

Suspend the Rules and Pass the Bill, H.R. 3783, With Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

112TH CONGRESS
2^D SESSION

H. R. 3783

To provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2012

Mr. DUNCAN of South Carolina (for himself, Mr. HIGGINS, Mr. MACK, Mr. McCAUL, Mrs. MYRICK, Ms. HOCHUL, Mr. MEEHAN, Mr. CANSECO, Mr. KING of Iowa, Mr. HULTGREN, Mr. FRANKS of Arizona, Mr. WALSH of Illinois, Mr. HUNTER, Mr. ROYCE, Mr. PITTS, Mrs. BLACKBURN, Mrs. LUMMIS, Mr. AUSTRIA, Mr. DESJARLAIS, Mr. QUAYLE, Mr. CULBERSON, Mr. CALVERT, Mr. BURTON of Indiana, Mr. POE of Texas, Mr. BILIRAKIS, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, 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 “Countering Iran in
3 the Western Hemisphere Act of 2012”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The United States has vital political, eco-
7 nomic, and security interests in the Western Hemi-
8 sphere.

9 (2) Iran is pursuing cooperation with Latin
10 American countries by signing economic and security
11 agreements in order to create a network of diplo-
12 matic and economic relationships to lessen the blow
13 of international sanctions and oppose Western at-
14 tempts to constrict its ambitions.

15 (3) According to the Department of State,
16 Hezbollah, with Iran as its state sponsor, is consid-
17 ered the “most technically capable terrorist group in
18 the world” with “thousands of supporters, several
19 thousand members, and a few hundred terrorist
20 operatives,” and officials from the Iranian Islamic
21 Revolutionary Guard Corps (IRGC) Qods Force
22 have been working in concert with Hezbollah for
23 many years.

24 (4) The IRGC’s Qods Force has a long history
25 of supporting Hezbollah’s military, paramilitary, and
26 terrorist activities, providing it with guidance, fund-

1 ing, weapons, intelligence, and logistical support,
2 and in 2007, the Department of the Treasury placed
3 sanctions on the IRGC and its Qods Force for their
4 support of terrorism and proliferation activities.

5 (5) The IRGC's Qods Force stations operatives
6 in foreign embassies, charities, and religious and cul-
7 tural institutions to foster relationships, often build-
8 ing on existing socioeconomic ties with the well es-
9 tablished Shia Diaspora, and recent years have wit-
10 nessed an increased presence in Latin America.

11 (6) According to the Department of Defense,
12 the IRGC and its Qods Force played a significant
13 role in some of the deadliest terrorist attacks of the
14 past two decades, including the 1994 attack on the
15 AMIA Jewish Community Center in Buenos Aires,
16 by generally directing or supporting the groups that
17 actually executed the attacks.

18 (7) Reports of Iranian intelligence agents being
19 implicated in Hezbollah-linked activities since the
20 early 1990s suggest direct Iranian government sup-
21 port of Hezbollah activities in the Tri-Border Area
22 of Argentina, Brazil, and Paraguay, and in the past
23 decade, Iran has dramatically increased its diplo-
24 matic missions to Venezuela, Bolivia, Nicaragua, Ec-
25 uador, Argentina, and Brazil. Iran has built 17 cul-

1 tural centers in Latin America, and it currently
2 maintains 11 embassies, up from 6 in 2005.

3 (8) Hezbollah and other Iranian proxies with a
4 presence in Latin America have raised revenues
5 through illicit activities, including drug and arms
6 trafficking, counterfeiting, money laundering, forg-
7 ing travel documents, pirating software and music,
8 and providing haven and assistance to other terror-
9 ists transiting the region.

10 (9) Bolivia, Cuba, Ecuador, Nicaragua, and
11 Venezuela expressed their intention to assist Iran in
12 evading sanctions by signing a statement supporting
13 Iran's nuclear activities and announcing at a 2010
14 joint press conference in Tehran their determination
15 to "continue and expand their economic ties to Iran"
16 with confidence that "Iran can give a crushing re-
17 sponse to the threats and sanctions imposed by the
18 West and imperialism".

19 (10) The U.S. Drug Enforcement Administra-
20 tion concluded in 2008 that almost one-half of the
21 foreign terrorist organizations in the world are
22 linked to narcotics trade and trafficking, including
23 Hezbollah and Hamas.

24 (11) In October 2011, the United States
25 charged two men, Manssor Arbabsiar, a United

1 States citizen holding both Iranian and United
2 States passports, and Gholam Shakuri, an Iran-
3 based member of Iran's IRGC Qods Force, with con-
4 spiracy to murder a foreign official using explosives
5 in an act of terrorism. Arbabsiar traveled to Mexico
6 with the express intent to hire "someone in the nar-
7 cotics business" to carry out the assassination of the
8 Saudi Arabian Ambassador in the United States.
9 While in the end, he only engaged a U.S. Drug En-
10 forcement Agency informant posing as an associate
11 of a drug trafficking cartel, Arbabsiar believed that
12 he was working with a member of a Mexican drug
13 trafficking organization and sought to send money
14 to this individual in installments and not in a single
15 transfer.

16 (12) In February 2011, actions by the Depart-
17 ment of the Treasury effectively shut down the Leb-
18 anese Canadian Bank. Subsequent actions by the
19 United States Government in connection with the in-
20 vestigation into Lebanese Canadian Bank resulted in
21 the indictment in December 2011 of Ayman
22 Joumaa, an individual of Lebanese nationality, with
23 citizenship in Lebanon and Colombia, and with ties
24 to Hezbollah, for trafficking cocaine to the Los
25 Zetas drug trafficking organization in Mexico City

1 for sale in the United States and for laundering the
2 proceeds.

3 **SEC. 3. STATEMENT OF POLICY.**

4 It shall be the policy of the United States to use a
5 comprehensive government-wide strategy to counter Iran's
6 growing hostile presence and activity in the Western
7 Hemisphere by working together with United States allies
8 and partners in the region to mutually deter threats to
9 United States interests by the Government of Iran, the
10 Iranian Islamic Revolutionary Guard Corps (IRGC), the
11 IRGC's Qods Force, and Hezbollah.

12 **SEC. 4. DEFINITIONS.**

13 In this Act:

14 (1) WESTERN HEMISPHERE.—The term “West-
15 ern Hemisphere” means the United States, Canada,
16 Mexico, the Caribbean, South America, and Central
17 America.

18 (2) RELEVANT CONGRESSIONAL COMMIT-
19 TEES.—The term “relevant congressional commit-
20 tees” means the Committee on Foreign Affairs of
21 the House of Representatives and the Committee on
22 Foreign Relations of the Senate.

1 **SEC. 5. REQUIREMENT OF A STRATEGY TO ADDRESS IRAN'S**
2 **GROWING HOSTILE PRESENCE AND ACTIVITY**
3 **IN THE WESTERN HEMISPHERE.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of State
6 shall conduct an assessment of the threats posed to the
7 United States by Iran's growing presence and activity in
8 the Western Hemisphere and submit to the relevant con-
9 gressional committees the results of the assessment and
10 a strategy to address Iran's growing hostile presence and
11 activity in the Western Hemisphere.

12 (b) MATTERS TO BE INCLUDED.—The strategy de-
13 scribed in subsection (a) should include—

14 (1) a description of the presence, activities, and
15 operations of Iran, the Iranian Islamic Revolu-
16 tionary Guard Corps (IRGC), its Qods Force,
17 Hezbollah, and other terrorist organizations linked
18 to Iran that may be present in the Western Hemi-
19 sphere, including information about their leaders,
20 objectives, and areas of influence and information on
21 their financial networks, trafficking activities, and
22 safe havens;

23 (2) a description of the terrain, population,
24 ports, foreign firms, airports, borders, media outlets,
25 financial centers, foreign embassies, charities, reli-
26 gious and cultural centers, and income-generating

1 activities in the Western Hemisphere utilized by
2 Iran, the IRGC, its Qods Force, Hezbollah, and
3 other terrorist organizations linked to Iran that may
4 be present in the Western Hemisphere;

5 (3) a description of the relationship of Iran, the
6 IRGC, its Qods Force, and Hezbollah with
7 transnational criminal organizations linked to Iran
8 and other terrorist organizations in the Western
9 Hemisphere, including information on financial net-
10 works and trafficking activities;

11 (4) a description of the relationship of Iran, the
12 IRGC, its Qods Force, Hezbollah, and other ter-
13 rorist organizations linked to Iran that may be
14 present in the Western Hemisphere with the govern-
15 ments in the Western Hemisphere, including mili-
16 tary-to-military relations and diplomatic, economic,
17 and security partnerships and agreements;

18 (5) a description of the Federal law enforce-
19 ment capabilities, military forces, State and local
20 government institutions, and other critical elements,
21 such as nongovernmental organizations, in the West-
22 ern Hemisphere that may organize to counter the
23 threat posed by Iran, the IRGC, its Qods Force,
24 Hezbollah, and other terrorist organizations linked

1 to Iran that may be present in the Western Hemi-
2 sphere;

3 (6) a description of activity by Iran, the IRGC,
4 its Qods Force, Hezbollah, and other terrorist orga-
5 nizations linked to Iran that may be present at the
6 United States borders with Mexico and Canada and
7 at other international borders within the Western
8 Hemisphere, including operations related to drug,
9 human, and arms trafficking, human support net-
10 works, financial support, narco-tunneling, and tech-
11 nological advancements that incorporates—

12 (A) with respect to the United States bor-
13 ders, in coordination with the Governments of
14 Mexico and Canada and the Secretary of Home-
15 land Security, a plan to address resources, tech-
16 nology, and infrastructure to create a secure
17 United States border and strengthen the ability
18 of the United States and its allies to prevent
19 operatives from Iran, the IRGC, its Qods
20 Force, Hezbollah, or any other terrorist organi-
21 zation from entering the United States; and

22 (B) within Latin American countries, a
23 multiagency action plan, in coordination with
24 United States allies and partners in the region,
25 that includes the development of strong rule-of-

1 law institutions to provide security in such
2 countries and a counterterrorism and counter-
3 radicalization plan to isolate Iran, the IRGC, its
4 Qods Force, Hezbollah, and other terrorist or-
5 ganizations linked to Iran that may be present
6 in the Western Hemisphere from their sources
7 of financial support and counter their facilita-
8 tion of terrorist activity; and

9 (7) a plan—

10 (A) to address any efforts by foreign per-
11 sons, entities, and governments in the region to
12 assist Iran in evading United States and inter-
13 national sanctions;

14 (B) to protect United States interests and
15 assets in the Western Hemisphere, including
16 embassies, consulates, businesses, energy pipe-
17 lines, and cultural organizations, including
18 threats to United States allies;

19 (C) to support United States efforts to
20 designate persons and entities in the Western
21 Hemisphere for proliferation activities and ter-
22 rorist activities relating to Iran, including affili-
23 ates of the IRGC, its Qods Force, and
24 Hezbollah, under applicable law including the

1 International Emergency Economic Powers Act;
2 and

3 (D) to address the vital national security
4 interests of the United States in ensuring en-
5 ergy supplies from the Western Hemisphere
6 that are free from the influence of any foreign
7 government that would attempt to manipulate
8 or disrupt global energy markets.

9 (c) DEVELOPMENT.—In developing the strategy
10 under this section, the Secretary of State shall consult
11 with the heads of all appropriate United States depart-
12 ments and agencies, including the Secretary of Defense,
13 the Director of National Intelligence, the Secretary of
14 Homeland Security, the Secretary of the Treasury, the At-
15 torney General, and the United States Trade Representa-
16 tive.

17 (d) FORM.—The strategy under this section shall be
18 submitted in unclassified form, but may contain a classi-
19 fied annex if necessary.

20 **SEC. 6. SENSE OF CONGRESS.**

21 It is the sense of Congress that the Secretary of State
22 should keep the relevant congressional committees contin-
23 ually informed on the hostile actions of Iran in the West-
24 ern Hemisphere.

1 **SEC. 7. RULE OF CONSTRUCTION.**

2 Nothing in this Act shall be construed to limit the
3 rights or protections enjoyed by United States citizens
4 under the United States Constitution or other Federal
5 law, or to create additional authorities for the Federal
6 Government that are contrary to the United States Con-
7 stitution and United States law.

 Amend the title so as to read: “A bill to provide for
a comprehensive strategy to counter Iran’s growing hos-
tile presence and activity in the Western Hemisphere,
and for other purposes”.