

105TH CONGRESS  
2D SESSION

# H. R. 4851

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## AN ACT

To withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes.

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Iran Nuclear Prolifera-  
5       tion Prevention Act of 1998”.

6       **SEC. 2. FINDINGS.**

7       The Congress makes the following findings:

8               (1) Iran remains the world’s leading sponsor of  
9       international terrorism and is on the Department of  
10      State’s list of countries that provide support for acts  
11      of international terrorism.

12              (2) Iran has repeatedly called for the destruc-  
13      tion of Israel and Iran supports organizations, such  
14      as Hizballah, Hamas, and the Palestine Islamic  
15      Jihad, which are responsible for terrorist attacks  
16      against Israel.

17              (3) Iranian officials have stated their intent to  
18      complete at least three nuclear power plants by 2015  
19      and are currently working to complete the Bushehr  
20      nuclear power plant located on the Persian Gulf  
21      coast.

22              (4) The United States has publicly opposed the  
23      completion of reactors at the Bushehr nuclear power  
24      plant because the transfer of civilian nuclear tech-

1 nology and training could help to advance Iran's nu-  
2 clear weapons program.

3 (5) In an April 1997 hearing before the Sub-  
4 committee on Near Eastern and South Asian Affairs  
5 of the Committee on Foreign Relations of the Sen-  
6 ate, the former Director of the Central Intelligence  
7 Agency, James Woolsey, stated that through the op-  
8 eration of the nuclear power reactor at the Bushehr  
9 nuclear power plant, Iran will develop substantial ex-  
10 pertise relevant to the development of nuclear weap-  
11 ons.

12 (6) Construction of the Bushehr nuclear power  
13 plant was halted following the 1979 revolution in  
14 Iran because the former West Germany refused to  
15 assist in the completion the plant due to concerns  
16 that completion of the plant could provide Iran with  
17 expertise and technology which could advance Iran's  
18 nuclear weapons program.

19 (7) Iran is building up its offensive military ca-  
20 pacity in other areas as evidenced by its recent test-  
21 ing of engines for ballistic missiles capable of carry-  
22 ing 2,200 pound warheads more than 800 miles,  
23 within range of strategic targets in Israel.

24 (8) In January 1995 Iran signed a  
25 \$780,000,000 contract with the Russian Federation

1       for Atomic Energy (MINATOM) to complete a  
2       VVER-1000 pressurized-light water reactor at the  
3       Bushehr nuclear power plant.

4           (9) In March of 1998, Russia confirmed its in-  
5       tention to complete work on the two reactors at the  
6       Bushehr nuclear power plant and agreed in principle  
7       to the construction of two more reactors at the  
8       Bushehr site.

9           (10) At least one reactor could be operational  
10      within a few years and it would subsequently provide  
11      Iran with substantial expertise to advance its nu-  
12      clear weapons program.

13          (11) Iran ranks tenth among the 105 nations  
14      receiving assistance from the technical cooperation  
15      program of the International Atomic Energy Agen-  
16      cy.

17          (12) Between 1995 and 1999, the International  
18      Atomic Energy Agency has provided and is expected  
19      to provide a total of \$1,550,000 through its Tech-  
20      nical Assistance and Cooperation Fund for the Ira-  
21      nian nuclear power program, including reactors at  
22      the Bushehr nuclear power plant.

23          (13) The United States provides annual con-  
24      tributions to the International Atomic Energy Agen-  
25      cy which total more than 25 percent of the annual

1        assessed budget of the Agency and the United  
2        States also provides annual voluntary contributions  
3        to the Technical Assistance and Cooperation Fund  
4        of the Agency which total approximately 32 percent  
5        (\$16,000,000 in 1996) of the annual budget of the  
6        program.

7            (14) The United States should not voluntarily  
8        provide funding for the completion of nuclear power  
9        reactors which could provide Iran with substantial  
10       expertise to advance its nuclear weapons program  
11       and potentially pose a threat to the United States or  
12       its allies.

13           (15) Iran has no need for nuclear energy be-  
14       cause of its immense oil and natural gas reserves  
15       which are equivalent to 9.3 percent of the world's re-  
16       serves and Iran has 73,000,000,000 cubic feet of  
17       natural gas, an amount second only to the natural  
18       gas reserves of Russia.

19    **SEC. 3. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO**  
20                            **THE INTERNATIONAL ATOMIC ENERGY AGEN-**  
21                            **CY FOR PROGRAMS AND PROJECTS IN IRAN.**

22        Section 307 of the Foreign Assistance Act of 1961  
23        (22 U.S.C. 2227) is amended by adding at the end the  
24        following:

1       “(d) Notwithstanding subsection (c), the limitations  
 2 of subsection (a) shall apply to programs and projects of  
 3 the International Atomic Energy Agency in Iran, unless  
 4 the Secretary of State makes a determination in writing  
 5 to the Committee on International Relations of the House  
 6 of Representatives and the Committee on Foreign Rela-  
 7 tions of the Senate pursuant to section 4(a)(1) of the Iran  
 8 Nuclear Proliferation Prevention Act of 1998, that such  
 9 programs and projects are consistent with United States  
 10 nuclear nonproliferation and safety goals and will not pro-  
 11 vide Iran with training or expertise relevant to the devel-  
 12 opment of nuclear weapons.”.

13 **SEC. 4. ANNUAL REVIEW BY SECRETARY OF STATE OF PRO-**  
 14 **GRAMS AND PROJECTS OF THE INTER-**  
 15 **NATIONAL ATOMIC ENERGY AGENCY; UNITED**  
 16 **STATES OPPOSITION TO PROGRAMS AND**  
 17 **PROJECTS OF THE AGENCY IN IRAN.**

18 (a) ANNUAL REVIEW.—

19 (1) IN GENERAL.—The Secretary of State shall  
 20 undertake a comprehensive annual review of all pro-  
 21 grams and projects of the International Atomic En-  
 22 ergy Agency in the countries described in section  
 23 307(a) of the Foreign Assistance Act of 1961 (22  
 24 U.S.C. 2227(a)) and shall determine if such pro-

1       grams and projects are consistent with United  
2       States nuclear nonproliferation and safety goals.

3           (2) REPORT.—Not later than 1 year after the  
4       date of the enactment of this Act and on an annual  
5       basis thereafter for 5 years, the Secretary shall pre-  
6       pare and submit to the Congress a report containing  
7       the results of the review under paragraph (1).

8       (b) OPPOSITION TO CERTAIN PROGRAMS AND  
9       PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGEN-  
10      CY.—The Secretary of State shall direct the United States  
11      representative to the International Atomic Energy Agency  
12      to oppose programs of the Agency that are determined by  
13      the Secretary under the review conducted under sub-  
14      section (a)(1) to be inconsistent with nuclear nonprolifera-  
15      tion and safety goals of the United States.

16   **SEC. 5. REPORTING REQUIREMENTS.**

17       (a) IN GENERAL.—Not later than 180 days after the  
18      date of the enactment of this Act and on an annual basis  
19      thereafter for 5 years, the Secretary of State, in consulta-  
20      tion with the United States representative to the Inter-  
21      national Atomic Energy Agency, shall prepare and submit  
22      to the Congress a report that—

23           (1) describes the total amount of annual assist-  
24      ance to Iran from the International Atomic Energy  
25      Agency, a list of Iranian officials in leadership posi-



1        tions at the Agency, the expected timeframe for the  
2        completion of the nuclear power reactors at the  
3        Bushehr nuclear power plant, and a summary of the  
4        nuclear materials and technology transferred to Iran  
5        from the Agency in the preceding year which could  
6        assist in the development of Iran's nuclear weapons  
7        program; and

8            (2) contains a description of all programs and  
9        projects of the International Atomic Energy Agency  
10       in each country described in section 307(a) of the  
11       Foreign Assistance Act of 1961 (22 U.S.C. 2227(a))  
12       and any inconsistencies between the technical co-  
13       operation and assistance programs and projects of  
14       the Agency and United States nuclear nonprolifera-  
15       tion and safety goals in these countries.

16       (b) **ADDITIONAL REQUIREMENT.**—The report re-  
17       quired to be submitted under subsection (a) shall be sub-  
18       mitted in an unclassified form, to the extent appropriate,  
19       but may include a classified annex.

20       **SEC. 7. SENSE OF THE CONGRESS.**

21       It is the sense of the Congress that the United States  
22       Government should pursue internal reforms at the Inter-  
23       national Atomic Energy Agency that will ensure that all  
24       programs and projects funded under the Technical Co-  
25       operation and Assistance Fund of the Agency are compat-

- 1   ible with United States nuclear nonproliferation policy and
- 2   international nuclear nonproliferation norms.

Passed the House of Representatives October 20,  
1998.

Attest:

*Clerk.*