we discussed, we are pursuing this objective through a dual track strategy of engagement and pressure; and we are engaged in intensive multilateral efforts to develop pressure track measures now. It is in the spirit of these shared objectives that I write to express my concern about the timing and content of this legislation.

As I testified before the Congress in October, it is our hope that any legislative initiative would preserve and maximize the President's flexibility, secure greater cooperation from our partners in taking effective action, and ultimately facilitate a change in Iranian policies. However, we are entering a critical period of intense diplomacy to impose significant international pressure on Iran. This

requires that we keep the focus on Iran. At this juncture, I am concerned that this legislation, in its current form, might weaken rather than strengthen international unity and support for our efforts. In addition to the timing, we have serious substantive concerns, including the lack of flexibility, inefficient monetary thresholds and penalty levels, and blacklisting that could cause unintended foreign policy consequences.

I have asked Department staff to prepare for and discuss with your staff revisions that could address these concerns on timing and content. I am hopeful that we can work together to achieve our common goals.

I hope that consideration of this bill could be delayed to the new year so as not to undermine the Administration's diplomacy at this critical juncture. I look forward to working together to achieve our common goals, and I will stay in close contact with you as our diplomatic efforts proceed.

Sincerely,

JAMES B. STEINBERG.

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

Since its secret nuclear weapons program was publicly exposed in 2002, Iran has manipulated nations, world leaders and the United Nations on its march toward possessing the capacity to unleash nuclear havoc on the world. Current and past regime leaders have made their intentions quite clear—the destruction of the State of Israel, the extinction of the Jewish people, a world without the United States.

Iran has already produced over 1,400 kilograms of low-enriched uranium, which can easily be used for a so-called "dirty bomb." New Iranian documents have been revealed reportedly detailing a program to produce and test the trigger for an actual nuclear weapon.

□ 1515

Nuclear experts note that there is no other possible use for such nuclear technology, except for a nuclear bomb. And in September of this year, media quoted international inspectors saying, they "believe that Tehran has the ability to make a nuclear bomb and is working to develop a missile system that can carry an atomic warhead." And U.S. officials have calculated that Iran already has stockpiled enough uranium to produce one nuclear weapon, even as it expands its enrichment capabilities.

We have arrived at the precipice, and we are staring into darkness. In February of 2006 the Congress adopted a concurrent resolution citing the Iranian regime's repeated violations of its nonproliferation obligations, underscoring that as a result of these violations Iran no longer had the right to develop any aspect of a nuclear fuel cycle and urging responsible nations to impose economic sanctions to deny Iran the resources and the ability to develop nuclear capabilities. Three years later, the idea that we could rely on the so-called international community to handle this problem has been shown to be a mirage.

But we, too, have failed to act quickly and decisively, failing to fully implement the range of U.N. sanctions

that are already on the books. Now we must use the limited time remaining to impose sanctions so painful that they should threaten the Iranian regime's survival. Only when faced with the loss of power will the regime be compelled to abandon its destructive policies.

The bill we are considering today, Mr. Speaker, the Iran Refined Petroleum Sanctions Act, which I joined Chairman BERMAN in introducing, ratchets up the pressure on the regime by targeting a key vulnerability, Iran's inability to produce sufficient gasoline and other refined petroleum products.

In recent years, Iran has estimated to have imported gasoline directly or indirectly from at least 16 countries, including China, India, the Netherlands, France, and the UAE, as well as global oil companies such as TOTAL and Shell. To stop this trade, the sanctions we're considering today must also be adopted by our allies, who continue to talk about the need to act but hide behind the claim that the U.N. Security Council must act first. But the U.N. Security Council, due in part to Russian and Chinese opposition, has demonstrated that it will never impose meaningful costs on the Iranian regime.

There is no shortage of measures available. What is lacking is the will. Beyond this bill today, Mr. Speaker, the broader question is whether we will be bystanders, complicit in our own destruction. As Churchill warned, "If you will not fight for the right when you can easily win without bloodshed, if you will not fight when your victory will be sure, you may come to the moment when you will have to fight with all the odds against you and only a precarious chance for survival." For our survival, and for that of our friend and ally, Israel, render your full support to this legislation.

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

Mr. KUCINICH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas, RON PAUL.

Mr. PAUL. The chairman states that the main purpose of this bill is to prevent the Iranians from getting a nuclear weapon. That isn't even as powerful a statement as was made that enticed us into the Iraq war. There was the claim that they already had them. But now, this is a pretense, and yet here we are taking these drastic steps. My main reason for opposing this bill is that I think it's detrimental to our national security. There's no other reason. It doesn't serve our interests. So I am absolutely opposed to it.

In the late 1930s and the early 1940s the American people did not want to go into war, but there were some that were maneuvering us into war, and they used the argument that you needed an event. So, in June of 1941, sanctions were put against Japan, incidentally and ironically, to prohibit oil products from going into Japan. Within 6 months there was the bombing of Pearl Harbor. And there is now talk,

there's been talk in the media, and we've heard about it, we need to bomb Iran. And that's what the people hear.

The sanctions are a use of force. This is just not modest. This is very serious. And the way this is written, it literally could end up with a blockade. It could be trying to punish our friends and cut off trade, and this cannot help us in any way. We would like to help the dissidents. We'd like to encourage them to overthrow their government. But hardly should we have our CIA, with U.S. funded programs, going in there with a policy of regime change. They know these kind of things happen. We've been involved in this business in Iran since 1953. And it doesn't serve us well. It backfires on us, comes back to haunt us.

One of the goals explicitly expressed by al Qaeda and their leaders has been they would like to draw us into the Middle East because it would cost us a lot of money and it could hurt us financially. And the second reason they want us over there is to get us bogged down in an endless war. And for the last decade, that is what we've been doing. We are bogged down to the point where it's very discouraging to the American people, very frustrating, no signs of victory, no signs of peace. But we're bogged down. These were the precise goals of the al Qaeda leadership.

And also, one of the purposes of enticing us over there and being involved is to give a greater incentive to recruit those individuals who become violent against us. And this has been unbelievably successful. So we've been involved in Iraq. We've been involved in Afghanistan. We're bombing Pakistan and almost, this is like another bonus for those who want us to be attacked, is that we're over there and just fomenting this anger and hatred toward us.

That is why I believe this is not in our best interest. It actually hurts us. Once we say that we're going to do something like using force and prevent vital products from going in, it means that we've given up on diplomacy. Diplomacy's out the window. And they're not capable of attacking us. You know, this idea that they are on the verge of a bomb, you know, our CIA said they haven't been working on it since 2003. And the other thing is, if you want to give them incentive to have a bomb, just keep pestering like this, just intimidate them. Provoke it. This is provocative. They might have a greater incentive than ever.

They can't even make enough gasoline for themselves. I mean, they are not a threat. They don't have an army worth anything. They don't have a navy. They don't have an air force. They don't have intercontinental ballistic missiles. So it is not a threat to our national security. I see the threat to our national security with this type of policy which could come and backfire and hurt us.

I want to read number 5 in the bill, that particular item, because it makes my case, rather than making the case

for those who want these sanctions. I think this literally makes my case. Number 5 says, on October 7, 2008, then-Senator Obama stated Iran right now imports gasoline, even though it's an oil producer, because its oil infrastructure has broken down. If we can prevent them from importing the gasoline that they need and the refined petroleum products, that starts changing their cost-benefit analysis, that starts putting the squeeze on them.

The squeeze on whom? On the people. This will unify the dissent. This will unify the Iranian people against us. If we want to encourage true dissent and overthrow that government, which is more spontaneous and honest, I would say this is doing exactly the opposite.

Mr. BERMAN. Mr. Speaker, a few unanimous consent requests. I first recognize the Chair of the Foreign Operations Subcommittee of Appropriations, the gentlelady from New York (Mrs. LOWEY) for a unanimous consent request.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the bill's expansion of economic sanctions against Iran and businesses and the refined petroleum and energy sectors collaborating with the regime.

I strongly support this bill's expansion of economic sanctions against Iran and businesses in the refined petroleum and sectors collaborating with the regime.

Iran's relentless pursuit of nuclear weapons technology and defiance of international law are a great threat to world stability. This bill sends a critical message: the American people and this Congress have little patience for Iran's foot-dragging, and there will be serious consequences for the Iranian government if its nuclear efforts are not halted.

The 2010 foreign aid bill includes a measure to curtail Ex-Im's cooperation with foreign companies that significantly contribute to Iran's refined petroleum industry.

And passage of H.R. 2194 will lay the groundwork for even tougher sanctions on Iran.

I thank the Gentleman from California for his efforts, and I urge my colleagues to vote in support of this bill.

Mr. BERMAN. Mr. Speaker, I'm pleased to recognize a distinguished member of our committee, the gentlewoman from Nevada (Ms. BERKLEY) for a unanimous consent request.

(Ms. BERKLEY asked and was given permission to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, I rise expressing my strong support for H.R. 2194.

I thank the gentleman for yielding me the time and for his leadership on this issue. He has successfully navigated a very difficult terrain and I believe he has found the right moment to bring this bill forward.

It is now abundantly clear once again that Iran is not serious about negotiation: a new U.S. president tried to take a different approach, extending his hand in friendship to the Iranian regime. In exchange, the Iranians con-

tinued to show their clenched fist of deception and dishonesty. All the while, evidence mounts that Iran gets closer each day to developing a nuclear weapon.

A nuclear Iran poses as much of a threat to the U.S., to Europe, to the Middle East, as it does to Israel. With this bill today, we show the Iranians that we will use every tool we have to stop them from obtaining a nuclear weapon. We want to avoid war, but we must not take any option off the table.

And to my colleagues I say: if you want to avoid war, support this bill. If it succeeds, the military option won't be necessary. But without this bill, without sanctions, and without an Iranian regime that is willing to negotiate, I fear a nuclear Iran will be inevitable as will a far stronger option to eliminate its threat.

I thank the gentleman again.

Mr. BERMAN. Mr. Speaker, I yield for a further unanimous consent request to a distinguished member of the committee, the gentleman from Virginia (Mr. CONNOLLY).

(Mr. CONNOLLY of Virginia asked and was given permission to revise and extend his remarks.)

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise voicing my strong support for H.R. 2194 because America's patience is not limitless.

Mr. Speaker, it is time to strengthen the hand of the Administration and our allies to address the threat of a nuclear Iran. I proudly cosponsored the Iran Refined Petroleum Sanctions Act, which gives the President the authority to impose stiffer economic sanctions targeting Iran's oil production. The bill adds such activities as selling refined gasoline or supplying equipment for construction of oil refineries to the list of prohibited activities under the Iran Sanctions Act.

In January President Obama made a fundamental shift in our diplomatic strategy with Iran. He extended an olive branch with the hope of initiating the first serious talks with Tehran in decades, but that approach was conditioned on the Iran leaders being willing and equal partners.

Unfortunately, those leaders have consistently rejected our overtures and continue to develop Iran's nuclear capabilities in defiance of repeated demands from the United Nations that it suspend such activities. Missile tests in the spring and fall of this year, coupled with the recent revelation of a secret enrichment facility brings new urgency—as evidenced by the growing support within the international community for further action. Just this week, we learn of yet another secretive program to develop the technological components for triggering a nuclear device.

These new sanctions can and will bring additional pressure to bear on the Ahmedinejad regime. Iran's insistence on enrichment, along with its ties to groups like Hezbollah, is cause for great concern not just in the Middle East. This bill states firmly that U.S. patience is not limitless. I urge my colleagues to support it.

Mr. BERMAN. Mr. Speaker, I'm pleased to yield 2½ minutes to the chairman of the Middle East and South Asia Subcommittee, someone who's has been very focused on this issue, the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of a sanctions bill

that I believe will strengthen the Obama administration's ability to conduct effective diplomacy. The world, and I mean both our allies and others, needs to know that the U.S. Congress is dead serious about sanctions should diplomacy fail to resolve the real concerns about Iran's nuclear program. For those who worry that sanctions may lead to conflict, I would suggest that the opposite is true. With Iranian proliferation on the horizon, what is feckless is reckless. If you don't want war, it seems to me that you absolutely must back the toughest possible political and economic sanctions.

It is true that sanctions alone are almost certainly not going to be sufficient to force the Iranian regime to change course. But if we are serious about stopping Iran's race for nuclear capability, we must apply the maximum possible pressure by enhancing our capacity for unilateral sanctions, as we're doing today, by implementing crippling multilateral sanctions, and by developing a strategy that applies more comprehensive pressure than just diplomatic engagement followed by sanctions.

President Obama's offer of direct engagement with Iran already helped to heal a variety of political woes, but by itself, diplomacy and political and economic sanctions may still leave too much initiative in Iranian hands. If the Iranians remain recalcitrant and sanctions are applied, no matter how crippling—and I want to make it perfectly clear that I want them to be absolutely suffocating for the regime—the initiative is still left to the ayatollahs to decide when they've had enough.

Tragically, I suspect President Obama is soon going to have to decide whether an Iranian nuclear weapon is truly unacceptable in the full meaning of that word and with the full knowledge of what that means. The best thing that we can do to help avoid that terrible moment of truth is to act affirmatively on the bill before us today.

Mr. KUCINICH. I'll reserve the time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 2 minutes to the gentleman from Virginia (Mr. CANTOR), the esteemed minority whip and a member of the Committee on Ways and Means, a true leader who understands the clear and present danger that Iran presents for the State of Israel and for the United States.

Mr. CANTOR. I thank the gentlelady, as well as the gentleman from California, for their leadership, and bringing this bill to the floor.

Mr. Speaker, a nuclear Iran would be a game-changing development that poses irreparable damage to global security and stability. Yet, with each passing day, the regime in Tehran brazenly forges ahead to make this nightmare scenario a reality.

□ 1530

These are times of sharp partisan rancor in our Nation's Capitol. But today we have the chance to come to-

gether to take a major step forward in the interests of world peace. The time for decisive action to head off Iran's nuclear program is now. By passing the Iran Refined Petroleum Sanctions Act, we send the overdue message that the cost of doing business with Iran is too much to bear.

Mr. Speaker, this legislation leverages our economic muscle to punish any individual or company who sells or ships gasoline to Iran. It offers one of our best chances to convince Iran that it is firmly in its interest to abandon its nuclear ambitions.

As Iran takes a more belligerent approach to its nuclear program, the United States will not fall asleep at the wheel. We must lead. With the passage of this bill, we must, and will, rally the international community in order to stop the Middle East from moving irreversibly toward nuclearization.

Mr. Speaker, I urge passage of the Iran Refined Petroleum Sanctions Act.

Mr. KUCINICH. I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

MR. LYNCH. I thank the gentleman. I also come here with enormous respect for Mr. BERMAN, Ms. ROS-LEHTINEN, and my friends. And if I thought for 1 minute that this bill would help the United States or protect Israel or undermine Mr. Ahmadinejad, I would support it. But I do not. I do, however, take great comfort in the chairman's and the chief sponsor's earlier comments that in the conference process he is open and willing to adjust the bill. And perhaps if these adjustments and improvements are made, I can support it at that time, but I am faced with the bill before me.

And let me just say that I think that this bill will help Ahmadinejad, that this will have the same effect as we have seen with other embargoes and other sanctions. I point to a couple of examples, one being the example in Cuba where we put in an embargo there, and ever since then, the Castro regime has been able to blame everything that has gone wrong in Cuba, including tropical storms and hurricanes, on the U.S. embargo. It has helped that regime stay in power. We see the same effect happening in Gaza. I have been there a couple of times. The fact that we've got an embargo there and a blockade has caused many in Gaza to rally around the flag—in this case, Hamas—and the blockade has helped them. That is the effect that this bill will have in Iran.

We have watched very closely. This past week, tens of thousands of students in Iran in the Green Revolution have come to oppose and call for the ousting of Ahmadinejad and his regime. What this will do, however, is this will undermine that opposition. This bill is focused on cutting off gasoline supply to the poor, to the working class, to the middle class and families, the very people who are supporting the revolutionary movement there to get rid of Ahmadinejad.

We are, in a way, I think, substituting a plan that will not work for one that could very well work. We are snatching defeat from the jaws of victory with this bill. I hope earnestly that as the sponsor of this bill has indicated, the chairman, Mr. BERMAN, that there will be important changes perhaps made during the conference process. I hope that does happen, and I hope that I am able to support this bill when it comes back from conference based on those changes.

Ms. ROS-LEHTINEN. I would like to yield 1 minute to the gentleman from New Jersey (Mr. SMITH), the ranking member on the Foreign Affairs Subcommittee on Africa and Global Health.

Mr. SMITH of New Jersey. Mr. Speaker, Chairman BERMAN's Iran Refined Petroleum Sanctions Act, cosponsored by the ranking member, Ms. ROS-LEHTINEN, significantly ratchets up strong bipartisan pressure on Iran to end their nefarious quest for nuclear weapons.

Given Ahmadinejad's extreme hostility toward Israel, his outrageous threats to annihilate Israel from the face of the Earth, and his obsessive hatred of Jews worldwide, this bill strengthens penalties on those who not only sell, lease, or provide to Iran any goods, services, technology, information, or support that would allow Iran to maintain or expand its domestic production of refined petroleum resources, it has other sanctions as well.

Mr. Speaker, any serious effort to peacefully stop Iran from acquiring weapons of mass destruction, which I believe they will use if they acquire them, requires the strongest political and economic pressure that we can muster. H.R. 2194 is a step, the right step in that direction.

Mr. KUCINICH. I yield myself 3 minutes.

This legislation obstructs the Obama administration's ongoing negotiations with Iran, amounts to economic warfare against the Iranian people, and brings us closer to an unnecessary military confrontation. I would like to delineate point by point the objections to this bill.

First of all, I agree with Mr. PAUL that the bill is opposed to our national security. I have a letter here, as Mr. BLUMENAUER submitted to the RECORD, from the Deputy Secretary of State which points out the "serious substantive concerns of the administration, including the lack of flexibility, inefficient monetary thresholds and penalty levels, and blacklisting that could cause unintended foreign policy consequences." This letter is from the Obama administration, December 11, 2009. I would like it be included in the RECORD.

Second, I would like to include an article from the National Journal Online, dated November 2, 2009, in the record of debate. In this article, it points out that a gas shortage will be created in Iran, that Iran subsidizes its gasoline,

and that the regime wants to shrink the program. So here the U.S. will be creating the gas shortage, and the regime, which wanted to shrink the program, is going to blame the U.S.

Third, the Revolutionary Guard has already been able to build its coffers by being able to sell things on the black market. It's widely understood that these sanctions would put the Revolutionary Guard in a position where they can make more money selling oil on the black market.

Number 4, this proposal would throw energy politics of the region into chaos, and the broader geopolitical landscape is thrown into chaos. Russia, Venezuela, and our European allies all come into play in ways at odds with stated U.S. policies.

Number 5, it undermines our diplomacy. It isolates us from our allies. It isolates us from our trading partners.

Number 6, it undercuts international energy companies who work in a back-channel role to try to help us with our diplomacy.

Number 7, it undermines democracy in Iran. All of us have seen those pictures. They have been all over the TV and the Internet in the last few months about a growing democratic movement in Iran. This sanction will force all people to close around the Iran's leadership. It will strengthen the hard-liners and will undermine democracy.

Next, it will make the U.S. presence in Iraq, Afghanistan, and Pakistan even more dangerous for our troops.

Number 9, it's a path to military escalation, and I will be discussing that later.

THE DEPUTY SECRETARY OF STATE,  
Washington, December 11, 2009.

Hon. JOHN F. KERRY,  
Chairman, Committee on Foreign Relations,  
U.S. Senate.

DEAR MR. CHAIRMAN: I wanted to follow up on our conversations regarding Iran, and possible sanctions legislation to be taken up by the Senate (S. 2799). We share Congress's concerns on Iran and its nuclear program, and the need to take decisive action. One of the top national security priorities for the Obama Administration is to deny Iran a nuclear weapons capability. As we discussed, we are pursuing this objective through a dual track strategy of engagement and pressure; and we are engaged in intensive multilateral efforts to develop pressure track measures now. It is in the spirit of these shared objectives that I write to express my concern about the timing and content of this legislation.

As I testified before the Congress in October, it is our hope that any legislative initiative would preserve and maximize the President's flexibility, secure greater cooperation from our partners in taking effective action, and ultimately facilitate a change in Iranian policies. However, we are entering a critical period of intense diplomacy to impose significant international pressure on Iran. This requires that we keep the focus on Iran. At this juncture, I am concerned that this legislation, in its current form, might weaken rather than strengthen international unity and support for our efforts. In addition to the timing, we have serious substantive concerns, including the lack of flexibility, inefficient monetary thresholds and penalty levels, and blacklisting that could cause unintended foreign policy consequences.

I have asked Department staff to prepare for and discuss with your staff revisions that could address these concerns on timing and content. I am hopeful that we can work together to achieve our common goals.

I hope that consideration of this bill could be delayed to the new year so as not to undermine the Administration's diplomacy at this critical juncture. I look forward to working together to achieve our common goals, and I will stay in close contact with you as our diplomatic efforts proceed.

Sincerely,

JAMES B. STEINBERG.

[From the National Journal Online, Nov. 2, 2009]

COULD A GASOLINE EMBARGO BEND TEHRAN?  
(By David Gauvey Herbert)

With Iran still refusing to play ball with the West over its nuclear program, lawmakers are turning up the heat by targeting oil companies that import gasoline to Iran. But critics of new House and Senate legislation cite a laundry list of reasons why targeting gas imports won't work—and why it could even strengthen Mahmoud Ahmadinejad's government.

Despite being the fourth-largest exporter of crude oil in the world, Iran's limited refining capacity forces it to import 40 percent of its gasoline. The government also subsidizes the price of gasoline, driving demand even amidst an economic downturn and making the country's reliance on foreign imports even more costly.

A new bill—the Iran Refined Petroleum Sanctions Act, which passed the House Foreign Affairs Committee Wednesday—looks to exploit that weakness. It would bolster the Iran Sanctions Act of 1996 and prohibit companies that import gasoline to Iran from contracting with the U.S. government. Similar sanctions are part of a larger Iran bill approved unanimously Thursday by the Senate Banking Committee.

Rep. Howard Berman, D-Calif., who chairs the House Committee on Foreign Affairs and sponsored the House bill, defended the timing of the legislation against protests from some lawmakers that the president be given more time to work out a diplomatic solution. Tehran last week rejected a deal with the International Atomic Energy Agency that would have sent its uranium stockpile to Russia to enrich for medical purposes.

The bill, Berman said at a markup hearing Wednesday, "will take the first key step to ensure that President Obama is empowered with the full range of tools he needs to address the looming nuclear threat from Iran, even as he pursues diplomacy and, if necessary, the multilateral sanctions track. Given the length of time it ordinarily takes the House and Senate to move a significant piece of legislation to the president's desk, it is important that we initiate this process today."

But critics warn that, timing aside, the proposed sanctions could easily backfire.

For starters, it's unclear whether the legislation will be enough to dissuade Iran's main suppliers—Royal Dutch Shell, France's Total, China's state-run Zhuhai Zhenrong Corp. and Russia's Lukoil, among others—from continuing to import gasoline. Tehran has said it will cut off any company that complies with U.S. sanctions, a threat that will keep some companies in line.

And even if some gasoline exports to Iran can be curtailed, Russia and Venezuela have the excess refining capacity to plug the gap, according to Fariborz Ghadar, a trade expert at the Center for Strategic and International Studies. Hugo Chavez is already bringing Venezuela's considerable refining capabilities to bear: In September, Caracas pledged

to supply Iran with 20,000 barrels of gasoline a day.

And what will happen if the sanctions are successful and oil majors stop selling Iran gasoline? The result might be the worst scenario of all, Ghadar argued. Iranians currently get 100 liters of discounted petrol every month, but at great expense to the government. The ruling government has been looking for ways to shrink the subsidy program and the U.S. sanctions would give them cover to do so. That would hurt everyday Iranians, cast Washington (once again) as a villain and perhaps rally citizens around Ahmadinejad, who is still politically weak after post-election rioting this summer.

The idea that more expensive gas will spur average Iranians to confront the government is misguided, Ghadar argued.

"The problems in June, July after the election had nothing to do about them not being able to buy an HP printer or gasoline," he said. "It was about not being able to speak, basically seeing that the system is not a meritocracy."

Rep. Ron Paul, R-Texas, echoed those worries at the hearing Wednesday.

"The theory is, if we really punish the people, take their gasoline from them, then they're going to get angry," he said. "And they will. They're going to get angry at us. They're not going to get angry at the Ayatollah. What you're doing is deliberately undermining the dissidents there."

Berman acknowledged that the legislation would likely have "a significant impact on the Iranian economy, including quite possibly on average Iranians."

"While that is a distasteful prospect, the urgency of dealing with the Iranian nuclear project—and the immense danger that a nuclear-armed Iran would pose to tens, if not hundreds, of millions of people who will fall within the range of its missiles—compels us to go forward with this legislation," he argued.

The Revolutionary Guard Corps, which was central in putting down the summer protests, might benefit from the bill as well. For one, they are well-situated to take advantage of sanctions: The corps smuggled oil during the 1990s when Iraq was under embargo, and it continues to be involved in the underground economy, said Alireza Nader, an Iran expert with the RAND Corporation. "Any sort of sanctions regime targeting fuel imports is going to be difficult to enforce because there is a black market, which the Revolutionary Guard is very much involved in," he said.

More fundamentally, Washington has struggled to sanction energy-rich Iran in part because oil-hungry countries are tough to corral into a unified front. American sanctions against Sudan have been similarly ineffective, as Chinese state-owned oil companies have been all too eager to fill the void.

Targeting gasoline imports is just one facet of the U.S. assault on the Iranian economy. The Treasury Department has spent the last three years blacklisting Iranian banks and encouraging international banks to avoid doing business with Iran. Ghadar argued that banking sanctions have worked well and should continue, since they hurt Iranian elites more than "Average Joes."

The Treasury Department has also put Iran's national maritime carrier in its cross hairs, citing the company's "denial and deception" regarding its shipments of arms. And the House last month passed the Iran Sanctions Enabling Act, which would allow state and local governments to divest from companies doing business in Iran's energy sector, by a 414-6 vote.

The Senate Banking Bill passed Thursday incorporates a number of the above options, tightening sanctions on financial transactions, targeting companies that export

gasoline to Iran and authorizing state and local governments to divest.

Sanctions on investment and technology transfer have been effective at crippling investment in Iran's natural gas industry, according to Greg Priddy, an energy analyst with the Eurasia Group. But keeping Iranian gas offline has meant that the Nabucco pipeline, which would connect Iran to Europe, may remain a pipe-dream—and make our Eastern European allies more vulnerable to Russia's whims.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, could we get a little summary of the time remaining on this complicated issue.

The SPEAKER pro tempore. The gentleman from California has 8½ minutes remaining. The gentleman from Ohio has 15 minutes remaining. The gentleman from Florida has 8½ minutes remaining.

Mr. BERMAN. Mr. Speaker, I'm very pleased to yield to the chairman of the Terrorism, Nonproliferation, and Trade Subcommittee on our House Foreign Affairs Committee, the gentleman from California (Mr. SHERMAN), 1 minute.

Mr. SHERMAN. As one of the six original cosponsors of this legislation, I rise in support.

The gentleman from Texas (Mr. PAUL) attacks the whole concept of the use of sanctions saying that American sanctions against Japan led to our involvement in World War II. If you think that America should have remained neutral in World War II, you should vote with the gentleman from Texas (Mr. PAUL).

Iran has been found to have violated the nonproliferation treaty and its commitments under that treaty by the United Nations Security Council with the votes of Russia and China, who also voted to impose some limited sanctions against Iran.

My district contains, I believe, more Iranian Americans than any other in the country, and let me tell you that those who support the students and the effort for democracy in their homeland support the idea of sanctions. This bill is but one step that we need to take in ratcheting the economic power on the regime in Tehran. This bill amends the Iran Sanctions Act. It is important that that act be enforced both before and after we adopt these amendments.

Mr. KUCINICH. I will yield to Mr. PAUL 3 minutes.

Mr. PAUL. I thank the gentleman.

If the gentleman from California didn't like my analogy about how we were maneuvered into war in World War II, I think it might be much more appropriate to compare it to the sanctions on Iraq. There were those in the 1990s that wanted us to go to war with Iraq. We were looking for an excuse, and we put strong sanctions, continued flying over their country and bombing. Thousands, if not hundreds of thousands, of kids died because of those sanctions, and eventually they got their war. We ended up in the war.

Anybody who believes that taking gasoline away from the common person

in Iran is going to motivate them to get rid of their Ayatollah—it's the Ayatollah that carries the power—that's not going to happen. It just does exactly the opposite. So this is why I believe this is a much greater threat to our national security. It does not help us. It doesn't achieve the goals that are set out.

For instance, we now commonly say that the Iranians have no right to enrich. Well, they signed a nonproliferation treaty, and they have not ever been told that they are making a bomb. And what we are saying in this bill is that they can't enrich anymore. So in a way, you're violating international law by saying they can't enrich, period. So that is just looking for trouble.

Now, what else this bill will do:

It is going to push the support of the Iranians in another direction. It's going to push them towards India, China, and Russia, and these countries have special associations with Iran. So we are going to separate us. We will be isolated from that, and they are going to have a much closer alliance with these countries. That will not serve our interests.

It's going to serve the interest of one country mostly, and that's China. China acts only almost like capitalists. They take our dollars they have earned from us and they are spending the dollars over there. They would like to buy the oil, refine the oil, and drill the oil. But here, we assume that we have to do it through force, through sanctions, threats, intimidation, and secret maneuvers to overthrow their regime. It just doesn't work. It sounds good. It sounds easy, but it does backfire on us. You get too many unintended consequences.

And besides, our national security does not depend on what we do in the Middle East. Our national security is threatened by this. We are overstretched. We're broke. And this is part of the strategy, as I mentioned before. Our archenemies in that region want to bankrupt us. They want to stir up hatred toward us, and they want to bog us down. And they're achieving what their goals are.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from Illinois (Mr. KIRK), a member of the Committee on Appropriations and a cosponsor of this measure from early on.

Mr. KIRK. Mr. Speaker, Congressman ANDREWS and I are the two grandfathers of this bill and its policy. After 4½ years of working on this legislation, I strongly support this bill, especially its underlying policy, which is the last best hope for diplomatically ending Iran's nuclear weapons program.

In January of 2005, I wrote to the Secretary of Defense with a comprehensive analysis of Iran's economy, discovering a critical weakness. Despite its status as a leading oil exporter, Iran has so mishandled her domestic energy supply that the regime

relies on foreign sources of gasoline for 40 percent of its needs.

In 2005 and again in 2006, Congressman ANDREWS and I introduced the congressional resolutions calling for a multilateral restriction of gasoline deliveries to Iran as the most effective sanction to bring their leaders into compliance with their commitments under the Nuclear Non-Proliferation Treaty.

□ 1545

In 2007, we introduced the Iran Sanctions Enhancement Act to extend current sanctions to the provision of gasoline to Iran. This year, Congressman BRAD SHERMAN and I re-introduced the Iran Diplomatic Enhancement Act. This bill today is modeled after our bipartisan legislation.

A restriction of gasoline deliveries to Iran administered through multilateral sanctions and enforced by the world's most powerful navies will pit our greatest strength against Iran's greatest weakness, all without a shot being fired. For the bill to succeed, the Iranians must believe also that it will be enforced, otherwise we will go down a failed policy of diplomacy in the absence of effective sanctions. My hope is that the Senate quickly takes up action on this bill, and then the administration provides needed enforcement.

I want to truly thank the chairman of the Foreign Affairs Committee, Chairman BERMAN; our ranking member, ILEANA ROS-LEHTINEN; Congressman ANDREWS and Congressman BRAD SHERMAN for all working with me. This has been 5 years of my life working on this legislation. This is bipartisan legislation which offers the last best diplomatic hope to resolve this problem.

Mr. KUCINICH. Mr. Speaker, I yield myself 3 minutes.

I would like to point out that the organization of Iranians in the United States known as the National Iranian American Council have issued a statement in a staff report dated Monday, the 14th of December, 2009 that this sanctions act "will only contribute to the Iranian people's suffering by seeking to restrict Iran's supply of heating oil and gasoline. Prominent members of Iran's opposition movement, such as Mir Hossein Mousavi and Mehdi Karoubi, as well as human rights defenders like Shirin Ebadi and Akbar Ganji, have all spoken out strongly against such sanctions that punish innocent Iranians."

I enter this report from the National Iranian Council into the RECORD.

IRPSA HURTS IRANIAN PEOPLE, UNDERMINES INTERNATIONAL UNITY ON IRAN

NIAC released the following statement today in response to yesterday's news that the Iran Refined Petroleum Sanctions Act (H.R. 2194) will be brought up for a floor vote on the suspension calendar within the next two weeks.

The National Iranian American Council is deeply concerned that the House of Representatives' plan to bring H.R. 2194, the Iranian Refined Petroleum Sanctions Act, IRPSA, to a vote the week of December 14,

2009, is a move in the direction of punishing the Iranian people instead of the Iranian government.

NIAC supports the Obama Administration's ongoing engagement efforts and, though the Iranian government's response has thus far been frustrating, the U.S. must remain committed to working in concert with its international partners. Considering unilateral sanctions at this time threatens to preempt and undermine the President's multilateral efforts.

A successful strategy for dealing with Iran must have diplomatic engagement as its basis. Sanctions can play a constructive role within that process, but in order to be effective they must target the Iranian government and the individuals responsible for the government's reprehensible behavior, with a special emphasis on those guilty of human rights violations.

As Congress moves forward, NIAC encourages Congressional action to meet the following standards:

Do not harm the Iranian people—No one has suffered under the repressive rule of the Iranian Government more than the Iranian people. Unilateral sanctions such as those included in IRPSA will hurt the people of Iran immensely and do little to target the actions such as the Iranian Revolutionary Guard who have consolidated power under the shadow of outside threats and profited under the sanctions economy.

As the Iranian people continue to stand up to their government, prominent members of

Iran's opposition movement, such as Mir Hossein Mousavi and Mehdi Karubi, along with human rights defenders like Shirin Ebadi and Akbar Ganji, have all spoken out strongly against broad, untargeted sanctions such as those contained in IRPSA.

Do not undermine the President—The Obama Administration has invested in a strategy of engagement with Iran because it is the best option to change the Iranian Government's behavior. While this process has been predictably difficult, Congress must not rush to pass legislation that will undermine multilateral efforts and tie the President's hands. The President has been consistent in stating that he will evaluate progress on the engagement process once the year has ended. This commitment was reiterated on December 3 by White House spokesman Robert Gibbs, who stated that the Administration's deadline for Iran is the end of the year. If the House passes IRPSA now, they send the world a signal that the U.S. Congress does not support the President's plan and is taking steps to preempt it.

Do not undermine the unity among U.S. partners—On November 26, the IAEA voted overwhelmingly to approve a resolution censuring Iran. Significantly, all five veto-wielding members of the Security Council voted in favor of the measure, which opens up the potential for another round of Security Council sanctions. The significant progress is uniting the Security Council is attributable to President Obama's investment in diplomacy. If Congress moves for-

ward with sanctions that target our allies, that unity will collapse. Trying to coerce the support of the rest of the world with threats and penalties will not isolate Iran; in fact, it may only isolate the United States.

I have here an analysis that has been done by Americans for Peace Now, which is a strong group in support of Israel. At the same time, they did an analysis and summary of concerns about H.R. 2194. One of the points that they make is that "the focus on crippling refined petroleum sanctions leads to the very problematic conclusion that the U.S. is seeking to inflict widespread suffering on the Iranian people in order to force them to put pressure on their government. It is an approach few believe will achieve the desired goal and many believe could well backfire to the benefit of the regime and sow anger at the U.S., not the Iranian Government."

I will submit this analysis for the RECORD.

PROPOSED AMENDMENTS TO H.R. 2194—THE IRAN REFINED PETROLEUM SANCTIONS ACT—DECEMBER 2009

For further information, go to [www.peacenow.org](http://www.peacenow.org).

SUMMARY OF CONCERNS ABOUT H.R. 2194

Section(s)	Problem	Suggested remedy
Section(s) 1: 2(b), 2(c), 3(a), 3(c).	The focus on "crippling" refined petroleum sanctions leads to the very problematic conclusion that the U.S. is seeking to inflict widespread suffering on the Iranian people in order to force them to put pressure on their government. It is an approach that few believe will achieve the desired goal and that many believe could well backfire, to the benefit of the regime and sow anger at the U.S., not the Iranian government.	The focus of the bill should be enhanced sanctions authority in general, not the refined petroleum sector in particular.
Section 2(a)	Obama statements quoted in the bill were made prior to the Iranian elections and prior to the launch of the current negotiating effort. As such, they have clearly been overtaken by events. They should be updated to correctly represent the Administration's positions.	Quotes in the bill should be updated to correctly represent the Administration's positions.
Sections 3(a), 3(b), and 3(d).	At the outset of H.R. 2194 is the finding that "international diplomatic efforts to address Iran's illicit nuclear efforts, unconventional and ballistic missile development programs, and support for international terrorism are more likely to be effective if the President is empowered with the explicit authority to impose additional sanctions on the Government of Iran." As written, these sections do not empower the President with the authority to impose additional sanctions—they dis-empower him by removing his authority regarding the imposition of sanctions, in effect limiting his authority.	Textual changes should be incorporated to bring the legislative impact of the bill into conformity with the stated goal of the legislation's i.e., giving the President additional authority to act.
Section 3(c)	The restrictions laid out in this section have potentially far-reaching implications for U.S. vital national security interests. It is unreasonable and possibly unconstitutional to place such restrictions on the President's relations with other countries without providing a clear national security waiver.	A clear national security waiver should be added to this section.
Section 3(g)	This certification requirement is so categorical that it would be difficult if not impossible for a President to make, under any circumstances. It could also conflict with a potential future agreement with Iran over its nuclear program.	Changes should be made to make the certification requirement reasonable and to take into account the possibility of an international agreement with Iran on its nuclear program.
Section 3(h)	The Iran Sanctions Act (ISA) is major legislation in its own right. As such, it should be considered and debated openly before a decision is made to extend it for 5 years. Moreover, the ISA does not expire until 2011—there is no justification for rushing through its extension as part of this bill.	This section should be deleted and ISA dealt with separately at an appropriate time.
New Section 3(x)	At this juncture, the absence of positive measures in what will be the single most important piece of Iran legislation in years is striking.	This new section offers constructive support for the people of Iran.

In the legislation that we are presented with, it speaks to the purpose of H.R. 2194 as advancing along feelings of friendship for the Iranian people. We are telling the Iranian people, we have feelings of friendship for you, we like you so much, but we're going to cut off your home heating oil. So we are asking the people, when they're freezing, to remember these warm feelings of friendship. I think people will find that the expression of friendship isn't to be believed, and that, in fact, what's happening here is an effort to punish the people of Iran for the policies of their government, which the Obama administration is trying to still find a way to deal with diplomatically.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased now to yield 1 minute to one of the great supporters of this legislation, the Speaker of the House, the

gentlelady from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding.

I rise in strong support of the Refined Petroleum Sanctions Act. I would like to acknowledge the great leadership of our chairman, Chairman BERMAN, and the ranking member, Congresswoman ROS-LEHTINEN, for their efforts and leadership to bring this legislation to the floor.

All Members of Congress, regardless of party, agree a nuclear Iran is simply unacceptable; it is a threat to the region, to the United States, and to the world. The American people have great hopes for our friendship with the people of Iran. We look forward to a day when Iran is a much more productive member of the community of nations. Until that day, though, we must ensure that Iran is prevented from obtaining

nuclear weapons that would threaten the security of the world.

Iran must take the necessary steps to demonstrate its willingness to live as a peaceful partner in the international community. And we must use all of the tools at our disposal, from diplomacy to sanctions, to stop Iran's march toward nuclear capability.

Today, with this legislation, we give the President a new option, a new tool, the power to impose sanctions against companies that supply Iran with or support its domestic production of gasoline and other refined petroleum products. By targeting Iran's ongoing dependence on largely imported refined petroleum, we reduce the chance that Iran will acquire the capacity to produce nuclear weapons.

A pillar, Mr. Speaker, of our national security is diplomacy; and in the case

of Iran, we must use it. We must exhaust every diplomatic remedy. I commend President Obama for standing with other U.N. Security Council leaders earlier this year to condemn Iran and to work toward an agreeable diplomatic solution to end Iran's proliferation of weapons of mass destruction.

However, as we have seen, Iran has refused to accept a reasonable offer that was put on the table a couple of months ago. Instead, it has reiterated its resolve to continue its uranium enrichment program, the cornerstone of its nuclear program. The international community must, therefore, consider stronger options. We have that opportunity today to give the President the option with a waiver to use in the best possible way.

Now, I have heard mention of the State of Israel in some of the debate here today, and Israel certainly has proximity to Iran. Iran is increasing its capability both to develop a weapon of mass destruction and the delivery system to deliver that bad news. But this isn't about Israel. Israel, again, is close, and this development of a weapon of mass destruction is a threat to the region. But the development of a weapon of mass destruction anywhere in the world is a threat to the entire world, and it is not in the national security interest of the United States. So while Israel may bear the brunt or be the closest target—or target of words, if, hopefully, not anything else—they have carried this fight, but it's not just their fight. The fight is all of ours.

I mentioned diplomacy as a pillar of our national security. Another pillar of our foreign policy and of our national security is stopping the proliferation of weapons of mass destruction. Imagine what the reaction would be if Iran had a nuclear weapon, what that would evoke in the Arab world in terms of their interest in having weapons of mass destruction. It simply cannot happen. With this legislation today, we strengthen the President's hand to use or to withhold this particular sanction, but to have the capability to use diplomacy in a stronger way.

I urge all of my colleagues to support the Iran Refined Petroleum Sanctions Act.

Mr. KUCINICH. I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. I thank the gentleman for yielding.

I talked to somebody today that will be voting for these, but admitted that they won't work and it is mere symbolism. So already they don't think these will do much good, even those who will vote for it. They're impossible to enforce, is one reason, and it will create a black market. And these particular sanctions are most difficult to enforce just because of the nature of the way it's written.

One must understand a little bit about the pressures put on this country to act in a defensive way. They happen to be surrounded by a lot of nuclear bombs. And they don't have a history,

the Iranians. As bad as they are for their leadership and how bad their regime is, they're not expansionists territorially. I mean, how many years has it been since they invaded another country for the purpose of taking over another country? It is just not in recent history at all. But the countries around them, India—India has nuclear weapons, China has nuclear weapons, Pakistan, Israel, the United States. I mean, they're all around them, so I'm sure they feel like a cornered rat.

What I see here is propaganda, propaganda to build fear into people, to prepare the people for what is likely to come, just as we did in the 1990s, fear that there were weapons of mass destruction, but this one is, well, someday they might get a weapon of mass destruction. Unfortunately, I am just really concerned that this is going to lead to hostilities because this is the initiation. The fear is building up. Too often in this country we talk of peace at the same time that we pursue war. We pursue war, and we use these efforts to push our policies on others.

And quite frankly, we don't have any more money to pursue this policy, whether it's used by the militarism or even to try to buy friends by giving them a lot of money. It just doesn't work.

I urge a "no" vote on this resolution in the interest of United States security.

Mr. Speaker, I would like to make a few more points as to why I oppose this new round of sanctions on Iran, which is another significant step toward a U.S. war on that country. I find it shocking that legislation this serious and consequential is brought up in such a cavalier manner. Suspending the normal rules of the House to pass legislation is a process generally reserved for "non-controversial" business such as the naming of post offices. Are we to believe that this House takes matters of war and peace as lightly as naming post offices?

This legislation seeks to bar from doing business in the United States any foreign entity that sells refined petroleum to Iran or otherwise enhances Iran's ability to import refined petroleum such as financing, brokering, underwriting, or providing ships for such. Such sanctions also apply to any entity that provides goods or services that enhance Iran's ability to maintain or expand its domestic production of refined petroleum. This casts the sanctions net worldwide, with enormous international economic implications.

Recently, the Financial Times reported that, "[i]n recent months, Chinese companies have greatly expanded their presence in Iran's oil sector. In the coming months, Sinopec, the state-owned Chinese oil company, is scheduled to complete the expansion of the Tabriz and Shazand refineries—adding 3.3 million gallons of gasoline per day."

Are we to conclude, with this in mind, that China or its major state-owned corporations will be forbidden by this legislation from doing business with the United States? What of our other trading partners who currently do business in Iran's petroleum sector or insure those who do so? Has anyone seen an estimate of how this sanctions act will affect the US economy if it is actually enforced?

As we have learned with U.S. sanctions on Iraq, and indeed with U.S. sanctions on Cuba and elsewhere, it is citizens rather than governments who suffer most. The purpose of these sanctions is to change the regime in Iran, but past practice has demonstrated time and again that sanctions only strengthen regimes they target and marginalize any opposition. As would be the case were we in the U.S. targeted for regime change by a foreign government, people in Iran will tend to put aside political and other differences to oppose that threatening external force. Thus this legislation will likely serve to strengthen the popularity of the current Iranian government. Any opposition continuing to function in Iran would be seen as operating in concert with the foreign entity seeking to overthrow the regime.

This legislation seeks to bring Iran in line with international demands regarding its nuclear materials enrichment programs, but what is ironic is that Section 2 of H.R. 2194 itself violates the Nuclear Non Proliferation Treaty (NPT) to which both the United States and Iran are signatories. This section states that "[i]t shall be the policy of the United States . . . to prevent Iran from achieving the capability to make nuclear weapons, including by supporting international diplomatic efforts to halt Iran's uranium enrichment program." Article V of the NPT states clearly that, "[n]othing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty." As Iran has never been found in violation of the NPT—has never been found to have diverted nuclear materials for non-peaceful purposes—this legislation seeking to deny Iran the right to enrichment even for peaceful purposes itself violates the NPT.

Mr. Speaker, I am concerned that many of my colleagues opposing war on Iran will vote in favor of this legislation, seeing it as a step short of war to bring Iran into line with U.S. demands. I would remind them that sanctions and the blockades that are required to enforce them are themselves acts of war according to international law. I urge my colleagues to reject this saber-rattling but ultimately counterproductive legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend from Indiana (Mr. BURTON), the ranking member on the Foreign Affairs Subcommittee on the Middle East and South Asia. He deals with this issue every day.

Mr. BURTON of Indiana. I thank the gentlelady for yielding, and I thank the chairman for bringing this to the floor. God bless you, my son.

Let me just say that I have heard the arguments from the opponents of this legislation. And my question to them would be, well, what is the alternative? You mentioned one, two, three, four, five, six—seven reasons why we shouldn't do this, but Iran is developing a nuclear weapons system.

If you look at The Times and the BBC, they say very clearly that confidential intelligence documents obtained by The Times showed that Iran is working on testing a key final component of a nuclear bomb, and it is the

mechanism that explodes the nuclear bomb. Now, we've been waiting and waiting and waiting for years for them to stop the development of a nuclear weapon, and they keep giving us all these reasons why they shouldn't be stopped and why they're not doing it and all kinds of chicanery; but the fact of the matter is they continue on the path toward a nuclear weapon.

Now, we get a large percentage of our energy from the Middle East. Israel is not going to sit by and let their country be threatened with annihilation. They're not going to let Iran develop a nuclear weapon, especially since Ahmadinejad said he wants to wipe them off the face of the Earth. So if they develop a nuclear weapon and a detonating device, like they're working on right now, Israel is going to do something about it. Now, do we want a major conflagration in the Middle East that would threaten the energy that we get in this country? We get about 40 percent of our energy from the Middle East. If you mess up the Persian Gulf, if you have that whole area explode, you're going to see all kinds of problems in getting oil from the Middle East. And we're not energy independent. Everybody in this country is going to suffer because it's going to hurt our economy from top to bottom.

So I wish my colleagues would stop and think, do we let them just go on and not do anything about it, or do we start ratcheting up the pressure on them, put a little pressure on them, make them stop developing this nuclear weapon system? Because if they don't, the alternative is unthinkable.

Mr. KUCINICH. Could I ask how much time remains.

The SPEAKER pro tempore. The gentleman from Ohio has 7 minutes.

Mr. KUCINICH. I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

The gentleman from Indiana has mentioned, what do the opponents of this resolution have in mind. If not these sanctions, then what, what do we do? I think you are hard pressed to find anyone who will rationally say that this measure will have any real effect. This is a statement resolution more than anything.

And to the extent that it does bite, right now we don't export any refined petroleum products to Iran, but some of our allies do, those allies that we need for real sanctions that may or will bite. If we hope to get them on board, the last thing we want to do is get out in front and take measures where there will be punitive action on our allies that we need for sanctions that actually might have an impact.

So the notion that we have to do this or nothing is simply false. We need to address this situation there, but we need to do it in a way where we don't alienate the people of Iran who, when you're on the streets of Iran, people are not virulently anti-American, grate-

fully. We need to keep it that way. We shouldn't have sanctions that target the people, hoping that they will somehow revolt and then get mad at their leadership rather than the U.S.

I think that when you look at the history of sanctions, you're hard pressed to find examples where that kind of action works, where you try to entice some kind of rebellion among the people that you want to help and that somehow they will blame their government rather than those who are imposing the sanctions.

□ 1600

Again, multilateral sanctions can work. Multilateral action can work, and it needs to work. But in order to do that, you need to give the administration the flexibility, through a combination of diplomacy and other measures, to work with our allies, to bring measures that will work.

I am glad the gentleman has stood up to oppose this. I want people to know that we aren't all in agreement here, that there are other measures that can be taken.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the gentlewoman from Maryland (Ms. EDWARDS) on behalf of the legislation.

Ms. EDWARDS of Maryland. I would like to thank Chairman BERMAN for yielding.

I rise today disappointed that I am here to support the Iran Refined Petroleum Sanctions Act. I am disappointed because it's the extraordinary lack of cooperation and duplicity on the part of the leadership in Iran that brings us to that point.

Though I share many of the concerns expressed by the opposition, like many, I was hopeful at the beginning of the year with the new President and administration that we would approach Iran differently and that the leaders in Iran would respond likewise. Sadly, the leadership of Iran, particularly following their flawed elections, has been anything but forthcoming and cooperative. They have thwarted the international community. They rebuffed a viable plan for transfer of low-grade uranium and materials for a true civilian nuclear capacity.

They have led the world community along with the belief that they were negotiating fairly and with integrity. Instead, they are pursuing enrichment. This posture on the part of the Iranian government is both unfortunate and misguided, attempting to test President Obama's resolve and commitment to transparency, deterrence and accountability.

It's my hope that our actions today will enable additional leverage for President Obama and his team within the governing multilateral institutions and negotiating countries. I think the Iranian leadership has to understand that the United States is both serious about engagement and accountability.

Mr. KUCINICH. I yield myself 2 minutes.

Though this bill claims to express international diplomatic efforts to halt Iran's uranium enrichment program, it actually undermines those efforts. Passing legislation effectively forces our President's hand in one direction, diminishing the power of the President and his diplomatic team by significantly limiting the tools the administration can utilize.

Furthermore, it projects a negative image of the United States in a region at a time when we need broad international support to succeed in our negotiations.

Former International Atomic Energy Agency Director General Mohamed ElBaradei has repeatedly stated that sanctions against Iran will be ineffective in forcing Iran to halt its uranium enrichment program. In a speech to the Board of Governors in September of this year, Mohamed ElBaradei recognized the important developments with respect to Iran's compliance with IAEA inspections, stating that, We are not in a state of panic because we have not seen diversion of nuclear material. We have not seen components of nuclear weapons.

In addition, he states, We went through this during the time of Iraq, when the Agency went exactly through that hype, fabrication, and it took a war based on fiction and not fact. It took a war and thousands of people dying for the Agency to become strong and more credible because we were sticking to the facts.

Subsection A(1) of section 2 of this bill says, The illicit nuclear activities of the government of Iran, combined with its development of unconventional weapons and ballistic missiles in support of international terrorism, represents a serious threat to the security of the United States and allies in Europe, the Middle East, and around the world.

This language makes dangerous accusations that have been repudiated by the IAEA and paves the way for the same mistakes we have made in Iraq. We cannot afford to make the same mistakes at the cost of the innocent lives of the people in Iran.

Ms. ROS-LEHTINEN. I am very pleased to yield 1 minute to the gentleman from Texas (Mr. HENSARLING), a member of the Budget Committee and Committee on Financial Services, a cosponsor of this bill, and a former chairman of the Republican Study Committee, and my friend.

Mr. HENSARLING. I thank the gentlewoman for yielding.

Given the state of Iran's nuclear ambitions and its poor record at transparency, it continues to be clear that the United States must lead the world in pressuring Iran to give up these ambitions. There is no option.

Iran's energy sector is the backbone of its economy and provides the majority of its government's revenue. Iran's energy infrastructure is deteriorating badly. It is in need of modernization. Without this modernization, its energy

sector very well may deteriorate and, along with it, consequently, its economy and possibly even its regime.

The Iran Refined Petroleum Sanctions Act gives the President an important tool to help persuade the Iranian regime to peacefully give up its nuclear ambitions. A nuclear-armed Iran is unacceptable. It could provide rogue nations and terrorists with nuclear technology. It constitutes the looming threat to the national security of the United States.

Iran's behavior not only jeopardizes the stability of the region but threatens the very existence of many of our allies in the Mideast, particularly the state of Israel.

I enthusiastically encourage all of my colleagues to support the Iran Refined Petroleum Sanctions Act.

Mr. KUCINICH. May I ask how much time is remaining for all sides?

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The gentleman from Ohio has 4 minutes, the gentleman from California has 5½ minutes, and the gentlewoman from Florida has 3½ minutes.

Mr. KUCINICH. I yield myself 2 minutes.

One of our colleagues talked about, well, what are our alternatives here, as though the only alternative we have is to impose sanctions. We know from a report 2 days ago in *The New York Times* that Iran's foreign minister has said that his country was willing to exchange most of the uranium for processed nuclear fuel from abroad, as the United Nations has proposed. The article goes along to say, but only according to the timetable Western powers appear to have rejected.

Well, we need to get back into those negotiations. I have some points here I want to share with Members of Congress. Here is what we can do.

The debate in Iran is focused on two shipments of 400 kilograms each of low-enriched uranium. What is being proposed by Tehran is a phased delivery to the IAEA control of Iran's low-enriched uranium within 3 to 5 months of each other, for a total of 800 kilograms.

Officially, we know Iran's foreign minister said they would put 400 kilograms of low-enriched uranium in Kish Island—that's in the Persian Gulf—under IAEA custody. The Iranians want objective guarantees, the guaranteed delivery of highly enriched uranium from Russia and France.

Once it's delivered to Iran for medical purposes, they would then send another 400 kilograms of low-enriched uranium to the IAEA control at Kish Island. The simultaneous shipment of high-enriched uranium to Iran and low-enriched for medical purposes, and low-enriched uranium from Iran to Kish Island, are confidence-building measures which can form the basis for further cooperation.

Second, we need to pledge a guaranteed delivery by the U.S. and other P-5-plus-1 participants.

Third, the U.S. offer of assistance with modernizing the instruments for the Tehran reactor.

Fourth, Iran's willingness to continue with its nuclear transparency and full-scope IAEA safeguards, including short-notice inspections.

Five, Iran's willingness to participate in Geneva II.

Six, Iran's willingness to participate in multilateral expert meetings on nuclear, non-nuclear, that is, regional issues, and consideration of a broad range of confidence-building steps.

We don't need these sanctions. We need diplomacy.

Ms. ROS-LEHTINEN. Madam Speaker, I am so happy to yield 2½ minutes to the gentleman from California (Mr. ROYCE) ranking member on the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. Madam Speaker, time is not on our side. Today's Washington Post reports that Iran has learned how to make virtually every bolt and switch in a nuclear weapon. It is mastering the technology to enrich uranium which would fuel that weapon. A secret nuclear facility located on an Iranian military base was recently revealed. For years, Iran has been slapping away all of our diplomatic overtures. "Our outreach has produced very little." Secretary Clinton's words, not mine.

Today, the world's top terrorist state has its tentacles throughout the region. Its tentacles are Yemen, Iraq, Lebanon, Gaza, Afghanistan, Syria, Sudan. Its agents and proxies are practically everywhere in its aspiration for regional dominance, not to mention our own backyard. Tomorrow's nuclear Iran would have a compounding effect with severe consequences for regional security and for U.S. security. The time for action is long past. This bill would help address this threat, targeting the regime's Achilles' heel.

But we need a broad-based Iran policy that focuses not just on Iran's nuclear program, but one that aims to protect the U.S. and our allies from the Iranian missile threat and speaks out against its human rights abuses and bolsters its democracy supporters.

Disturbingly, this administration has backed away from missile defense in Europe and the democratic movement inside Iran. The administration must realize that promoting democracy in Iran and improving our national security go hand-in-hand.

I would just mention that sanctions helped bring down apartheid in South Africa and ended the South African program to develop nuclear weapons.

As ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade, I strongly support the passage of this legislation, of which I am an original cosponsor.

Ms. ROS-LEHTINEN. I am proud to yield 1 minute to the gentlewoman from Washington (Mrs. McMORRIS RODGERS), the vice chair of the Republican Conference, a member of the Armed Services Committee, Education and Labor Committee, and Natural Resources Committee, and the mom of Cole.

Mrs. McMORRIS RODGERS. Thank you, Ranking Member LEANA ROS-LEHTINEN.

Madam Speaker, I rise in strong support of H.R. 2194 and urge my colleagues to pass this important security bill.

As I have mentioned before, in August my husband and I visited Israel. The people of Israel want nothing more than to live in peace with their neighbors, many of whom have said repeatedly that they want Israel wiped off of the map.

But the Israelis are realistic about peace. They know it comes from strength, from clear military superiority, from letting your enemies know that they cannot defeat you. That is a hard, realistic peace. It's clear Iran wants to break that peace, to destabilize the whole region and make Israel live in fear.

After years of Iranian delays and deception, we must now back our words with action. Iran must be held accountable.

As Iran takes one step after another towards nuclear weapons, it edges towards war. A vote in favor of this bill is a vote in favor of continuing a hard peace in the Middle East and showing the rest of the world that a nuclear Iran is not an option.

When I left Israel, I pledged to do all I could to support their work to maintain and expand a difficult peace. I urge my colleagues to join me in this quest. A strong first step is passing H.R. 2194.

Mr. BERMAN. I am pleased to yield 1 minute to the gentleman from New York, the chairman of the Western Hemisphere Subcommittee, Mr. ENGEL.

Mr. ENGEL. I thank the gentleman. Madam Speaker, only a few short months ago the world learned of the secret Iranian nuclear enrichment facility near the city of Qom. If there was any doubt that Iran was trying to build nuclear weapons, this revelation dispelled any shred of that doubt.

The facility, kept secret from the International Atomic Energy Agency, was built deep in a mountain on a protected military base. This is how a country conceals a nuclear weapons program and defies U.N. Security Council resolutions, not how it develops peaceful energy technologies.

Although Iran is a leading producer of crude oil, it has limited refining capability. This bill will increase leverage against Iran by penalizing companies that export refined petroleum products to Iran or finance Iran's domestic refining capabilities. It's my hope that the administration will apply these additional sanctions to make absolutely clear to the Ahmadinejad regime that the world will not accept its nuclear ambition.

The U.S. and our allies in the U.N. Security Council have recognized that a nuclear-armed Iran would be a danger to the Middle East, to our ally, Israel, and to the nuclear nonproliferation regime. A nuclear-armed Iran is simply

unacceptable, and we must support this sanction. To my colleagues who say that sanctions don't work, it only hurts the local population, the same argument, discredited argument, was made against South African sanctions. That worked. These sanctions will, too. Support the legislation.

□ 1615

Mr. BERMAN. Madam Speaker, I yield for the purpose of making a unanimous consent request to the gentleman who first introduced legislation on this subject, who I worked closely with, the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Madam Speaker, I thank the ranking member and the chairman for their guidance.

I rise in strong support of the legislation.

Mr. BERMAN. Madam Speaker, I now yield for the purpose of making a unanimous consent request to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Madam Speaker, I rise today in reluctant support of the Iran Refined Petroleum Sanctions Act, IRPSA.

President Obama has extended a hand to the Iranian government, offering a mutually beneficial deal that would severely limit Iran's ability to develop a nuclear weapon. This confidence building measure is intended to give us the space and time to reach a more comprehensive agreement that would seek to integrate Iran back into the international community as a responsible actor and to impose strong, verifiable safeguards to ensure that Iran cannot build a nuclear weapon. After agreeing in principle to an initial agreement to send Iran's enriched uranium to Russia, Iran has since backed away from it and even refused to provide the International Atomic Energy Agency a formal response to the proposal.

Because of the seriousness of the challenges we face, I reluctantly support the IRPSA. It sends the clear message that Iran can either work cooperatively and beneficially with the international community or it can choose further international isolation.

However, for sanctions to succeed, they must impose a cost on Iran's ruling regime. I am concerned that it is the Iranian people—rather than the Iranian regime—that will suffer the most under IRPSA. If we are able to limit Iran's ability to import refined petroleum, the Iranian government will simply deflect this cost onto the Iranian people, by eliminating petroleum subsidies and blaming the United States for the hardship such actions will cause the general public.

A democratic uprising against the Iranian regime is currently under way. I believe we need to stand with the Iranian people as they fight for their freedoms. The Iranian government by contrast has brutally oppressed peaceful demonstrators. For that reason, Congress and the Obama administration should work to craft sanctions that affect the leaders of Iran and

the IRGC. Only sanctions that hurt these decision makers will influence Iran's decision-making process.

While we must make the Iranian regime aware of our displeasure with their rejection of our positive advances, we must also provide a helping hand to Iranian citizens. That is why it is important for Congress, in addition to these punitive sanctions, to also provide assistance to the democracy movement in Iran by aiding their access to the internet, in order to provide the Iranian people unfettered access to information, free of government censorship. Congress should also take steps to increase the ability of non-governmental organizations in the U.S. to work with their counterparts in Iran, so that the Iranian people can benefit from better health services, educational opportunities, the promotion of equal rights, and the facilitation of people to people exchanges.

The Iranian people are among the most pro-American people in the Middle East. With passage of today's sanctions legislation, it is all the more important to reach out to, and around the Iranian government, to this pro-American society. This is the time to redouble our efforts to support the Iranian people and their courageous fight for democracy by increasing their access to information and communication both in country and internationally.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, sanctions, when fully enforced, weaken the oppressors and express support for the opposition. They send a clear message to the dissidents and those who are hungry for freedom that we stand with them. The refined petroleum sanctions bill will force the regime to use its resources to take care of the Iranian people, something that they have not done, instead of using its funding to develop nuclear weapons and the missiles to deliver them.

Support the Iranian people. Support peace and security. Support this bill.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 1 minute to the majority leader of the House, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the chairman for yielding. I want to thank the chairman, and I want to thank Congresswoman ROS-LEHTINEN for her leadership as well.

Madam Speaker, every Member of this Chamber understands the deep danger inherent in a nuclear Iran. That danger includes a new nuclear arms race as Iran's regional rivals scramble to build competing arsenals, plunging the Middle East into an ever-greater instability and the world into a new era of proliferation.

The danger includes as well a "nuclear umbrella" for groups like Hamas and Hezbollah, terrorist organizations who may take any advantage of their state sponsor's protection to stage more brazen and deadly attacks on Israel, certainly, but on all the rest of us as well.

And the danger includes on a more basic level a new era of fear for all

those in range of Iran's missiles, fear that could equal or surpass what we ourselves experienced during the worst days of the Cold War. And all of those consequences, Madam Speaker, will be felt even if Iran's missiles remain on the launch pad or if its nuclear weapons remain buried. Could we imagine those weapons being used? We would be foolish not to as long as those weapons are in the hands of a regime whose President denies the Holocaust, stokes hatred, and openly threatens its neighbors and the United States of America.

In the months since last summer's election, we have seen the character of the Iranian regime more clearly than ever. We have seen it in the dissent silenced, in opposition leaders threatened and jailed, in peaceful protesters beaten and shot for the crime of demanding that their votes be counted. We have seen a regime founded on violence and on violent disregard for the opinion of its people and the opinion of the world community.

Even so, our administration has, and I think correctly, in my view, pursued a policy of engagement with Tehran. That engagement reversed years of diplomatic silence that did little to slow Iran's growing nuclear program. It showed the world our patience and our commitment to addressing the common threat through diplomacy. And it gauged Tehran's honest willingness to resolve the crisis at the negotiating table. America's policy of engagement always came with a time limit, time for Tehran to negotiate in good faith or, as so many Members have said on this floor today, to show that it was only using talks as a cover for continuing enrichment of uranium.

Sadly, time is running short and there is still no diplomatic agreement. The enrichment continues and the threat grows. The past months have brought revelations of secret Iranian facilities, a lack of cooperation with the International Atomic Energy Agency, and a refusal to comply with Security Council demands to suspend enrichment.

Just today The Washington Post reported that "Iran has learned how to make virtually every bolt and switch in a nuclear weapon, according to assessments by U.N. nuclear officials, as well as Western and Middle Eastern intelligence analysts and weapons experts." That language is in the paper today. That is why this is the right time to bring strong economic pressure to bear on the Iranian regime.

None of us want military conflict. Economic sanctions are not as effective as we would like them to be. But we just recently heard from a leader, the Chancellor of Germany, that a nuclear armed Iran was unacceptable. Angela Merkel spoke from this rostrum. This is not only a perception of the United States; it's a perception also of those who live in Europe, even more proximate to the nuclear threat that would be caused by Iran armed with nuclear weapons.

The bill was designed by Chairman BERMAN and his committee to target Iran's economy at one of its weakest points by penalizing companies that help Iran import or produce refined petroleum products. Even though it is an oil producer, Iran imports a great deal of the refined petroleum that powers its economy.

So these sanctions that are proposed will increase the high cost of Iran's self-imposed isolation from the international community. They are also a proportional response because they're exclusively tied to Iran's nuclear program. We should never take sanctions like these lightly.

Even as we stand with the protesters facing down repression at the hands of their own government, we understand that these sanctions will affect the lives of many ordinary Iranians for the worse. But we know that economic pressure has worked before to alter the behavior of outlaw regimes, especially when such pressure is widely supported by the international community, as certainly we must hope these sanctions are. We know that these sanctions are our best tool against the nuclear proliferation that risks the security of millions in the Middle East. And let me say that we have 250,000 or more Americans within range of Iranian missiles.

We know that Tehran can choose at any point to negotiate in good faith, abandon its aggressive nuclear pursuit, and rejoin the community of nations. We shouldn't hope for a change of heart from that regime, but we can hope for a change of behavior: a cold understanding that as long as Iran builds the capacity to catastrophically attack its neighbors, its economy will suffer deeply. These sanctions have the power to force that choice.

I therefore urge my colleagues to adopt this resolution. It is time. It is time to do more than talk. We are willing to talk. We want to talk. But talk without action is not acceptable. Let us pass this resolution, support the administration in moving ahead with the international community on imposing sanctions that will make not only the Middle East but the international community safer.

I thank the gentleman for the time.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 1 minute to the gentleman from Florida (Mr. KLEIN), vice chairman of the Subcommittee on the Middle East and South Asia of the House Foreign Affairs Committee.

Mr. KLEIN of Florida. I thank the gentleman for yielding.

Madam Speaker, I rise today to support the Iran Refined Petroleum Sanctions Act.

It is deeply disappointing that the Iranian government continues to choose to isolate itself. The Iranian government has chosen its clandestine nuclear program and its support for global terrorism over joining the community of nations in allowing its economy to thrive.

That is why I worked to include an important provision in today's legisla-

tion that requires companies applying for contracts with the United States Government to affirmatively certify that they do not conduct business with Iran.

The legislation gives companies a single choice: do business with the United States or do business with Iran. We cannot allow the U.S. Government to be a financial crutch of this rogue regime, not on our watch and not on our dime. And with the passage of this legislation, Iranian businesses will have a choice as well: support a regime that chooses economic isolation or work to change the behavior of the Iranian government.

I urge my colleagues to support this legislation.

Mr. KUCINICH. Madam Speaker, I yield myself 1 minute.

One of my colleagues cited The Washington Post, but if you read The Post article, they couldn't authenticate where the information came from. So after a while it has the ring of uranium from Niger.

We have to be careful that this sanctions debate doesn't put us on the path of a military escalation. We have to think why is the Obama administration, as has been quoted several times in this debate, expressing concern about this legislation, that this legislation might weaken, rather than strengthen, international unity and support for our efforts, that there are serious substantive concerns, the lack of flexibility that this would put on our President in his negotiations?

I submit for the RECORD Mohamed ElBaradei's September 9 comments as Director General about the Iran situation.

We've got to be careful that we're not making a situation worse and we're not giving our President the time that he says he needs for diplomacy.

SUMMARY OF THE DIRECTOR GENERAL'S COMMENTS MADE AT THE END OF THE BOARD OF GOVERNORS' DISCUSSION ON AGENDA ITEM 6(d)

("Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran")

Vienna, September 9, 2009.

Thank you, Chairperson.

A few comments on the debate this morning and on what has been transpiring over the past few days. Clearly, we all need to break the logjam. Merely giving speeches here is not going to do that. We have to put our heads together. There is stalemate, as I have said. Iran has made some positive progress and I recognize that. It was partly, I hope, as a result of my private and public appeal to them to move in a positive direction. That is the only way to move.

I don't think that talking about formalities—whether the work plan has been fully implemented or not, how we should write our reports, or whether to have an annex, or whether something is routine or not routine—that is not the issue. The issue is to clarify the substance and to make sure that all outstanding issues are dealt with. It has been six years and I don't want this to continue, as in the case of the DPRK, for 17 years. One lesson I learned from the DPRK is

that it is only through dialogue that you can move forward. There is no other way.

There is a positive development. Iran has agreed to our visiting the heavy water reactor and to strengthen verification in Natanz. These are all positive. But there is a lot more Iran can do. As Ambassador Soltanieh knows, I put a lot of premium on the Additional Protocol. I know it is not considered legally binding. But for us at the Secretariat, as we have repeatedly said, the Protocol is key for us to build confidence, not only about declared activities, but also about undeclared activities. And you (Iran) have implemented the Protocol before. I know Iran can do it again. I know you have been reacting to others, but frankly, you are not penalizing others, you are penalizing yourself. The Protocol will help us to move forward with the process.

Iran implemented the Code (3.1), before. I don't see any impediment to Iran doing it again.

There are a number of checkable facts, such as procurements by military establishments, and production by military establishments. These are issues, as Iran has said before, that Iran can help work with us to clarify. I hope you will do that because we need, both of us, to work together in a constructive, positive direction.

Coming to the alleged studies: they are alleged because the whole question is not really about assessment or analysis, it is about the accuracy and authenticity of the information about the alleged studies. That it is the 64,000 dollar question, frankly, and that is where we are stuck. We have limited ability to authenticate the allegations. It is one word against another. When we deal with nuclear material, we are very comfortable; we know the litmus test. We do measurements, we do environmental sampling. When it comes to paperwork, that is quite different for us because we have very limited tools.

We need Iran to help us to clarify these issues. We have said that we are not in a position to say these allegations are real, but we have serious concerns, because of what we've described—the detail, the different sources. We need to work with you to clarify these issues. I would be the first one to want to bring this issue to closure. I would hope that you would work with us and try to help us.

I would also hope that the suppliers of the information would help us by providing us the authority to share with you as much information as possible.

People talk about assessments. I am not a scientist, but I can tell you this: if this information is real, there is a high probability that nuclear weaponization activities have taken place. But I should underline "if" three times.

With nuclear material, we can give you full assurance. With certain documentation, it is quite difficult unless one side or the other will help us to establish the facts. However, there are other issues like procurement, like manufactures, where Iran can work with us. These are checkable facts and we need simply to clarify them.

We have in our reports always tried not to understate the facts and not to overstate the facts. We have serious concerns, but we are not in a state of panic because we have not seen diversion of nuclear material, we have not seen components of nuclear weapons.

We do not have any information to that effect. But I need the Protocol in order to be on more solid ground to make such a statement. That is why I say a Protocol is absolutely essential for us to verify the absence of undeclared activities.

When I hear Ambassador Davies and Ambassador Soltanieh, I don't see where the problem is. The U.S. is making an offer without preconditions on the basis of mutual respect. Ambassador Soltanieh said they are

ready to have a comprehensive dialogue. The offer by the U.S. is an offer that should not and cannot be refused, because it has no conditions attached. I hope your response to that is positive. We can spend days and nights talking about the issues, but unless we talk to each other and not at each other, we will not move forward. Dialogue is key. The Agency can provide some confidence, but there are many other issues that need to be addressed in a comprehensive manner and there have been a lot of opportunities lost over the past six years. We should not lose any more opportunities.

Finally, I will talk about this issue which has come to the media about withholding information. I mentioned that in my opening speech. Obviously, people are trying to undermine the Agency, but they are really undermining an institution that is absolutely essential to the maintenance of international peace and security. All the information we got came from people sitting in this room. If anybody has any information that we have not shared, that has passed muster, that has been critically assessed in accordance with our practice, please step forward today. Otherwise, as a preacher would say, "You should forever hold your peace."

This is where we are. If you have information, please step forward. We have no more information. The assessment is in our report. As I said, if this information on alleged studies is true, the likelihood is high that military activities have taken place in Iran. But, that hinges on the word "if," which is where we are stuck right now.

As for the idea that we did not share all the information and that we only gave information in a briefing—I can't for the life of me understand how we can share information in a briefing with 150 Member States and at the same time be told that we have not shared information. That briefing is open to all Member States, every single one. But the briefing is simply to explain the report. It had nothing different from what is in the report.

We went through this, I'm sorry to say, during the time of Iraq, when the Agency went exactly through that—hype, fabrication. And then it took a war based on fiction and not fact, a war President Obama called euphemistically "a war of choice". It took a war and hundreds of thousands of people dying for the Agency to become stronger and more credible because we were sticking to the facts. I don't want to go through that process again; you do not want to go through that process again.

So let us all work together on the basis of diplomacy, on the basis of facts to be able to resolve the issues as early as possible.

MOHAMED ELBARADEI,  
*Director General.*

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to a very patient member of the Committee on Homeland Security, the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Madam Speaker, today we will impose sanctions. We will sanction with this legislation or we will sanction the unacceptable status quo, to which I say not on my watch.

Let history record that even if I could not do enough, I did do all that I could. I support sanctions to avert a tyrant from acquiring nuclear weapons of mass destruction capable of creating an inferno unlike that which even the mind of Dante could imagine. To act later may be to act too late.

I rise in support of the Iran Refined Petroleum Sanctions Act (H.R. 2194). This legisla-

tion will restrict refined petroleum imports to Iran by strengthening the President's authority to impose sanctions on companies that provide refined petroleum or help Iran maintain or expand its domestic refining capabilities.

While Iran is one of the largest producers of crude oil, it lacks adequate refining capability to meet its own domestic needs for gasoline and is forced to import 25 to 40 percent of its refined petroleum needs.

This legislation will prevent Iran from importing the gasoline it needs as a way to put pressure on the Iranian government to suspend its uranium enrichment program.

For over a decade, the United States has played a central role in diplomatic, political and economic efforts within the international community to deter Iran from gaining nuclear weapons capabilities.

H.R. 2194 continues those efforts and is particularly important in light of recent intelligence indicating that Iran continues to advance its nuclear program.

The latest International Atomic Energy Agency, IAEA, resolution adopted by the Board of Governors on November 27, 2009, notes with serious concern how Iran has constructed an enrichment facility at Qom in breach of its obligation to suspend all uranium enrichment related activities.

Many experts believe that with further processing of low-enriched uranium, Iran could have the capability to produce a nuclear weapon by the end of this year, reinforcing the sense of urgency to address this threat.

A nuclear-armed Iran would lead to a nuclear arms race and increase the likelihood that such weapons might actually be used against the United States and our allies.

As such, it is a threat not only to the Middle East, but to the entire world.

I urge my colleagues to support this legislation and hope that it will be an effective step towards preventing such a threat.

□ 1630

The SPEAKER pro tempore. The gentleman from Ohio has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. KUCINICH. I will use the balance of my time.

Madam Speaker, this is starting to sound like the debate over Iraq.

My concerns are that this resolution is opposed to our national security, that it undermines diplomatic initiatives, that it creates a gas shortage in Iran which, in a sense, the regime would blame on the United States. It will benefit the Revolutionary Guard in its effort to gain profit off of a black market. It will throw the energy politics of the world into chaos with Russia, Venezuela and our European allies all coming in to play. It will undermine our diplomacy. It will isolate us from our allies. It will isolate us from trading partners. It will undercut international energy companies which try to work with the United States in back channels in diplomacy. It will undermine democracy efforts in Iran, and it will strengthen the hardliners. It will make U.S. presence in Iraq, Afghanistan, and Pakistan more dangerous for our troops.

This sanctions resolution is, unfortunately, a path towards military escalation. As such, it should be defeated.

I yield back the balance of my time.

Mr. BERMAN. I yield myself the remaining time.

Madam Speaker, I have heard, I guess, three reasons put forth about why people should not support this legislation.

The first is some hint of a belief that Iran is not pursuing a nuclear weapons capability. Our report lists activity after activity that Iran has undertaken to hide its activities from the IAEA to build enrichment facilities that have no purpose in the uranium enrichment program and to talk about neutron triggers, which only have one purpose, which is to detonate a nuclear weapon. It is a country that has been offered by Russia, with the support of the P5, a chance for a nuclear energy program, and it has spurned all of those offers to pursue this. To me, there can be no serious doubt about that.

The second argument is that they get a nuclear weapon, and we can contain them. For the reasons I gave in the beginning and because I believe it totally destroys the nonproliferation regime, containment is not the right policy.

The third argument is that these sanctions are going to hurt the Iranian people. Well, I was here in 1986 when we took up a prohibition on any new investment, not investment in the energy sector, but any new investment in the apartheid regime of South Africa.

What was the argument against it? Banning new investment, curtailing economic growth, hurting the majority of the population in South Africa. Don't do it. Don't wreak havoc on the poor people.

We did not listen to that argument. We enacted those new sanctions. Europe soon followed in banning new investment. The South African business community went to the regime in South Africa and pointed out the economic devastation they faced if they continued with their apartheid policies.

It is ludicrous to think that the people who are risking their lives and their liberty and their limbs and who are doing everything they can to express their opposition to this regime in Iran are going to turn into a unifying force behind that regime because the price of oil gets higher. We are working with them to weaken that regime and to stop this nuclear weapons program.

Ms. LEE of California. Madam Speaker, as one who has worked for nuclear disarmament and nonproliferation efforts throughout my life, I share my colleagues concern regarding the prospect of a nuclear armed Iran.

I strongly believe Congress must support the Administration's diplomatic efforts and provide tools to help that diplomacy succeed in curbing Iran's belligerent and deceptive activities as related to their nuclear program, as well as put an end to the unjust and inhumane tactics used by the Iranian government to suppress democratic dissent amongst their own people.

I have serious concerns regarding Iran's violation of its obligations under the Nuclear Non-Proliferation Treaty, NPT.

I believe strongly that the international community must work in a united collaboration to compel Iran to renounce and cease all activities that are in violation of the NPT, and submit fully to the international inspection regime.

Let me also be clear that I strongly oppose the use of military force and while sanctions, particularly, with international support, can be utilized effectively if designed appropriately and in the right circumstances, they cannot be viewed as a checkmark on the path to war.

Madam Speaker, there certainly may come a time for additional unilateral sanctions against Iran and those that would do business with them.

Iran's recent rejection of international overtures and threats of expanding their nuclear enrichment program without allowing for improved transparency demand that Congress work with the administration to effectively increase pressure on Iran should multilateral diplomacy fail.

But let us do everything we can to support the Obama administration during this very critical juncture.

Iran's failure to-date to grasp this opportunity for engagement has opened the door to a multilateral sanctions regime that will be necessary to compel Iran to change course.

I have grave concerns that H.R. 2194, as currently written may jeopardize these efforts by:

Setting inefficient monetary thresholds and penalty levels

Risking unintended foreign policy consequences as a result of potential punitive measures against the very international partners from which we are seeking cooperation on this issue; and

Narrowing the President's waiver authority in a manner that may undermine the President's flexibility as he pursues a dual track of engagement coupled with increasingly unified international pressure.

Madam Speaker, after decades of levying unilateral measures against Iran with little effect, and in recognition of the essential support of our international partners, I cannot fully support moving forward with this bill in its current form.

In placing my vote today, I recognize that this bill is not in its final form-but in its current form it does not meet the test of efficacy for achieving our non-proliferation goals with respect to Iranian behavior.

It is my hope that changes to address these concerns will be reflected in the bill when it returns to the House floor.

While we are not able to make changes to this legislation here today, I plan to work with, and in support of Chairman BERMAN and the Administration, to ensure any sanctions package ultimately signed into law most effectively serves U.S. interests in preventing a nuclear armed Iran.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009. This legislation provides another tool for the President to prevent Iran from developing nuclear weapons by allowing the administration to sanction foreign firms who attempt to supply refined gasoline to Iran or provide them with the materials to enhance their oil refineries. These sanctions would further restrict the government of Iran's ability to procure refined petroleum. Currently, the availability of petroleum products is stagnant in Iran. Private firms have

decided that the government of Iran's refusal to cooperate with the multilateral community on nuclear proliferation generates a significant risk to doing business with Iran.

I would like to thank Chairman BERMAN, for incorporating my concerns about the human rights situation in Iran into the findings of this legislation. It is important that we acknowledge that, throughout 2009, the government of Iran has persistently violated the rights of its citizens. The government of Iran's most overt display of disregard for human rights happened in the Presidential elections on June 12, 2009. As I said on June 19, 2009, "we must condemn Iran for the absence of fair and free Presidential elections and urge Iran to provide its people with the opportunity to engage in a Democratic election process." The repression and murder, arbitrary arrests, and show trials of peaceful dissidents in the wake of the elections were a sad reminder of the government of Iran's long history of human rights violations. The latest violations were the most recent iteration of the government of Iran's wanton suppression of the freedom of expression.

It is important that we are clear that our concerns are with the government of Iran and not its people. The State Department's Human Rights Report on Iran provides a bleak picture of life in Iran. The government of Iran, through its denial of the democratic process and repression of dissent has prevented the people from determining their own future. Moreover, it is the government of Iran that persecutes its ethnic minorities and denies the free expression of religion. As we proceed with consideration of this legislation, we should all remember that the sole target of these sanctions is the Iranian government.

Madam Speaker, the government of Iran has repeatedly shown its disdain for the international community by disregarding international nonproliferation agreements. Iran's flagrant violation of nonproliferation agreements was evidenced most recently in the discovery of the secret enrichment facility at Qom. The government of Iran's continued threats against Israel, opposition to the Middle East peace process, and support of international terrorist organizations further demonstrate the necessity for action.

Iran's recent actions towards the international community reflect a very small measure of progress. Iran's decision to allow International Atomic Energy Agency, IAEA, inspectors to visit this facility was a positive sign, but not a sufficient indication of their willingness to comply with international agreements. The recent announcement that Iran will accept a nuclear fuel deal is also indicative of their willingness to engage in dialogue, though it remains to be seen what amendments that they will seek to the deal. While these actions indicate a small degree of improvement in Iran's position, the legislation before us today demonstrates that only continued dialogue and positive actions will soften the international community's stance towards Iran.

I would also like to emphasize that the legislation before us provides only one tool for achieving Iran's compliance with international nonproliferation agreements. I continue to support the Administration's policy of engagement with Iran and use of diplomatic talks. I believe that diplomacy and multilateralism are the most valuable tools we have to create change in Iran. After those tools fail, I believe that the sanctions are an appropriate recourse.

Mr. PAULSEN. Madam Speaker, I rise today in strong support of H.R. 2194, the Iran Refined Petroleum Sanctions Act.

A few months ago, a second nuclear enrichment site was discovered in Iran. The Iranian regime had withheld the disclosure of this facility from the International Atomic Energy Agency for quite some time—yet another violation of Iran's obligations under the Nuclear Nonproliferation Treaty. Furthermore, this second facility will allow Iran to produce more enriched uranium and at an even faster rate.

There is no doubt that a nuclear Iran poses a dangerous threat to the United States and its allies throughout the Middle East and across the entire globe. We cannot allow the Iranian regime to continue threatening its neighbors and thumbing its nose at the world. And we certainly cannot let a regime that has threatened to wipe Israel off the map even come close to obtaining a nuclear weapon.

Madam Speaker, the Iran problem is getting worse, not better. It is time we take action.

Currently, Iran relies on foreign suppliers for 40 percent of its refined petroleum. The legislation before us would sanction foreign companies that sell refined petroleum to Iran, or help Iran with its own domestic refining capacity, by depriving those companies of access to the U.S. market. This will help put needed pressure on Iran to suspend its program and allow for verification of that action.

Time and time again, Iran has been given the opportunity to prove they are not pursuing nuclear weapons and each time they have failed to do so. It is time for the U.S. to take action and send a message that the world will not sit idly by as tyrants in Iran buy time to enrich uranium and ultimately amass a nuclear weapon.

Madam Speaker, I would be remiss if I did not mention the brave Iranian people who are peacefully going to the streets to protest the actions of the current regime. It is not only for our own security but also for these people—the students and dissidents who desire a better future for their nation—that this legislation should be passed.

The status quo when it comes to Iran is no longer a viable option. This bill offers a peaceful, significant course of action that will set the world on a safer course when it comes to Iran. I urge adoption of this important legislation.

Mr. JOHNSON of Georgia. Madam Speaker, nuclear weapons are a plague.

If we are to control their spread, international law must mean something. Words must be supported by action.

In recent months, the United States and our allies have engaged in vigorous multilateral diplomacy in an attempt to break through an impasse with Iran over its nuclear program.

Rather than engaging in good-faith diplomacy, Iran has stalled and played games.

So today we must authorize President Obama to impose sanctions on Iran's petroleum sector. Iran's leaders must understand that life will become more difficult every day they defy the lawful will of the international community. I urge the President to use this authority carefully, patiently, and effectively.

I commend Chairman BERMAN for his diligence and determination in bringing this legislation through Committee and to the floor. I am also proud to have a small claim of co-authorship. I contributed language that highlights Iran's construction of a secret uranium enrichment facility at Qom and demands that Iran

disclose any additional covert enrichment facilities.

Iran's acquisition of nuclear weapons will beget similar programs by Iran's neighbors. A nuclearized Middle East is bad for international security, bad for the global economy, bad for the United States and bad for our allies.

Nuclear weapons are a plague. Here we must draw a red line and stop their spread.

Mr. OLSON. Madam Speaker, I rise in strong support of the Iran Refined Petroleum Sanctions Act.

The threat from Iran is real. Just last month, the IAEA censured Iran for its secret nuclear facility. In response, Iran vowed to no longer cooperate with the IAEA and, soon after, announced their plans for 10 additional nuclear enrichment sites. Iran is also the leading state sponsor of terrorism and is supporting extremist organizations in the Middle East and beyond.

It is time for this Congress to say "enough is enough." This legislation sends a clear message: foreign entities selling petroleum to Iran will pay a price and will not enjoy the benefits of having the United States as a customer.

I commend Mr. BERMAN for this fine piece of legislation and urge my colleagues to support H.R. 2194.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I am a strong supporter of H.R. 2194, the Iran Refined Petroleum Sanctions Act. I believe Iran remains the number one national security concern for the international community. Iran's continued pursuit of nuclear capabilities is extremely concerning and remains a serious threat to the United States of America and the entire world. Iran's refusal to respond to the United States' diplomatic engagement is especially disconcerting. I'd like to thank Chairman BERMAN for his willingness to add language to this legislation at my request, highlighting Iran's unwillingness to cooperate with the international community and the government's insistence on rejecting the United States' efforts at engagement.

When Iran's secret nuclear facility was revealed in September, my colleagues and I demanded that the Government of Iran immediately disclose the existence of any additional nuclear-related facilities, and provide open-access to its Qom enrichment facility. The Obama Administration set a deadline for Iran to open the facility for inspection. However, Iran did not meet this deadline. Iran was also required to ship its low-enriched uranium stockpile to Russia and France for conversion. Yet again, Iran refused to accept this deal. Iran has systematically refused to live up to any of its promises of transparency and cooperation with the international community. Instead, Iran decided to act against our efforts at engagement by announcing that it would enrich its own uranium to 20 percent, and that it would build 10 new enrichment plants for purportedly civilian purposes.

These actions are unacceptable and the U.S. House of Representatives must ensure that our country is not investing in companies and institutions that enhance Iran's petroleum resources, which may be used to fund their nuclear ambitions and terrorist groups. However, I also believe the international community must come together to help neutralize the threat Iran poses to the rest of the world. All states must take responsibility for maintaining

peace and security in the region through multilateral sanctions and efforts to force Iran to denuclearize. In order to be successful, I believe these efforts must be international in scope.

The passage of H.R. 2194 is an important step towards continuing to show Iran that we will not stand by idly while they continue to threaten the peace and security of the rest of the world. I regret that I am unavoidably detained in California. However, as a cosponsor and strong supporter of H.R. 2194, I would have voted "aye" on this critical legislation.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009, aimed at checking the government of Iran's clandestine effort to acquire a nuclear weapons capability.

That effort is particularly troublesome given the country's ongoing support of international terrorism and its programs to develop ballistic missiles. An Iranian regime armed with nuclear weapons and the systems to deliver them, and no compunction about targeting innocents, will present a grave security threat to the United States, the Middle East and the entire globe. And make no mistake: Iran has global ambitions, now encompassing the Pacific Islands. Last year, for example, Iran provided a \$200,000 scholarship fund to the Solomon Islands for students living there to study medicine in Cuba. This year, the Solomons voted in favor of a U.N. resolution regarding the seriously-flawed Goldstone Report on the Gaza conflict.

Meanwhile, today's Washington Post reports that Iran's indigenous scientific and technical capabilities appear to have put Teheran on the threshold of becoming a nuclear weapons state. And as Secretary of State Hillary Rodham Clinton noted yesterday, diplomatic engagement with Iran over its nuclear activities, "has produced very little in terms of any kind of a positive response from the Iranians."

H.R. 2194, sponsored by the Chairman of the House Foreign Affairs Committee, the distinguished gentleman from California, Mr. BERMAN, provides the Administration one more instrument for its diplomatic tool kit: explicit authority to impose additional sanctions on the Iranian regime if it fails to abandon its quest for nuclear weapons.

While I hope that the President will not have to exercise that authority, I believe having it available will increase his diplomatic leverage. It is time for the government of Iran to heed the call of the international community and abandon its nuclear ambitions. I ask my colleagues in the House to reinforce that call by supporting H.R. 2194.

Mr. CAMP. Madam Speaker, I rise in support of H.R. 2194.

I am deeply concerned that Iran continues to pursue nuclear capabilities in defiance of the international community. The Iranian leader's abhorrent statements against America and Israel are outrageous.

Both current and previous Administrations view Iran as a profound threat to U.S. national security interests, a view that reflects my position as well.

We must address the situation. I have continually supported efforts to give U.S. Presidents the tools and capabilities needed to prevent Iran from acquiring nuclear weapons, and I continue to do so today.

I wholeheartedly agree with the goal of H.R. 2194. I believe we need to expand sanctions

to refined petroleum resources to prevent Iran's nuclear proliferation. However, while domestic sanctions are critical, it is also important that our allies participate in an international coalition so that combating Iran's nuclear proliferation is a multilateral effort.

This bill, like other Iran sanctions bills that have preceded it in this chamber, was referred to the Ways & Means Committee. Usually on Iran bills, Foreign Affairs and Ways & Means discuss and agree jointly on the provisions in the bill that fall within the jurisdiction of my Committee. These conversations have always been very productive in the past. This process provides the best possible outcome, because it respects the strength and thrust of the bill, as well as positions the legislation to give our Administration the best chance at continuing to cultivate and maintain international multilateral pressure.

We are still in the midst of that process for the bill now under consideration, and the bill we are voting on reflects the starting point of that process, not the end result. The aspects of the bill within the jurisdiction of Ways & Means that the two Committees are still discussing include the bill's provisions addressing the President's waiver authority, the structure and content of the additional mandatory sanctions, and certain definitions.

Although we have not completed our discussions, I can nevertheless offer my full support to this bill because of the Foreign Affairs Chairman's commitment to continue working with the Ways & Means Committee on these outstanding issues.

In light of that commitment, it is my expectation that bona fide, good-faith discussions between Ways & Means and Foreign Affairs will continue as this legislation proceeds in the legislative process.

Mrs. MILLER of Michigan. Madam Speaker, I rise today in strong support of H.R. 2194—Iran Refined Petroleum Sanctions Act.

This bill requires the President to impose sanctions on any entity that provides Iran with refined petroleum resources, or engages in activity that could contribute to Iran's ability to import such resources.

Because Iran lacks sufficient domestic petroleum refining capability, a restriction of gasoline deliveries to Iran will become a painful sanction designed to bring Iran's leaders into compliance with their commitments under the Nuclear Non-Proliferation Treaty.

The government of Iran must verifiably suspend, and dismantle its weapons-applicable nuclear program and stop all uranium enrichment activities.

There can be no doubt that Iran poses a significant threat to the United States and our allies in the Middle East and elsewhere. Iran is proceeding with an aggressive nuclear weapons program, despite its claim that the Iranian nuclear program is for peaceful uses.

Preventing Iran from acquiring nuclear weapons and ending its support for international terrorism are vital United States national security interests.

We know that Iran has engaged in stonewalling, deception and deceit when it comes to its nuclear program. Several weeks ago, a secret uranium enrichment facility near the city of Qom was revealed—a facility the Iranians failed to disclose to the International Atomic Energy Agency.

Yesterday, British intelligence revealed that it has discovered documents which indicate

that Iran has been testing nuclear bomb triggers since at least 2007.

This Administration is engaged in some wishful thinking if they believe that the threat posed by Iran's nuclear weapons program can be negotiated away through engagement and concessions.

Mohammad El-Baradei, the former head of the IAEA said, "Investigations into military aspects of Iran's nuclear program had reached a "dead end."

We have tried negotiations and inspections to convince the Iranian regime to end its weapons program and we are getting no results.

So, the time has come to take decisive, concrete action and nothing less than overwhelming and crippling sanctions will compel Iran to end the pursuit of nuclear weapons.

This bill provides a powerful stick to force the Iranians to end its illicit nuclear weapons program.

I urge my colleges to support this bill.

Mr. LIPINSKI. Madam Speaker, I rise today in strong support of H.R. 2194, the Iran Refined Petroleum Sanctions Act. I am proud to be a cosponsor of this important bill, and urge my colleagues in the House, as well as the Senate, to enact this legislation into law without delay.

Iran has for decades presented a serious threat to the security of the United States, our allies, the region, and the international community. Its support for terrorism and other belligerent activities has been a particular challenge to the security of Israel and the entire Middle East. Iran's more recent efforts to develop nuclear weapons elevate these security threats, and must be resisted by all the diplomatic and security institutions of the United States. Furthermore, the reports this week that Iran is pursuing technology specific to nuclear weapons should remove any doubts about Iran's intentions with regard to uranium enrichment, and make clear to me that we must contain this threat immediately.

The Iran Refined Petroleum Sanctions Act will provide the United States with a new lever against the Iranian regime in order to deter its dangerous behavior. Specifically, this bill would allow the President to impose sanctions on any business or individual that makes an investment that contributes to Iran's ability to develop its petroleum resources or to import petroleum goods. Iran relies on its oil exports to derive income, and must also import 30–40 percent of its gasoline to meet its needs. Sanctions on petroleum development and the fuel needs of Iran will further cripple its economic development—focused primarily on the elite class that is closest to the regime, and help to increase the costs of its threatening activities. These far-reaching sanctions, capturing all those who provide a range of associated support to Iran's petroleum needs, will send an important message to the regime that its nuclear weapons ambitions are unacceptable, and that they will be met with serious consequences.

It is very important that Congress pass this bill quickly in order to provide the President the necessary options and legal remedies to deter Iran. There is a point of no-return with nuclear weapons development, and we must engage all available options to prevent Iran from developing those capabilities. Furthermore, as we have learned with Iran's support for terrorist groups like Hezbollah, should Iran

acquire nuclear weapon capabilities, it is all too likely that they will share their weapons and knowledge with any number of dangerous actors. Nuclear weapons proliferation, particularly to non-state actors and those who pose the greatest threats to the security of America, Israel, and other allies, must be stopped at all costs.

At the same time, it is vital that we seek the support of the international community to pressure Iran to stop its nuclear weapons pursuit. We must work with our allies in Europe, as well as with China, Russia, and others to address the threat that a nuclear-armed Iran presents to the world. But international efforts should not be an alternative to the United States pursuing the strongest sanctions options possible against Iran.

It will be very important in the upcoming year that we continue to proceed with both U.S. sanctions, and also international diplomatic efforts and sanctions to prevent Iran from proceeding with its dangerous and insular nuclear weapons ambitions. Iran must not be allowed to become a nuclear weapons state, and we must pursue all available options to prevent that from occurring. It is essential to that goal that we pass the Iran Refined Petroleum Sanctions Act.

Mr. MACK. Madam Speaker, today I rise in strong support of the Iran Refined Petroleum Sanctions Act of 2009 (H.R. 2194). I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their leadership and work to bring this legislation to the floor. I would especially like to thank them for working with me to ensure that language related to Venezuela and Iran was included.

Madam Speaker, Iran is not wasting any time in its pursuit of nuclear weapons, and this body must also not waste any time in making sure that this bill becomes law.

Today in the Western Hemisphere, Iran and its proxies, such as Hezbollah, are working hard to promote acts of terrorism.

Iran is also working diligently across the Western Hemisphere to acquire uranium. This would, of course, not be possible without the help of Venezuelan leader Hugo Chavez.

Madam Speaker, my subcommittee held a hearing in which we addressed Iran's rising influence in the Western Hemisphere. All experts point to Venezuela when it comes to Iran's threat in our region.

Hugo Chavez has not only facilitated Iran's influence, but is a co-conspirator with Iranian leader Mahmoud Ahmadinejad in both evading sanctions and procuring nuclear technology.

This bill targets Iran. And we should target Iran. But we must also be mindful of who is helping Iran avoid sanctions and who is helping Iran achieve its ultimate goals.

This bill rightfully adds the sale of gasoline to the list of sanctions for Iran. It should come as no surprise to this body that just a few months ago, Chavez and Ahmadinejad signed a deal that allows Venezuela to sell 20,000 barrels of gasoline each day to Iran.

Chavez's actions clearly undermine our efforts and bolster Ahmadinejad's ability to acquire a nuclear weapon. We in Congress must not stand for it. We must stem Ahmadinejad's growing influence in Latin America, and we can start by passing this important legislation.

I urge my colleagues to support the Iran Refined Petroleum Sanctions Act.

Mr. ROONEY. Madam Speaker, I rise today in strong support of H.R. 2194, the Iran Petro-

leum Sanctions Act. Not only has Iran repeatedly refused to engage in international diplomatic efforts to halt their ongoing nuclear program, it is resolute in its plans to expand it. Just today, Israel's Military Intelligence Chief Major General Amos Yadlin stated that Iran has enough nuclear material for a warhead and is close to being able to build one. This announcement reinforces the urgency of strengthening the United States economic sanctions against Iran.

The United States must defend the security of Israel and the Middle East, as well as our citizens here at home from Iran's dangerous threats. This bill sends a clear message that the United States takes Iran's actions and threats seriously and that we will not sit idly by. I urge my colleagues to vote in favor of this critical legislation and I am thankful it has finally been brought before the House for consideration.

Mr. PENCE. Madam Speaker, I rise in support of H.R. 2194, the Iran Refined Petroleum Sanctions Act, and I commend the chairman and ranking member of the House Foreign Affairs Committee for their leadership in bringing this legislation to the floor.

In June of this year, it was a great privilege for me to partner with Chairman BERMAN in bringing a bipartisan resolution to the floor of the House that expressed the American people's solidarity with dissidents in Iran and condemned the violence taking place there. That resolution was met with overwhelming support. So should this Iran sanctions legislation.

Iran has deceived the world community time and again, and any assurance that their nuclear program is peaceful should be seen for what it is, just another lie. Iran's support for terrorism and pursuit of weapons of mass destruction have long threatened global peace and security. It is time to impose meaningful sanctions on the Iranian government, and send a strong signal that these dangerous acts will not stand.

President Obama promised during his campaign that he would extend an open hand to Iran and has expended precious time and resources towards that goal. However, the international community and this country have talked long enough about Iran's nuclear ambitions; it is time for deeds.

I urge my colleagues to come together in a bipartisan way to support this important legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, today I will vote against H.R. 2194, the Iran Refined Petroleum Sanctions Act. This legislation seeks to expand economic sanctions against Iran. I believe that the foundation of this act reflects a misguided and self-defeating approach to United States foreign policy. Economic sanctions will target the Iranian people not just the Iranian government. These sanctions seek to make the Iranian people miserable enough so they will pressure their government to change course. We have seen from the past Iranian Presidential elections that public pressure directed at the government has, and did not, work. We have seen from the past with countries, such as Cuba and Iraq, that these sanctions harm the people and not the ruling government. I believe that these economic sanctions take authority away from the President and States of Department by tying their hand from achieving a diplomatic national security strategy. Let me be clear, I do not approve of Iran's nuclear

program or of this government's human rights record. I believe that we must trust in our President and State Department to lead international pressures on Iran.

Madam Speaker, I have always promoted diplomacy, peace, and human rights. In 2001, I created "A World of Women for World Peace" to bring greater visibility to peacemaking and peace-building activities in communities around the world. I firmly believe that the burden of peacemaking, peace building, and nation building cannot be left to one institution, gender or political party. It must be a shared responsibility that encompasses all, regardless of race, class, gender and religion. If these sanctions are passed, they will block Americans and Iranians from working together promoting peace, nation building, and human rights.

Mr. PETERS. Madam Speaker, I rise today in strong support of the Iran Refined Petroleum Sanctions Act, legislation that I co-sponsored because of my concerns about the Iranian nuclear threat. We in Congress must act swiftly to make sure a nuclear Iran is never a reality.

I know how destabilizing a nuclear Iran would be to the region. While serving on duty with the U.S. Navy reserve in the United Arab Emirates, I could look out each day over the Straights of Hormuz. I could see the line of oil tankers waiting to transit the straights and I saw what a choke point that was for the world's economy. This year, I traveled to Israel, a trip which reinforced just how critical and grave the threat from Iran is to Israel's security and America's interests in the region.

Despite being a leading producer of crude oil, Iran cannot adequately meet its own needs for refined petroleum products. Enacting sanctions to restrict the imports of those products into Iran is important leverage we must have to ensure the security of the United States, Israel, and our allies around the world.

Passing tough sanctions today will show Iran, and the global community, that the United States will not stand idle as Iran attempts to amass a nuclear arsenal.

Madam Speaker, the threat is real and the time to act is now. I strongly urge passage.

Mr. McMAHON. Madam Speaker, the Iran Refined Petroleum Sanctions Act of 2009, an historic, bipartisan piece of legislation, smartly targets investment in Iran's hydrocarbon sector.

Outside of the oil and natural gas industry, Iran has practically no economy and any international company that chooses to invest and assist Iran in importing or producing refined petroleum, enables Iran to buy time as it masters the nuclear cycle. This perilous cat and mouse game, ultimately endangers the security of the U.S. Israel and the global community.

For those who question the effectiveness of stricter sanctions, I would point out the fact that already, due to U.S. pressure, at least 40 banks, including Deutsche Bank, UBS, Credit Suisse, and Commerzbank AG, have reduced business with Iran.

Yet, despite increased pressure from the international community and 5 UN Security Council Resolutions, Iran still refuses to suspend its enrichment program and has pledged to build even more enrichment facilities.

For this reason, H.R. 2194 is a necessary instrument in the tool box of international di-

plomacy that the United States can use to pressure Iran to engage in serious negotiations.

While I commend the Obama Administration for its willingness to engage with Iran and offer new solutions, I fear that their dialogue and discussion isn't being met with true partnership by the Iranian regime. The Iranian Government continues to drag their feet and refuse to commit to honest dialogue.

Madam Speaker, nuclear nonproliferation is a global responsibility.

Through my position on the House Committee on Foreign Affairs, I included a provision in this bill to the President to issue a timely report on the trade and sales of petroleum extraction equipment between Iran and members of the G20.

Sanctions by the United States alone will not put the pressure on the Iranian regime unless they are met with equal restrictions by our friends and allies.

I have devoted much of my efforts on the committee to promoting transatlantic relations and nonproliferation efforts, and I feel that there is no better way to engage with allies and foes alike than to promote a nuclear nonproliferation regime and ending Iran's nuclear ambitions once and for all.

This reporting requirement will allow the U.S. to weigh the efforts of the G20 members in the fight against nuclear proliferation and will ultimately further secure the United States, Israel and the global community.

I am confident that this measure will undoubtedly give the Administration the leverage that it needs to negotiate with the Ahmadinejad regime, but the United States will need the support of the international leaders in trade and the energy sector to wean Iran off its nuclear ambitions.

Ms. MOORE of Wisconsin. Madam Speaker, I am concerned about Iran's irresponsible violations both of its commitments under the Nuclear Nonproliferation Treaty, NPT, and its agreements which it signed with the International Atomic Energy Agency, IAEA.

I share my colleague's conviction to stop an Iranian regime headed by Ahmadinejad from getting nuclear weapons. However, I think we should do so without crippling the Iranian people (as is noted in this legislation towards whom the people of the United States have feelings of friendship and hold in the highest esteem) or crippling efforts to raise a unified and international response to Iran's continuing noncompliance.

While we all recognize that the intention of this act is not to punish the Iranian people, it does not escape me that the impact of these sanctions will result in more suffering for them nonetheless. Upon introducing this bill in April, the Chairman of the Foreign Affairs Committee noted his belief "that this measure could have a powerfully negative impact on the Iranian economy." For sanctions to be truly crippling to Iran, they have to "cripple" the people first.

At a time when the Iranian people have courageously challenged the mullahs and the rulers in Iran by taking to the streets after the elections and recently again this month, there is concern that this unilateral approach may end up benefitting, not hindering, the regime and sowing the anger of the Iranian people at the U.S., not the Iranian government.

Unilateral sanctions can have unintended consequences. In a recent Dear Colleague, it

was noted that "in two recent instances, Microsoft and Google each determined that they must deny instant messaging services to the Iranian people that were previously available, citing their duty to comply with U.S. sanctions." Apparently, this medium had become a popular way for protesters to get around increasing efforts by the Iranian government to monitor their communications. As a result, my colleagues warned that "Congress must act quickly to ensure that we are not unwittingly doing the repressive work of the Iranian government on its behalf."

The President is currently working with our international partners not only as part of a renewed diplomatic outreach effort but also to fashion a strong multilateral response if Iran continues to refuse to cooperate with the international community.

In testimony in October, the State Department told Congress that it believes it has "the authorities necessary to take strong action alone and together with our international partners, should they prove necessary" to squeeze off financing of Iran's nuclear weapons efforts.

For example, the Treasury Department can continue to use the authority that it has used for over three years now to blacklist Iranian banks and encourage international banks to avoid doing business with Iran.

As a result, since 2006, the U.S. has taken action against over 100 banks, government entities, companies, and people involved in Iran's support for terrorism and its proliferation activities including freezing assets and preventing U.S. persons, wherever located, from doing business with them.

Recently, the Department wrote to express its concerns about companion Senate legislation to the bill before us today warning that "during this crucial period of intense diplomacy to impose significant international pressure on Iran" it was concerned that such legislation, "in its current form, might weaken rather than strengthen international unity and support for" these efforts.

In this letter, the Administration appealed for a delay of that bill in order not to undermine "its diplomacy at this critical juncture."

Israeli officials have also made clear that broad-based international efforts, including for sanctions, are better than the unilateral approach before us today. Very recently, Israeli Defense Minister Ehud Barak noted that "There is a need for tough sanctions . . . Something that is well and coherently coordinated to include the Americans, the EU, the Chinese, the Russians, the Indians."

I also share the concerns that some have that the legislation before the House today will "disempower"—not empower—the President to bring this multinational coalition together by taking away or limiting his flexibility to use sanctions as necessary to assist diplomatic efforts. That's a very curious definition of "empowerment."

It's as curious as saying that it is in the U.S. national security interest and helps diplomacy to make it harder for the President—any President—to use and waive sanctions when he

thinks the timing best serves our efforts to put pressure on Iran.

The President's flexibility to conduct foreign relations and diplomatic efforts to achieve a strong international consensus against Iran is not a loophole that needs to be closed but a vital tool that needs to be supported. I am concerned that this bill as written would keep our allies from working with us to address the threat from Iran.

Earlier this year, Nicholas Burns, who served under the Administrations of George H.W. Bush, Bill Clinton, and as George W. Bush's top State Department negotiator in efforts to thwart Iran's nuclear program, testified in dealing with Iran, "My main recommendation for this committee and the Congress, however, is to permit the President maximum flexibility and maneuverability as he deals with an extraordinarily difficult and complex situation in Iran and in discussions with the international group of countries considering sanctions. It would be unwise to tie the President's hands in legislation when it is impossible to know how the situation will develop in the coming months."

An action taken against Iran—including sanctions—should have the broadest possible support in the international community. According to the Administration, "with wide international support, sanctions regimes can be enforced, pressure can be sustained, and Iran's leaders are less able to shift the blame from themselves to the U.S. for the pains caused by their behavior." Even the Senate version of this same legislation recognizes the limits of more U.S. only sanctions. In section 111 of S. 2799, it is noted that "in general, multilateral sanctions are more effective than unilateral sanctions at achieving desired results from countries such as Iran."

International pressure for Iran to act or to face more forceful international action is building, as evidenced by the recent IAEA vote condemning Iran for its Qom enrichment facilities.

All five veto-wielding members of the Security Council (China and Russia included) voted for that measure, which opens up the potential for another round of Security Council sanctions.

The progress in uniting the Security Council is attributable to President Obama's investment in diplomacy. If Congress moves forward with sanctions that target our allies, that unity may very well collapse.

Sanctions have a place. I am a cosponsor of H.R. 1327, the Iran Enabling Sanctions Act of 2009, which passed the House with my support by a vote of 414–6 on October 29th. There are even provisions of this legislation which are worthwhile and which I have supported in the past as stand-alone legislation (H.R. 957 in the 110th Congress) that make clear that current U.S. sanctions can be used against financial institutions, insurers, underwriters, guarantors, and any other business organizations, including foreign subsidiaries, that aid investment in Iran's energy sector.

However, the less united the international community is in applying pressure against Iran, the greater the risk our measures will not have the impact we seek. And given the gravity of the stakes at risk here, that would be truly regrettable.

As noted by Secretary of State Clinton just yesterday, "we have pursued, under President Obama's direction, a dual-track approach to

Iran. We have reached out. We have offered the opportunity to engage in meaningful, serious discussions with our Iranian counterparts . . . The second track of our dual-track strategy is to bring the international community together to stand in a united front against the Iranians."

I hope that as this legislation moves forward in the legislative process, further changes will be made to strengthen this bill in a way that will truly enhance, and not hobble, strong diplomatic efforts to diplomatically engage with Iran as well as to enact multilateral sanctions.

Mr. BERMAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 2194, 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.

Mr. BERMAN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### HOURLY MEETING ON TOMORROW

Mr. BERMAN. Madam Speaker, pursuant to clause 4 of rule XVI, I move that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The motion was agreed to.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 971, by the yeas and nays;

H.R. 2194, de novo;

H. Res. 150, de novo;

S. 1472, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### BREAST CANCER SCREENING GUIDELINES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 971, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs.

CAPPS) that the House suspend the rules and agree to the resolution, H. Res. 971.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 974]

YEAS—426

Abercrombie	Courtney	Hodes
Ackerman	Crenshaw	Hoekstra
Aderholt	Crowley	Holden
Adler (NJ)	Cuellar	Holt
Akin	Culberson	Honda
Alexander	Cummings	Hoyer
Altmire	Dahlkemper	Hunter
Andrews	Davis (AL)	Inglis
Arcuri	Davis (CA)	Islee
Austria	Davis (IL)	Israel
Baca	Davis (KY)	Issa
Bachmann	Davis (TN)	Jackson (IL)
Bachus	DeFazio	Jackson-Lee
Baird	DeGette	(TX)
Baldwin	Delahunt	Jenkins
Barrow	DeLauro	Johnson (GA)
Bartlett	Dent	Johnson (IL)
Barton (TX)	Diaz-Balart, L.	Johnson, E. B.
Bean	Diaz-Balart, M.	Johnson, Sam
Becerra	Dicks	Jones
Berkley	Dingell	Jordan (OH)
Berman	Doggett	Kagen
Berry	Donnelly (IN)	Kanjorski
Biggert	Doyle	Kaptur
Bilbray	Dreier	Kennedy
Bilirakis	Driehaus	Kildee
Bishop (GA)	Duncan	Kilpatrick (MD)
Bishop (NY)	Edwards (MD)	Kilroy
Blackburn	Edwards (TX)	Kind
Blumenauer	Ehlers	King (IA)
Blunt	Ellison	King (NY)
Boccieri	Ellsworth	Kingston
Boehner	Emerson	Kirk
Bonner	Engel	Kirkpatrick (AZ)
Bono Mack	Eshoo	Kissell
Boozman	Etheridge	Klein (FL)
Boren	Fallin	Kline (MN)
Boswell	Farr	Kosmas
Boucher	Fattah	Kratovil
Boustany	Filner	Kucinich
Boyd	Flake	Lamborn
Brady (PA)	Fleming	Lance
Brady (TX)	Forbes	Langevin
Bralley (IA)	Fortenberry	Larsen (WA)
Bright	Foster	Larson (CT)
Broun (GA)	Foxo	Latham
Brown (SC)	Frank (MA)	LaTourette
Brown, Corrine	Franks (AZ)	Latta
Brown-Waite,	Frelinghuysen	Lee (CA)
Ginny	Fudge	Lee (NY)
Buchanan	Galleghy	Levin
Burgess	Garamendi	Lewis (CA)
Burton (IN)	Garrett (NJ)	Lewis (GA)
Butterfield	Gerlach	Linder
Buyer	Giffords	Lipinski
Calvert	Gingrey (GA)	LoBiondo
Camp	Gohmert	Loebsack
Campbell	Gonzalez	Lofgren, Zoe
Cantor	Goodlatte	Lowe
Cao	Gordon (TN)	Lucas
Capito	Granger	Luetkemeyer
Capps	Graves	Lujan
Capuano	Grayson	Lummis
Cardoza	Green, Al	Lungren, Daniel
Carnahan	Green, Gene	E.
Carney	Griffith	Lynch
Carson (IN)	Grijalva	Mack
Carter	Guthrie	Maffei
Cassidy	Gutierrez	Maloney
Castle	Hall (NY)	Manzullo
Castor (FL)	Hall (TX)	Marchant
Chaffetz	Halvorson	Markey (CO)
Chandler	Hare	Markey (MA)
Childers	Harman	Marshall
Chu	Harper	Massa
Clarke	Hastings (FL)	Matheson
Cleaver	Hastings (WA)	Matsui
Clyburn	Heinrich	McCarthy (CA)
Coble	Heller	McCarthy (NY)
Coffman (CO)	Hensarling	McCaul
Cohen	Herger	McClintock
Cole	Herseth Sandlin	McCollum
Conaway	Higgins	McCotter
Connolly (VA)	Hill	McDermott
Conyers	Himes	McGovern
Cooper	Hinche	McHenry
Costa	Hinojosa	McIntyre
Costello	Hirono	McKeon