

MOTION TO RECOMMIT WITH INSTRUCTIONS

M____. _____ moves to recommit the bill H.R. 2410 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

1 **SECTION 1. IRAN REFINED PETROLEUM SANCTIONS.**

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

3 (1) The illicit nuclear activities of the Govern-
4 ment of Iran—combined with its development of un-
5 conventional weapons and ballistic missiles, and sup-
6 port for international terrorism—represent a serious
7 threat to the security of the United States and U.S.
8 allies in Europe, the Middle East, and around the
9 world.

10 (2) The United States and other responsible na-
11 tions have a vital interest in working together to
12 prevent the Government of Iran from acquiring a
13 nuclear weapons capability.

14 (3) The International Atomic Energy Agency
15 has repeatedly called attention to Iran's unlawful

1 nuclear activities, and, as a result, the United Na-
2 tions Security Council has adopted a range of sanc-
3 tions designed to encourage the Government of Iran
4 to cease those activities and comply with its obliga-
5 tions under the Treaty on the Non-Proliferation of
6 Nuclear Weapons (commonly known as the “Nuclear
7 Non-Proliferation Treaty”).

8 (4) As a presidential candidate, then-Senator
9 Obama stated that additional sanctions, especially
10 those targeting Iran’s dependence on imported re-
11 fined petroleum, may help to persuade the Govern-
12 ment of Iran to abandon its illicit nuclear activities.

13 (5) On October 7, 2008, then-Senator Obama
14 stated, “Iran right now imports gasoline, even
15 though it’s an oil producer, because its oil infra-
16 structure has broken down. If we can prevent them
17 from importing the gasoline that they need and the
18 refined petroleum products, that starts changing
19 their cost-benefit analysis. That starts putting the
20 squeeze on them.”.

21 (6) On June 4, 2008, then-Senator Obama
22 stated, “We should work with Europe, Japan, and
23 the Gulf states to find every avenue outside the U.N.
24 to isolate the Iranian regime—from cutting off loan

1 guarantees and expanding financial sanctions, to
2 banning the export of refined petroleum to Iran.”.

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

10 (8) The serious and urgent nature of the threat
11 from Iran demands that the United States work to-
12 gether with U.S. allies to do everything possible—
13 diplomatically, politically, and economically—to pre-
14 vent Iran from acquiring a nuclear weapons capa-
15 bility.

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

18 (1) international diplomatic efforts to address
19 Iran’s illicit nuclear efforts, unconventional and bal-
20 listic missile development programs, and support for
21 international terrorism are more likely to be effective
22 if the President is empowered with the explicit au-
23 thority to impose additional sanctions on the Gov-
24 ernment of Iran;

1 (2) the concerns of the United States regarding
2 Iran are strictly the result of the actions of the Gov-
3 ernment of Iran; and

4 (3) the people of the United States—

5 (A) have feelings of friendship for the peo-
6 ple of Iran;

7 (B) regret that developments in recent dec-
8 ades have created impediments to that friend-
9 ship; and

10 (C) hold the people of Iran, their culture,
11 and their ancient and rich history in the highest
12 esteem.

13 (c) STATEMENT OF POLICY.—It should be the policy
14 of the United States to—

15 (1) support international diplomatic efforts to
16 end Iran’s uranium enrichment program and its nu-
17 clear weapons program;

18 (2) encourage foreign governments to direct
19 state-owned entities to cease all investment in, and
20 support of, Iran’s energy sector and all exports of
21 refined petroleum products to Iran;

22 (3) encourage foreign governments to require
23 private entities based in their territories to cease all
24 investment in, and support of, Iran’s energy sector

1 and all exports of refined petroleum products to
2 Iran;

3 (4) impose sanctions on the Central Bank of
4 Iran and any other Iranian bank or Iranian financial
5 institution engaged in proliferation activities or sup-
6 port of terrorist groups; and

7 (5) work with the allies of the United States to
8 take appropriate measures to protect the inter-
9 national system from deceptive and illicit practices
10 by Iranian banks and Iranian financial institutions
11 involved in proliferation activities or support of ter-
12 rorist groups.

13 (d) AMENDMENTS TO THE IRAN SANCTIONS ACT OF
14 1996.—

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

18 “(a) SANCTIONS WITH RESPECT TO THE DEVELOP-
19 MENT OF PETROLEUM RESOURCES OF IRAN AND EXPOR-
20 TATION OF REFINED PETROLEUM TO IRAN.—

21 “(1) DEVELOPMENT OF PETROLEUM RE-
22 SOURCES OF IRAN.—

23 “(A) INVESTMENT.—Except as provided in
24 subsection (f), the President shall impose 2 or
25 more of the sanctions described in paragraphs

1 (2), (5), and (6) (excluding restrictions on im-
2 ports referred to in such paragraph (6)) of sec-
3 tion 6(a) if the President determines that a per-
4 son has, with actual knowledge, on or after the
5 date of the enactment of this Act, made an in-
6 vestment of \$20,000,000 or more (or any com-
7 bination of investments of at least \$5,000,000
8 each, which in the aggregate equals or exceeds
9 \$20,000,000 in any 12-month period), that di-
10 rectly and significantly contributed to the en-
11 hancement of Iran's ability to develop petro-
12 leum resources of Iran.

13 “(B) PRODUCTION OF REFINED PETRO-
14 LEUM RESOURCES.—Except as provided in sub-
15 section (f), the President shall impose the sanc-
16 tions described in section 6(b) (in addition to
17 any sanctions imposed under subparagraph (A))
18 if the President determines that a person has,
19 with actual knowledge, on or after the date of
20 the enactment of the Iran Refined Petroleum
21 Sanctions Act of 2009, sold, leased, or provided
22 to Iran any goods, services, technology, infor-
23 mation, or support that would allow Iran to
24 maintain or expand its domestic production of
25 refined petroleum resources, including any as-

1 sistance in refinery construction, modernization,
2 or repair.

3 “(2) EXPORTATION OF REFINED PETROLEUM
4 RESOURCES TO IRAN.—Except as provided in sub-
5 section (f), the President shall impose the sanctions
6 described in section 6(b) if the President determines
7 that a person has, with actual knowledge, on or after
8 the date of the enactment of the Iran Refined Petro-
9 leum Sanctions Act of 2009, provided Iran with re-
10 fined petroleum resources or engaged in any activity
11 that could contribute to the enhancement of Iran’s
12 ability to import refined petroleum resources, includ-
13 ing—

14 “(A) providing ships or shipping services
15 to deliver refined petroleum resources to Iran;

16 “(B) underwriting or otherwise providing
17 insurance or reinsurance for such activity; or

18 “(C) financing or brokering such activity.”.

19 (2) DESCRIPTION OF SANCTIONS.—Section 6 of
20 such Act is amended—

21 (A) by striking “The sanctions to be im-
22 posed on a sanctioned person under section 5
23 are as follows:” and inserting the following:

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

4 (B) by adding at the end the following:

5 “(b) ADDITIONAL SANCTIONS.—With respect to the
6 sanctions to be imposed on a sanctioned person under
7 paragraphs (1)(B) and (2) of section 5(a), the President
8 shall, under such regulations as the President may pre-
9 scribe, prohibit any acquisition, holding, withholding, use,
10 transfer, withdrawal, transportation, or exportation of,
11 dealing in, or exercising any right, power, or privilege with
12 respect to, or transactions involving, any property in which
13 the sanctioned person has any interest by any person, or
14 with respect to any property, subject to the jurisdiction
15 of the United States.”.

16 (3) PRESIDENTIAL WAIVER.—Section 9(c)(2) of
17 such Act is amended by amending subparagraph (C)
18 to read as follows:

19 “(C) an estimate of the significance of the
20 provision of the items described in paragraph
21 (1) or (2) of section 5(a) or section 5(b) to
22 Iran’s ability to develop its petroleum resources,
23 to maintain or expand its domestic production
24 of refined petroleum resources, to import re-
25 fined petroleum resources, or to develop its

1 weapons of mass destruction or other military
2 capabilities (as the case may be); and”.

3 (4) STRENGTHENING OF WAIVER AUTHORITY
4 AND SANCTIONS IMPLEMENTATION.—

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

8 (i) in paragraph (1)—

9 (I) by striking “should initiate”
10 and inserting “shall immediately ini-
11 tiate”;

12 (II) by inserting “or 5(b)” after
13 “section 5(a)”; and

14 (III) by striking “as described in
15 such section” and inserting “as de-
16 scribed in section 5(a)(1) or other ac-
17 tivity described in section 5(a)(2) or
18 5(b) (as the case may be)”;

19 (ii) in paragraph (2), by striking “,
20 pursuant to section 5(a), if a person has
21 engaged in investment activity in Iran as
22 described in such section” and inserting “,
23 pursuant to section 5(a) or (b) (as the case
24 may be), if a person has engaged in invest-
25 ment activity in Iran as described in sec-

1 tion 5(a)(1) or other activity described in
2 section 5(a)(2) or 5(b) (as the case may
3 be)”; and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(3) DEFINITION OF CREDIBLE INFORMA-
7 TION.—For the purposes of this subsection, the term
8 ‘credible information’ means public or classified in-
9 formation or reporting supported by other substan-
10 tiating evidence.”.

11 (B) EXCEPTION FOR PROLIFERATION SE-
12 CURITY INITIATIVE.—Section 5(f) of the Iran
13 Sanctions Act of 1996 (50 U.S.C. 1701 note)
14 is amended—

15 (i) in paragraph (6), by striking “or”
16 at the end;

17 (ii) in paragraph (7), by striking the
18 period at the end and inserting “; or”; and

19 (iii) by adding at the end the fol-
20 lowing new paragraph:

21 “(8) if the President determines in writing that
22 the person to which the sanctions would otherwise be
23 applied is—

1 “(A) a citizen or resident of a country that
2 is a participant in the Proliferation Security
3 Initiative; or

4 “(B) a foreign person that is organized
5 under the laws of a country described in sub-
6 paragraph (A) and is a subsidiary of a United
7 States person.”.

8 (C) GENERAL WAIVER AUTHORITY.—Sec-
9 tion 9(c)(1) of the Iran Sanctions Act of 1996
10 (50 U.S.C. 1701 note) is amended by striking
11 “important to the national interest of the
12 United States” and inserting “vital to the na-
13 tional security interest of the United States”.

14 (D) RULE OF CONSTRUCTION.—The
15 amendments made by this paragraph shall not
16 be construed to affect any exercise of the au-
17 thority of section 4(f) or section 9(c) of the
18 Iran Sanctions Act of 1996 as in effect on the
19 day before the date of the enactment of this
20 Act.

21 (5) REPORTS ON UNITED STATES EFFORTS TO
22 CURTAIL CERTAIN BUSINESS TRANSACTIONS RELAT-
23 ING TO IRAN.—Section 10 of such Act is amended
24 by adding at the end the following:

1 “(d) REPORTS ON CERTAIN BUSINESS TRANS-
2 ACTIONS RELATING TO IRAN.—

3 “(1) IN GENERAL.—Not later than 90 days
4 after the date of the enactment of the Iran Refined
5 Petroleum Sanctions Act of 2009, and every 6
6 months thereafter, the President shall submit a re-
7 port to the appropriate congressional committees re-
8 garding any person who has—

9 “(A) provided Iran with refined petroleum
10 resources;

11 “(B) sold, leased, or provided to Iran any
12 goods, services, or technology that would allow
13 Iran to maintain or expand its domestic produc-
14 tion of refined petroleum resources; or

15 “(C) engaged in any activity that could
16 contribute to the enhancement of Iran’s ability
17 to import refined petroleum resources.

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

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

23 “(B) the name of any persons who partici-
24 pated or invested in or facilitated such activity;

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

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

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

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

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

12 “(B) published in the Federal Register.”.

13 (6) CLARIFICATION AND EXPANSION OF DEFINI-
14 TIONS.—Section 14 of such Act is amended—

15 (A) in paragraph (13)(B)—

16 (i) by inserting “insurer, underwriter,
17 guarantor, any other business organiza-
18 tion, including any foreign subsidiary, par-
19 ent, or affiliate of such a business organi-
20 zation,” after “trust,”; and

21 (ii) by inserting “, such as an export
22 credit agency” before the semicolon at the
23 end; and

24 (B) by amending paragraph (14) to read
25 as follows:

1 “(14) PETROLEUM RESOURCES.—

2 “(A) IN GENERAL.—The term ‘petroleum
3 resources’ includes petroleum, petroleum by-
4 products, oil or liquefied natural gas, oil or liq-
5 uefied natural gas tankers, and products used
6 to construct or maintain pipelines used to
7 transport oil or compressed or liquefied natural
8 gas.

9 “(B) PETROLEUM BY-PRODUCTS.—The
10 term ‘petroleum by-products’ means gasoline,
11 kerosene, distillates, propane or butane gas, die-
12 sel fuel, residual fuel oil, and other goods classi-
13 fied in headings 2709 and 2710 of the Har-
14 monized Tariff Schedule of the United States.”.

15 (7) CONFORMING AMENDMENTS.—

16 (A) MULTILATERAL REGIME.—Section 4 of
17 such Act is amended—

18 (i) in subsection (b)(2), by striking
19 “(in addition to that provided in subsection
20 (d))”; and

21 (ii) by striking subsection (d) and re-
22 designating subsections (e) and (f) as sub-
23 sections (d) and (e), respectively.

1 (B) IMPOSITIONS OF SANCTIONS.—Section
2 5(b) of such Act is amended by striking “sec-
3 tion 6” and inserting “section 6(a)”.

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated such sums as
6 may be necessary for purposes of carrying out this Act.

