

109TH CONGRESS
1ST SESSION

S. 1737

To prohibit entities that provide nuclear fuel assemblies to Iran from providing such assemblies to the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2005

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To prohibit entities that provide nuclear fuel assemblies to Iran from providing such assemblies to the United States, and for other purposes.

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 “Iranian Nuclear Trade
5 Prohibition Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Iran has pursued a nuclear program with
9 assistance from foreign entities and foreign govern-
10 ments.

1 (2) It is important that Iran not seek to de-
2 velop nuclear weapons under the cover of a civilian
3 nuclear power program.

4 (3) The Government of Iran has asserted that
5 its nuclear program is for peaceful purposes, how-
6 ever, that Government has supported terrorist orga-
7 nizations and uses harsh rhetoric towards allies of
8 the United States in the Middle East, and the
9 United States has expressed great concern with
10 Iran's nuclear ambitions and has worked with
11 United States allies to end Iran's nuclear program.

12 (4) In October 2003, the Government of Iran
13 promised it would suspend uranium enrichment ac-
14 tivities, but broke that promise less than a year
15 later.

16 (5) In November 2004, the Government of
17 Iran, in concert with talks with representatives of
18 the Governments of Britain, France, and Germany
19 (the "EU-3") agreed to suspend all uranium enrich-
20 ment and reprocessing activities related to Iran's nu-
21 clear program under the terms of the agreement
22 made between the Islamic Republic of Iran and
23 France, Germany and the United Kingdom, with the
24 support of the High Representative of the European
25 Union (the "Paris Agreement").

1 (6) The EU-3 agreed to support the United
2 States in taking Iran's nuclear program to the
3 United Nations Security Council if Iran resumed its
4 nuclear activities.

5 (7) In concert with the Paris Agreement, the
6 President announced that the United States will
7 drop its opposition to Iran's application to join the
8 World Trade Organization and permit, on a case-by-
9 case basis, the licensing of spare parts for Iranian
10 commercial aircraft.

11 (8) Iran's uranium enrichment program is like-
12 ly to be dispersed throughout the country, protected
13 in hardened infrastructure, and highly mobile.

14 (9) The Parliament of Iran passed a non-
15 binding resolution insisting that the Government of
16 Iran resume developing nuclear fuel.

17 (10) That resolution stated that Iran should de-
18 velop enough nuclear fuel to generate 20,000
19 megawatts of electricity.

20 (11) In February 2005, the Atomic Energy
21 Agency of Russia announced that Russia would ship
22 nuclear fuel to Iran's Busheher nuclear reactor.

23 (12) Russia pledged to provide fuel to this facil-
24 ity for 10 years and, under the commitment, Iran

1 has pledged to return spent fuel to Russia for stor-
2 age.

3 (13) Russia remains the only major nuclear fuel
4 market closed to outside competition and 100 per-
5 cent of Russia's nuclear fuel industry is owned by
6 the Government of Russia.

7 (14) Iran is the fourth-largest oil producer in
8 the world.

9 (15) Iran has a wealth of natural gas and crude
10 oil reserves and it is estimated that Iran plans to in-
11 vest \$104,000,000,000 by 2015 in natural gas pro-
12 duction and that Iran plans to increase crude oil
13 production to 7,000,000 barrels a day by 2020.

14 **SEC. 3. SENSE OF CONGRESS ON TRADE RELATIONS WITH**
15 **STATE SPONSORS OF TERRORISM.**

16 It is the sense of Congress that the countries of the
17 world should choose between trading with state sponsors
18 of terrorism or maintaining good trade relations with the
19 United States.

20 **SEC. 4. PROHIBITION OF ENTRY OF NUCLEAR FUEL ASSEM-**
21 **BLIES.**

22 The Iran and Libya Sanctions Act of 1996 (50
23 U.S.C. 1701 note) is amended by inserting after section
24 10 the following new section:

1 **“SEC. 10A. PROHIBITION OF ENTRY TO NUCLEAR FUEL AS-**
2 **SEMBLIES TO THE UNITED STATES.**

3 “(a) IN GENERAL.—Subject to subsection (b), the
4 President shall prohibit the United States, or any entity
5 of the United States, from purchasing nuclear fuel assem-
6 blies from any person or government entity, or any entity
7 affiliated with such person or entity, that sells nuclear fuel
8 assemblies to Iran.

9 “(b) WAIVER.—The President may waive the prohibi-
10 tion in subsection (a) if the President—

11 “(1) determines that the waiver is in the na-
12 tional security interest of the United States; and

13 “(2) at least 7 days before the waiver takes ef-
14 fect, notifies the required congressional committees
15 of the President’s intention to exercise the waiver.

16 “(c) DEFINITIONS.—In this section:

17 “(1) NUCLEAR FUEL ASSEMBLIES.—The term
18 ‘nuclear fuel assemblies’ does not include low-en-
19 riched uranium (LEU). For the purpose of the pre-
20 ceding sentence the term ‘low-enriched uranium’
21 means a product produced using blended down
22 weapons-grade and highly-enriched uranium (HEU)
23 that is provided by the Russian entity
24 Technobexport (also known as TENEX) in co-
25 operation with the U.S. Enrichment Corporation, a
26 subsidiary of USEC, Inc.

1 “(2) REQUIRED CONGRESSIONAL COMMIT-
2 TEES.—The term ‘required congressional commit-
3 tees’ means the Committee on Armed Services, the
4 Committee on Finance, and the Committee on For-
5 eign Relations of the Senate and the Committee on
6 Armed Services, the Committee on International Re-
7 lations, and the Committee on Ways and Means of
8 the House of Representatives.”.

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