

105TH CONGRESS
2D SESSION

H. R. 4851

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

OCTOBER 19, 1998

Mr. MENENDEZ 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1 (1) Iran remains the world’s leading sponsor of
2 international terrorism and is on the Department of
3 State’s list of countries that provide support for acts
4 of international terrorism.

5 (2) Iran has repeatedly called for the destruc-
6 tion of Israel and supports organizations, such as
7 Hizballah, Hamas, and the Palestine Islamic Jihad,
8 which are responsible for terrorist attacks against
9 Israel.

10 (3) Iranian officials have stated their intent to
11 complete at least three nuclear power plants by 2015
12 and are currently working to complete the Bushehr
13 nuclear power plant located on the Persian Gulf
14 coast.

15 (4) The United States has publicly opposed the
16 completion of reactors at the Bushehr nuclear power
17 plant because the transfer of civilian nuclear tech-
18 nology and training could help to advance Iran’s nu-
19 clear weapons program.

20 (5) In an April 1997 hearing before the Sub-
21 committee on Near Eastern and South Asian Affairs
22 of the Committee on Foreign Relations of the Sen-
23 ate, the former Director of Central Intelligence,
24 James Woolsey, stated that through the operation of
25 the nuclear power reactor at the Bushehr nuclear

1 power plant, Iran will develop substantial expertise
2 relevant to the development of nuclear weapons.

3 (6) Construction of the Bushehr nuclear power
4 plant was halted following the 1979 revolution in
5 Iran because the former West Germany refused to
6 assist in the completion of the plant due to concerns
7 that completion of the plant could provide Iran with
8 expertise and technology which could advance Iran's
9 nuclear weapons program.

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

15 (8) In January 1995 Iran signed a
16 \$780,000,000 contract with the Russian Federation
17 for Atomic Energy (MINATOM) to complete a
18 VVER-1000 pressurized-light water reactor at the
19 Bushehr nuclear power plant.

20 (9) In March of 1998, Russia confirmed its in-
21 tention to complete work on the two reactors at the
22 Bushehr nuclear power plant and agreed in principle
23 to the construction of two more reactors at the
24 Bushehr site.

1 (10) At least one reactor could be operational
2 within a few years and it would subsequently provide
3 Iran with substantial expertise to advance its nu-
4 clear weapons program.

5 (11) Iran ranks tenth among the 105 nations
6 receiving assistance from the technical cooperation
7 program of the International Atomic Energy Agen-
8 cy.

9 (12) Between 1995 and 1999, the International
10 Atomic Energy Agency has provided and is expected
11 to provide a total of \$1,550,000 through its Tech-
12 nical Assistance and Cooperation Fund for the Ira-
13 nian nuclear power program, including reactors at
14 the Bushehr nuclear power plant.

15 (13) The United States provides annual con-
16 tributions to the International Atomic Energy Agen-
17 cy which total more than 25 percent of the annual
18 assessed budget of the Agency and the United
19 States also provides annual voluntary contributions
20 to the Technical Assistance and Cooperation Fund
21 of the Agency which total approximately 32 percent
22 (\$16,000,000 in 1996) of the annual budget of the
23 program.

24 (14) The United States should not voluntarily
25 provide funding for the completion of nuclear power

1 reactors which could provide Iran with substantial
2 expertise to advance its nuclear weapons program
3 and potentially pose a threat to the United States or
4 its allies.

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

11 **SEC. 3. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO**
12 **THE INTERNATIONAL ATOMIC ENERGY AGEN-**
13 **CY FOR PROGRAMS AND PROJECTS IN IRAN.**

14 Section 307 of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2227) is amended by adding at the end the
16 following:

17 “(d) Notwithstanding subsection (c), the limitations
18 of subsection (a) shall apply to programs and projects of
19 the International Atomic Energy Agency in Iran, unless
20 the Secretary of State makes a determination in writing
21 to the Committee on International Relations of the House
22 of Representatives and the Committee on Foreign Rela-
23 tions of the Senate pursuant to section 4(a)(1) of the Iran
24 Nuclear Proliferation Prevention Act of 1998, that such
25 programs and projects are consistent with United States

1 nuclear nonproliferation and safety goals and will not pro-
2 vide Iran with training or expertise relevant to the devel-
3 opment of nuclear weapons.”.

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

9 (a) ANNUAL REVIEW.—

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

18 (2) REPORT.—Not later than 1 year after the
19 date of the enactment of this Act and on an annual
20 basis thereafter for 5 years, the Secretary shall pre-
21 pare and submit to the Congress a report containing
22 the results of the review under paragraph (1).

23 (b) OPPOSITION TO CERTAIN PROGRAMS AND
24 PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGEN-
25 CY.—The Secretary of State shall direct the United States

1 representative to the International Atomic Energy Agency
2 to oppose programs of the Agency that are determined by
3 the Secretary under the review conducted under sub-
4 section (a)(1) to be inconsistent with nuclear nonprolifera-
5 tion and safety goals of the United States.

6 **SEC. 5. REPORTING REQUIREMENTS.**

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

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

23 (2) contains a description of all programs and
24 projects of the International Atomic Energy Agency
25 in each country described in section 307(a) of the

1 Foreign Assistance Act of 1961 (22 U.S.C. 2227(a))
2 and any inconsistencies between the technical co-
3 operation and assistance programs and projects of
4 the Agency and United States nuclear nonprolifera-
5 tion and safety goals in these countries.

6 (b) **ADDITIONAL REQUIREMENT.**—The report re-
7 quired to be submitted under subsection (a) shall be sub-
8 mitted in an unclassified form, to the extent appropriate,
9 but may include a classified annex.

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

11 It is the sense of the Congress that the United States
12 Government should pursue internal reforms at the Inter-
13 national Atomic Energy Agency that will ensure that all
14 programs and projects funded under the Technical Co-
15 operation and Assistance Fund of the Agency are compat-
16 ible with United States nuclear nonproliferation policy and
17 international nuclear nonproliferation norms.

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