

107TH CONGRESS  
1ST SESSION

# S. 1170

To make the United States' energy policy toward Iraq consistent with the national security policies of the United States.

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2001

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To make the United States' energy policy toward Iraq consistent with the national security policies of the United States.

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 AND FINDINGS.**

4       (a) This Act can be cited as the “Iraq Petroleum Im-  
5       port Restriction Act of 2001.”

6       (b) FINDINGS.—Congress finds that:

7               (1) The Government of the Republic of Iraq—

8                       (A) has failed to comply with the terms of

9               United Nations Security Council Resolution

10               687 regarding unconditional Iraqi acceptance of

1 the destruction, removal, or rendering harmless,  
2 under international supervision, of all nuclear,  
3 chemical and biological weapons and all stocks  
4 of agents and all related subsystems and com-  
5 ponents and all research, development, support  
6 and manufacturing facilities, as well as all bal-  
7 listic missiles with a range greater than 150 kil-  
8 ometers and related major parts, and repair  
9 and production facilities and has failed to allow  
10 United Nations inspectors access to sites used  
11 for the production or storage of weapons of  
12 mass destruction;

13 (B) routinely contravenes the terms and  
14 conditions of UNSC Resolution 661, author-  
15 izing the export of petroleum products from  
16 Iraq in exchange for food, medicine and other  
17 humanitarian products by conducting a routine  
18 and extensive program to sell such products  
19 outside of the channels established by UNSC  
20 Resolution 661 in exchange for military equip-  
21 ment and materials to be used in pursuit of its  
22 program to develop weapons of mass destruc-  
23 tion in order to threaten the United States and  
24 its allies in the Persian Gulf and surrounding  
25 regions;

1 (C) has failed to adequately draw down  
2 upon the amounts received in the Escrow Ac-  
3 count established by UNSC Resolution 986 to  
4 purchase food, medicine and other humani-  
5 tarian products required by its citizens, result-  
6 ing in massive humanitarian suffering by the  
7 Iraqi people;

8 (D) conducts a periodic and systematic  
9 campaign to harass and obstruct the enforce-  
10 ment of the United States and United King-  
11 dom-enforced “No-Fly Zones” in effect in the  
12 Republic of Iraq; and

13 (E) routinely manipulates the petroleum  
14 export production volumes permitted under  
15 UNSC Resolution 661 in order to create uncer-  
16 tainty in global energy markets, and therefore  
17 threatens the economic security of the United  
18 States.

19 (2) Further imports of petroleum products from  
20 the Republic of Iraq are inconsistent with the na-  
21 tional security and foreign policy interests of the  
22 United States and should be eliminated until such  
23 time as they are not so inconsistent.

1 **SEC. 2. PROHIBITION ON IRAQI-ORIGIN PETROLEUM IM-**  
2 **PORTS.**

3 The direct or indirect import from Iraq of Iraqi-origin  
4 petroleum and petroleum products is prohibited, notwith-  
5 standing an authorization by the Committee established  
6 by UNSC Resolution 661 or its designee, or any other  
7 order to the contrary.

8 **SEC. 3. TERMINATION/PRESIDENTIAL CERTIFICATION.**

9 This Act will remain in effect until such time as the  
10 President, after consultation with the relevant committees  
11 in Congress, certifies to the Congress that:

12 (a) The United States is not engaged in active mili-  
13 tary operations in—

14 (1) enforcing “No-Fly Zones” in Iraq;

15 (2) support of United Nations sanctions against  
16 Iraq;

17 (3) preventing the smuggling of Iraqi-origin pe-  
18 troleum and petroleum products in violation of  
19 UNSC Resolution 986; and

20 (4) otherwise preventing threatening action by  
21 Iraq against the United States or its allies; and

22 (b) Resuming the importation of Iraqi-origin petro-  
23 leum and petroleum products would not be inconsistent  
24 with the national security and foreign policy interests of  
25 the United States.

1 **SEC. 4. HUMANITARIAN INTERESTS.**

2       It is the sense of the Senate that the President should  
3 make all appropriate efforts to ensure that the humani-  
4 tarian needs of the Iraqi people are not negatively affected  
5 by this Act, and should encourage through public, private,  
6 domestic and international means the direct or indirect  
7 sale, donation or other transfer to appropriate non-govern-  
8 mental health and humanitarian organizations and indi-  
9 viduals within Iraq of food, medicine and other humani-  
10 tarian products.

11 **SEC. 5. DEFINITIONS.**

12       (a) “661 COMMITTEE.”—The term 661 Committee  
13 means the Security Council Committee established by  
14 UNSC Resolution 661, and persons acting for or on behalf  
15 of the Committee under its specific delegation of authority  
16 for the relevant matter or category of activity, including  
17 the overseers appointed by the UN Secretary-General to  
18 examine and approve agreements for purchases of petro-  
19 leum and petroleum products from the Government of  
20 Iraq pursuant to UNSC Resolution 986.

21       (b) “UNSC RESOLUTION 661.”—The term UNSC  
22 Resolution 661 means United Nations Security Council  
23 Resolution No. 661, adopted August 6, 1990, prohibiting  
24 certain transactions with respect to Iraq and Kuwait.

1       (c) “UNSC RESOLUTION 986.”—The term UNSC  
2 Resolution 986 means United Nations Security Council  
3 Resolution 986, adopted April 14, 1995.

4 **SEC. 6. EFFECTIVE DATE.**

5       The prohibition on importation of Iraqi origin petro-  
6 leum and petroleum products shall be effective 30 days  
7 after enactment of this Act.

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