

105TH CONGRESS
2D SESSION

H. R. 3743

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1998

Mr. MENENDEZ (for himself, Mr. DEUTSCH, Mr. ACKERMAN, Mr. WEXLER, Mr. SHERMAN, Mr. ANDREWS, Mr. KING, Mr. MALONEY of Connecticut, Mr. SCHUMER, Mr. FROST, Mr. ROHRABACHER, Mr. WYNN, Mr. CLYBURN, Mr. TOWNS, Mr. METCALF, Ms. ROS-LEHTINEN, Mr. PASCRELL, Mr. KENNEDY of Rhode Island, Mr. MCGOVERN, Mr. WATTS of Oklahoma, Mr. ENSIGN, Mr. ROTHMAN, Mr. WAXMAN, and Mr. GOODE) introduced the following bill; which was referred to the Committee on International Relations

A BILL

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.

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

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 The Congress makes the following findings:

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

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

15 (3) Iranian officials have stated their intent to
16 complete at least 3 nuclear power plants by 2015
17 and are currently working to complete the Bushehr
18 nuclear power plant located on the Persian Gulf
19 coast with the help of the International Atomic En-
20 ergy Agency (IAEA).

21 (4) The United States has publicly opposed the
22 completion of reactors at the Bushehr nuclear power
23 plant because the transfer of civilian nuclear tech-
24 nology and training could help to advance Iran’s nu-
25 clear weapons program.

1 (5) In an April 1997 hearing before the Sub-
2 committee on Near Eastern and South Asian Affairs
3 of the Committee on Foreign Relations of the Sen-
4 ate, the Director of the Central Intelligence Agency
5 stated that through the operation of the nuclear
6 power reactor at the Bushehr nuclear power plant,
7 Iran will develop substantial expertise relevant to the
8 development of nuclear weapons.

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

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

21 (8) In January 1995 Iran signed a
22 \$780,000,000 contract with the Russian Federation
23 for Atomic Energy (MINATOM) to complete two
24 VVER-1000 pressurized-light water reactors at the

1 Bushehr nuclear power plant and possibly to provide
2 2 modern VVER-440 units.

3 (9) In March of 1998, Russia confirmed its in-
4 tention to complete work on the two reactors at the
5 Bushehr nuclear power plant and agreed in principle
6 to the construction of 2 more reactors at the
7 Bushehr site.

8 (10) At least 1 reactor could be operational by
9 the year 2000 and it would subsequently provide
10 Iran with substantial expertise to advance its nu-
11 clear weapons program.

12 (11) Iran ranks 19th among the 120 nations
13 receiving assistance from the technical cooperation
14 program of the International Atomic Energy Agen-
15 cy.

16 (12) Between 1995 and 1999, the International
17 Atomic Energy Agency has provided and is expected
18 to provide a total of \$1,300,000 through its tech-
19 nical cooperation program for the development and
20 completion of reactors at the Bushehr nuclear power
21 plant.

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

1 provides annual voluntary contributions to the Tech-
2 nical Cooperation Program of the Agency which
3 total approximately 32 percent (\$16,000,000 in
4 1996) of the annual budget of the program.

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

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

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

20 Section 307 of the Foreign Assistance Act of 1961
21 (22 U.S.C. 2227) is amended by adding at the end the
22 following:

23 “(d) Notwithstanding subsection (c), the limitations
24 of subsection (a) shall apply to programs and projects of
25 the International Atomic Energy Agency in Iran.”.

1 **SEC. 4. ANNUAL REVIEW BY SECRETARY OF STATE OF PRO-**
2 **GRAMS AND PROJECTS OF THE INTER-**
3 **NATIONAL ATOMIC ENERGY AGENCY; UNITED**
4 **STATES OPPOSITION TO PROGRAMS AND**
5 **PROJECTS OF THE AGENCY IN IRAN.**

6 (a) ANNUAL REVIEW.—

7 (1) IN GENERAL.—The Secretary of State shall
8 undertake a comprehensive annual review of all pro-
9 grams and projects of the International Atomic En-
10 ergy Agency in the countries described in section
11 307(a) of the Foreign Assistance Act of 1961 (22
12 U.S.C. 2227(a)) and shall determine if such pro-
13 grams and projects are consistent with United
14 States nuclear nonproliferation and safety goals.

15 (2) REPORT.—Not later than 1 year after the
16 date of the enactment of this Act, the Secretary
17 shall prepare and submit to the Congress a report
18 containing the results of the review under paragraph
19 (1).

20 (b) OPPOSITION TO CERTAIN PROGRAMS AND
21 PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGEN-
22 CY.—The Secretary of State shall direct the United States
23 representative to the International Atomic Energy Agency
24 to oppose the following:

25 (1) Programs of the Agency that are deter-
26 mined by the Secretary under the review conducted

1 under subsection (a)(1) to be inconsistent with nu-
2 clear nonproliferation and safety goals of the United
3 States.

4 (2) Technical assistance programs or projects of
5 the Agency designed to develop or complete the
6 Bushehr nuclear power plant in Iran.

7 (3) Any other program or project of the Agency
8 which transfers nuclear materials or nuclear tech-
9 nology to Iran.

10 **SEC. 5. REPORTING REQUIREMENTS.**

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

17 (1) describes the total amount of annual assist-
18 ance to Iran from the International Atomic Energy
19 Agency, a list of Iranian officials in leadership posi-
20 tions at the Agency, the expected timeframe for the
21 completion of the nuclear power reactors at the
22 Bushehr nuclear power plant, and a summary of the
23 nuclear materials and technology transferred to Iran
24 from the Agency in the preceding year which could

1 assist in the development of Iran's nuclear weapons
2 program; and

3 (2) contains a description of all programs and
4 projects of the International Atomic Energy Agency
5 in each country described in section 307(a) of the
6 Foreign Assistance Act of 1961 (22 U.S.C. 2227(a))
7 and any inconsistencies between the technical assist-
8 ance programs and projects of the Agency and
9 United States nuclear nonproliferation and safety
10 goals in these countries.

11 (b) **ADDITIONAL REQUIREMENT.**—The report re-
12 quired to be submitted under subsection (a) shall be sub-
13 mitted in classified or unclassified form, to the extent ap-
14 propriate, except that the provisions of the report de-
15 scribed in paragraph (1) of such subsection shall be in
16 unclassified form.

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

18 It is the sense of the Congress that the United States
19 Government should pursue internal reforms at the Inter-
20 national Atomic Energy Agency that will ensure that all
21 programs and projects funded under the technical co-
22 operation program of the Agency are compatible with
23 United States nuclear nonproliferation policy.

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