

AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MR. BURTON OF INDIANA

At the end of subtitle C of title XII, add the following new section:

1 **SEC. 12xx. RESTRICTIONS ON NUCLEAR COOPERATION**
2 **WITH COUNTRIES ASSISTING THE NUCLEAR**
3 **PROGRAM OF IRAN.**

4 (a) IN GENERAL.—Unless and until the President
5 certifies to the appropriate congressional committees that
6 the requirements described in subsection (b) have been
7 met—

8 (1) no agreement for cooperation between the
9 United States and any country that is assisting the
10 nuclear program of Iran or transferring advanced
11 conventional weapons or missiles to Iran submitted
12 to Congress on or after the date of the enactment
13 of this Act pursuant to section 123 of the Atomic
14 Energy Act of 1954 (42 U.S.C. 2153), shall enter
15 into force;

16 (2) no license may be issued for export directly
17 or indirectly to a country that is assisting the nu-
18 clear program of Iran or transferring advanced con-
19 ventional weapons or missiles to Iran of any nuclear

1 material, facilities, components, or other goods, serv-
2 ices, or technology that would be subject to such
3 agreement; and

4 (3) no approval may be given for the transfer
5 or retransfer directly or indirectly to a country that
6 is assisting the nuclear program of Iran or transfer-
7 ring advanced conventional weapons or missiles to
8 Iran of any nuclear material, facilities, components,
9 or other goods, services, or technology that would be
10 subject to such agreement.

11 (b) REQUIREMENTS.—The requirements referred to
12 in subsection (a) are the following:

13 (1) Iran has verifiably dismantled its nuclear
14 program.

15 (2) Iran has ceased its efforts to design, de-
16 velop, or acquire a nuclear explosive device or related
17 materials or technology and is in full compliance
18 with its International Atomic Energy Agency obliga-
19 tions and United Nations Security Council Resolu-
20 tions 1696, 1737, 1747, 1803, 1835, and 1887.

21 (c) DEFINITIONS.—In this section:

22 (1) AGREEMENT FOR COOPERATION.—The term
23 “agreement for cooperation” has the meaning given
24 that term in section 11 b. of the Atomic Energy Act
25 of 1954 (42 U.S.C. 2014(b)).

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Armed Services and
5 the Committee on Foreign Affairs of the House
6 of Representatives; and

7 (B) the Committee on Armed Services and
8 the Committee on Foreign Relations of the Sen-
9 ate.

10 (3) COUNTRY THAT IS ASSISTING THE NU-
11 CLEAR PROGRAM OF IRAN OR TRANSFERRING AD-
12 VANCED CONVENTIONAL WEAPONS OR MISSILES TO
13 IRAN.—

14 (A) IN GENERAL.—The term “country that
15 is assisting the nuclear program of Iran or
16 transferring advanced conventional weapons or
17 missiles to Iran” means—

18 (i) the Russian Federation; and

19 (ii) any other country determined by
20 the President to be assisting the nuclear
21 program of Iran or transferring advanced
22 conventional weapons or missiles to Iran.

23 (B) ADDITIONAL TERMS.—In subpara-
24 graph (A)—

1 (i) the term “assisting the nuclear
2 program of Iran” means the intentional
3 transfer to Iran by a government, or by a
4 person subject to the jurisdiction of a gov-
5 ernment with the knowledge and acquies-
6 cence of that government, of goods, serv-
7 ices, or technology listed on—

8 (I) the Nuclear Suppliers Group
9 Guidelines for the Export of Nuclear
10 Material, Equipment and Technology
11 (published by the International Atom-
12 ic Energy Agency as Information Cir-
13 cular INFCIRC/254/Rev. 3/Part 1,
14 and subsequent revisions); or

15 (II) the Guidelines for Transfers
16 of Nuclear-Related Dual-Use Equip-
17 ment, Material, and Related Tech-
18 nology (published by the International
19 Atomic Energy Agency as Information
20 Circular INFCIR/254/Rev. 3/Part 2,
21 and subsequent revisions); and

22 (ii) the term “transferring advanced
23 conventional weapons or missiles to Iran”
24 means the intentional transfer to Iran by
25 a government, or by a person subject to

1 the jurisdiction of a government with the
2 knowledge and acquiescence of that gov-
3 ernment, of goods, services, or technology
4 listed on—

5 (I) the Wassenaar Arrangement
6 list of Dual Use Goods and Tech-
7 nologies and Munitions list of July 12,
8 1996, and subsequent revisions; or

9 (II) the Missile Technology Con-
10 trol Regime Equipment and Tech-
11 nology Annex of June 11, 1996, and
12 subsequent revisions.

