

112TH CONGRESS  
2D SESSION

# H. R. 4485

To further the preparedness of the United States Armed Forces, in cooperation with regional allies, to prevent the Government of Iran from obtaining a nuclear weapon, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2012

Mr. CONAWAY introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To further the preparedness of the United States Armed Forces, in cooperation with regional allies, to prevent the Government of Iran from obtaining a nuclear weapon, 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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Credible Military Option to Counter Iran Act”.

6       (b) TABLE OF CONTENTS.—The table of contents for  
7       this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Declaration of policy.
- Sec. 3. United States military preparedness in the Middle East.
- Sec. 4. United States military capabilities in the Central Command Area of Responsibility.
- Sec. 5. Enhancing the defense of Israel and United States interests in the Middle East.
- Sec. 6. Plan to enhance military capabilities of Persian Gulf allies.
- Sec. 7. Plan to increase strategic regional partnerships.
- Sec. 8. Definitions.

1 **SEC. 2. DECLARATION OF POLICY.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) Iran, which has long sought to foment in-  
5 stability and promote extremism in the Middle East,  
6 is now seeking to exploit the dramatic political tran-  
7 sition underway in the region to undermine govern-  
8 ments traditionally aligned with the United States  
9 and support extremist political movements in these  
10 countries.

11 (2) At the same time, Iran may soon attain a  
12 nuclear weapons capability, a development that  
13 would fundamentally threaten vital United States in-  
14 terests, destabilize the region, encourage regional  
15 nuclear proliferation, further empower and embolden  
16 Iran, the world's leading state sponsor of terrorism,  
17 and provide it the tools to threaten its neighbors, in-  
18 cluding Israel.

19 (3) With the assistance of Iran over the past  
20 several years, Syria, Hezbollah, and Hamas have in-

1        creased their stockpiles of rockets, with more than  
2        60,000 rockets now ready to be fired at Israel. Iran  
3        continues to add to its arsenal of ballistic missiles  
4        and cruise missiles, which threaten Iran’s neighbors,  
5        Israel, and United States Armed Forces in the re-  
6        gion.

7            (4) Preventing Iran from achieving nuclear  
8        weapons capability is among the most urgent na-  
9        tional security challenges facing the United States.

10          (5) Successive United States administrations  
11        have stated that a nuclear weapons-possessing Iran  
12        is unacceptable.

13          (6) President Obama stated on January 24,  
14        2012, “Let there be no doubt: America is deter-  
15        mined to prevent Iran from getting a nuclear weap-  
16        on, and I will take no options off the table to achieve  
17        that goal.”.

18          (7) In order to prevent Iran from developing  
19        nuclear weapons, the United States, in cooperation  
20        with its allies, must utilize all elements of national  
21        power including diplomacy, robust economic sanc-  
22        tions, and credible, visible preparations for a mili-  
23        tary option.

24          (8) Nevertheless, to date, diplomatic overtures,  
25        sanctions, and other non-kinetic actions toward Iran

1 have not caused the Government of Iran to abandon  
2 its nuclear weapons program.

3 (9) With the impact of additional sanctions un-  
4 certain, additional pressure on the Government of  
5 Iran could come from the credible threat of military  
6 action against Iran's nuclear program.

7 (b) DECLARATION OF POLICY.—It shall be the policy  
8 of the United States to take all necessary measures, in-  
9 cluding military action if required, to prevent Iran from  
10 threatening the United States, its allies, or Iran's neigh-  
11 bors with a nuclear weapon.

12 **SEC. 3. UNITED STATES MILITARY PREPAREDNESS IN THE**  
13 **MIDDLE EAST.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that—

16 (1) military exercises conducted in the Persian  
17 Gulf and Gulf of Oman emphasize the United States  
18 resolve and the policy of the United States described  
19 in section 2(b) by enhancing the readiness of the  
20 United States military and allied forces, as well as  
21 signaling to the Government of Iran the commitment  
22 of the United States to defend its vital national se-  
23 curity interests; and

24 (2) the President, as Commander in Chief,  
25 should require the United States military to develop

1 a comprehensive plan to augment the presence of the  
2 United States Fifth Fleet in the Middle East and to  
3 conduct military deployments, exercises, or other  
4 visible, concrete military readiness activities to un-  
5 derscore the policy of the United States described in  
6 section 2(b).

7 (b) PLAN.—

8 (1) IN GENERAL.—The Secretary of Defense  
9 shall prepare a plan to augment the presence of the  
10 United States Fifth Fleet in the Middle East and to  
11 conduct military deployments, exercises, or other  
12 visible, concrete military readiness activities to un-  
13 derscore the policy of the United States described in  
14 section 2(b).

15 (2) MATTERS TO BE INCLUDED.—The plan re-  
16 quired under paragraph (1) shall include, at a min-  
17 imum, steps necessary to support the policy of the  
18 United States described in section 2(b), including—

19 (A) pre-positioning sufficient supplies of  
20 aircraft, munitions, fuel, and other materials  
21 for both air- and sea-based missions at key for-  
22 ward locations in the Middle East and Indian  
23 Ocean;

24 (B) maintaining sufficient naval assets in  
25 the region necessary to signal United States re-

1 solve and to bolster United States capabilities  
2 to launch a sustained sea and air campaign  
3 against a range of Iranian nuclear and military  
4 targets, to protect seaborne shipping, and to  
5 deny Iranian retaliation against United States  
6 interests in the region;

7 (C) discussing the viability of deploying at  
8 least two United States aircraft carriers, an ad-  
9 ditional large deck amphibious ship, and a Mine  
10 Countermeasures Squadron in the region on a  
11 continual basis, in support of the actions de-  
12 scribed in subparagraph (B); and

13 (D) conducting naval fleet exercises similar  
14 to the United States Fifth Fleet's major exer-  
15 cise in the region in March 2007 to dem-  
16 onstrate ability to keep the Strait of Hormuz  
17 open and to counter the use of anti-ship mis-  
18 siles and swarming high-speed boats.

19 (3) SUBMISSION TO CONGRESS.—The plan re-  
20 quired under paragraph (1) shall be submitted to  
21 the congressional defense committees not later than  
22 120 days after the date of enactment of this Act.

1 **SEC. 4. UNITED STATES MILITARY CAPABILITIES IN THE**  
2 **CENTRAL COMMAND AREA OF RESPONS-**  
3 **BILITY.**

4 (a) AUTHORIZATION OF APPROPRIATIONS FOR FIS-  
5 CAL YEAR 2012.—In order to enhance United States mili-  
6 tary capabilities in the Central Command Area of Respon-  
7 sibility, funds are hereby authorized to be appropriated for  
8 fiscal year 2012 as follows:

9 (1) \$80,000,000 for Other Procurement, Navy  
10 to be available for MK 38 Mod 2 machine gun sys-  
11 tem for Coastal Patrol Craft.

12 (2) \$44,600,000 for Weapons Procurement,  
13 Navy to be available for—

14 (A) Griffin missile for Coastal Patrol  
15 Craft; and

16 (B) Spike shoulder-fired electro-optic  
17 weapon.

18 (3) \$72,481,000 for Research, Development,  
19 Test and Evaluation, Navy to be available for—

20 (A) Program Element 0205601N for dig-  
21 ital rocket launchers;

22 (B) Beyond line of sight command and  
23 control architecture; and

24 (C) MAGIC VIEW.

25 (4) \$134,552,000 for Research, Development,  
26 Test and Evaluation, Air Force to be available for

1 Hard and Deeply Buried Target Defeat System Pro-  
2 gram, Program Element 0604327F.

3 (5) \$7,000,000 for Research, Development,  
4 Test and Evaluation, Defense-Wide to be available  
5 for—

6 (A) Indications and Warning; and

7 (B) Systems Performance.

8 (6) \$14,000,000 for Operation and Mainte-  
9 nance, Navy to be available for Scan Eagle.

10 (7) \$2,000,000 for Operation and Maintenance,  
11 Air Force to be available for tactics development and  
12 evaluation.

13 (b) AUTHORIZATION OF APPROPRIATIONS FOR FIS-  
14 CAL YEAR 2013.—In order to enhance United States mili-  
15 tary capabilities in the Central Command Area of Respon-  
16 sibility, funds are hereby authorized to be appropriated for  
17 fiscal year 2013 as follows:

18 (1) \$22,654,000 for Other Procurement, Navy  
19 to be available for—

20 (A) Underwater Explosive Ordnance Dis-  
21 posal Programs;

22 (B) Naval Military Intelligence Program  
23 Support Equipment; and

24 (C) MK 38 Mod 2 machine gun system for  
25 Coastal Patrol Craft.



1           (2) \$31,000,000 for Weapons Procurement,  
2       Navy to be available for—

3           (A) Griffin missile for Coastal Patrol  
4       Craft; and

5           (B) Spike shoulder-fired electro-optic  
6       weapon.

7           (3) \$72,481,000 for Research, Development,  
8       Test and Evaluation, Army to be available for Un-  
9       manned Aerial Vehicle Detection and Tracking.

10          (4) \$72,481,000 for Research, Development,  
11       Test and Evaluation, Navy to be available for—

12           (A) Joint Service Explosive Ordnance De-  
13       velopment, Program Element 0603654N;

14           (B) Advanced Anti-Radiation Guided Mis-  
15       sile in Program Element 0205601N; and

16           (C) Integrated, Fixed Surveillance System,  
17       Program Element 0204311N.

18          (5) \$72,481,000 for Research, Development,  
19       Test and Evaluation, Air Force to be available for  
20       Cyber Command Activities within Program Element  
21       0208059F.

1 **SEC. 5. ENHANCING THE DEFENSE OF ISRAEL AND UNITED**  
2 **STATES INTERESTS IN THE MIDDLE EAST.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the United States should take the following ac-  
5 tions to assist in the defense of Israel:

6 (1) Provide Israel such support as may be nec-  
7 essary to increase development and production of  
8 joint missile defense systems, particularly such sys-  
9 tems that defend the urgent threat posed to Israel  
10 and United States forces in the region.

11 (2) Provide Israel defense articles, intelligence,  
12 and defense services through such mechanisms as  
13 appropriate, to include air refueling tankers, missile  
14 defense capabilities, and specialized munitions.

15 (3) Allocate additional weaponry and munitions  
16 for the forward-deployed United States stockpile in  
17 Israel.

18 (4) Provide Israel additional surplus defense ar-  
19 ticles and defense services, as appropriate, in the  
20 wake of the withdrawal of United States forces from  
21 Iraq.

22 (5) Offer the Israeli Air Force additional train-  
23 ing and exercise opportunities in the United States  
24 to compensate for Israel's limited air space.

25 (6) Expand Israel's authority to make pur-  
26 chases under section 23 of the Arms Export Control

1 Act (relating to the “Foreign Military Financing”  
2 program) on a commercial basis.

3 (7) Seek to enhance the capabilities of the  
4 United States and Israel to address emerging com-  
5 mon threats, increase security cooperation, and ex-  
6 pand joint military exercises.

7 (8) Encourage an expanded role for Israel with-  
8 in the North Atlantic Treaty Organization (NATO),  
9 including an enhanced presence at NATO head-  
10 quarters and exercises.

11 (9) Support extension of the long-standing loan  
12 guarantee program for Israel, recognizing Israel’s  
13 unbroken record of repaying its loans on time and  
14 in full.

15 (10) Expand already-close intelligence coopera-  
16 tion, including satellite intelligence, with Israel.

17 (b) REPORT ON ISRAEL’S QUALITATIVE MILITARY  
18 EDGE.—

19 (1) STATEMENT OF POLICY.—It is the policy of  
20 the United States—

21 (A) to help Israel preserve its qualitative  
22 military edge amid rapid and uncertain regional  
23 political transformation; and

24 (B) to encourage further development of  
25 advanced technology programs between the

1 United States and Israel in light of current  
2 trends and instability in the region.

3 (2) REPORT.—Not later than 180 days after  
4 the date of the enactment of this Act, the President  
5 shall submit to the appropriate congressional com-  
6 mittees a report on the status of Israel’s qualitative  
7 military edge in light of current trends and insta-  
8 bility in the region.

9 (c) REPORT ON OTHER MATTERS.—Not later than  
10 180 days after the date of the enactment of this Act, the  
11 President shall submit to the appropriate congressional  
12 committees a report on each of the following:

13 (1) Taking into account Israel’s urgent require-  
14 ment for F–35 aircraft, actions to improve the proc-  
15 ess relating to Israel’s purchase of F–35 aircraft to  
16 improve cost efficiency and timely delivery.

17 (2) Efforts to expand cooperation between the  
18 United States and Israel in homeland defense,  
19 counter-terrorism, maritime security, cybersecurity,  
20 and other appropriate areas.

21 (3) Actions to integrate Israel into the defense  
22 of the Eastern Mediterranean.

1 **SEC. 6. PLAN TO ENHANCE MILITARY CAPABILITIES OF**  
2 **PERSIAN GULF ALLIES.**

3 (a) PLAN.—The Secretary of Defense, in consultation  
4 with the Secretary of State, shall develop a plan to en-  
5 hance the military capabilities of Persian Gulf allies to bol-  
6 ster the posture of such allies in relation to Iran.

7 (b) MATTERS TO BE INCLUDED.—The plan required  
8 under subsection (a) shall include the following:

9 (1) A description of the means to augment the  
10 offensive strike capabilities of key Gulf Cooperation  
11 Council allies, including the potential sale or up-  
12 grades of strike attack aircraft and bunker buster  
13 munitions, to augment the viability of a credible  
14 military option and to strengthen such allies' self-de-  
15 fense capabilities against retaliation or military ag-  
16 gression by Iran.

17 (2) A needs-based assessment, or an update to  
18 an existing needs-based assessment, of the military  
19 requirements of Persian Gulf allies to support a  
20 credible military option and to defend against poten-  
21 tial military aggression by Iran.

22 (3) A detailed summary of any arms sales and  
23 training requests by Persian Gulf allies and a de-  
24 scription and justification for United States actions  
25 taken.

1 (c) RULE OF CONSTRUCTION.—Nothing in the plan  
2 required under subsection (a) shall be construed to alter  
3 Israel’s qualitative military edge.

4 (d) SUBMISSION TO CONGRESS.—The plan required  
5 under subsection (a) shall be submitted to the appropriate  
6 congressional committees not later than 180 days after the  
7 date of the enactment of this Act.

8 (e) FORM.—The plan required under subsection (a)  
9 shall be submitted in an unclassified form, but may con-  
10 tain a classified annex.

11 **SEC. 7. PLAN TO INCREASE STRATEGIC REGIONAL PART-**  
12 **NERSHIPS.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) The United States should ensure that it has  
15 the broadest set of geographic approaches to mili-  
16 tarily access Iran.

17 (2) United States Armed Forces and support  
18 staff currently have access from the eastern, south-  
19 ern, and western borders of Iran.

20 (3) Azerbaijan borders the northern frontier of  
21 Iran closest to nuclear sites near Tehran and the  
22 Government of Azerbaijan cooperates with the  
23 United States on Caspian Sea security and energy  
24 issues.

1 (b) POLICY.—It shall be the policy of the United  
2 States to—

3 (1) increase pressure on Iran by providing  
4 United States Armed Forces with the broadest set  
5 of geographic approaches to militarily access Iran;  
6 and

7 (2) explore means to enhance access to military  
8 facilities on the northern border of Iran.

9 (c) PLAN.—

10 (1) IN GENERAL.—The Secretary of Defense, in  
11 consultation with the Secretary of State, shall de-  
12 velop a plan to increase the strategic partnership  
13 with regional allies to provide United States Armed  
14 Forces with the broadest set of geographic ap-  
15 proaches to militarily access Iran.

16 (2) MATTERS TO BE INCLUDED.—The plan re-  
17 quired under paragraph (1) shall include the fol-  
18 lowing information:

19 (A) Mechanisms to broaden the geo-  
20 graphical approaches to militarily access Iran.

21 (B) The need, if any, to strengthen the  
22 self-defense capabilities of regional allies as a  
23 result of such partnerships.

24 (C) The viability of increasing access for  
25 United States Armed Forces to bases in Azer-

1           bajian to augment the viability of a credible  
2           military option.

3           (3) SUBMISSION TO CONGRESS.—The plan re-  
4           quired under paragraph (1) shall be submitted to  
5           the appropriate congressional committees not later  
6           than 180 days after the date of the enactment of  
7           this Act.

8   **SEC. 8. DEFINITIONS.**

9           In this Act:

10           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
11           TEES.—The term “appropriate congressional com-  
12           mittees” means—

13                   (A) the Committee on Appropriations, the  
14                   Committee on Armed Services, and the Com-  
15                   mittee on Foreign Affairs of the House of Rep-  
16                   resentatives; and

17                   (B) the Committee on Appropriations, the  
18                   Committee on Armed Services, and the Com-  
19                   mittee on Foreign Relations of the Senate.

20           (2) CONGRESSIONAL DEFENSE COMMITTEES.—  
21           The term “congressional defense committees” has  
22           the meaning given that term in section 101(a)(16)  
23           of title 10, United States Code.

24           (3) QUALITATIVE MILITARY EDGE.—The term  
25           “qualitative military edge” has the meaning given



1       the term in section 36(h)(2) of the Arms Export  
2       Control Act (22 U.S.C. 2776(h)(2)).

○