



PROJECT on Middle East Democracy

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“Bill Markup: Iran Refined Petroleum Sanctions Act”

House Foreign Affairs Committee

Rayburn Building 2172

October 28, 2009. 10:00 – 11:30 pm

The House Foreign Affairs Committee marked up the Iran Refined Petroleum Sanctions Act (H.R. 2194). The meeting was opened with remarks from **Chairman Howard Berman** (D-CA) and Ranking Member **Ileana Ros-Lehtinen** (R-FL) who then opened the floor to comments from members of the committee. Berman began his remarks by mentioning that both **David Abramowitz** and **Kristen Wells**, staff members of the committee, will be leaving the committee for other opportunities.

Berman explained that the goal of the bill was to maximize the chances of preventing Iran from developing nuclear capabilities, which would pose a serious strategy threat to the U.S. He proposed four reasons for this threat: Iran would be able to bully its neighbors, it would embolden Hezbollah and Hamas, it would spark a regional nuclear arms race, and the U.S. could never be sure that Iran would not share its nuclear know-how. He expressed his desire to give diplomacy a chance to succeed, but he has not seen enough progress in terms of limiting Iran’s nuclear programs. He has not giving up on diplomacy and if these sanctions do not work he believed there should be sanctions put forward by the U.N. Security Council. Therefore, this committee will take the first step to ensure that **President Obama** has the power to pressure Iran. If this bill is implemented it would have a significant impact on the Iranian economy and would considerably affect the Iranian people. While this is a distasteful prospect, the danger that a nuclear Iran poses to millions of people compels us to go forward. Iranians should understand that America wants to be a friend to the Iranian people and that the actions of the ir government have impaired that friendship. Sanctions worked in South Africa and Zimbabwe, so should diplomacy fail we must be prepared to act.

Ros-Lehtinen argued that the threat Iran poses today is greater than it did in 1996 or 2006. Iran has poured massive resources into its nuclear program. Now we seek to target Iran’s inability to refine petroleum. The amendments added to this bill include an expansion of sanctions against refined oil shipments via truck or train, additional reporting requirements, expressing a sense of Congress on Iran’s new actions, and actions to help American hostages from 1979 receive compensation. The successive administrations have refused to use the tools Congress has given them. She hoped that the current administration does not enter into a diplomatic holding pattern with Iran. Without sanctions Iran will continue to expand its abilities.

Gary Ackerman (D-NY) supported the bill and argued that Iran must pay the price for its actions and it needs to know Congress is serious. There needs to be a comprehensive strategy beyond diplomacy and sanctions; there is currently too much initiative in Iran’s hands. **Dan Burton** (R-IN) urged the chairman to prevent this bill from being delayed in other House committees. **Brad Sherman** (D-CA) supported the bill and wanted additional sanctions applied until Iran stops it centrifuges. **Mike Pence** (R-IN) explained that sanctions and diplomacy are not mutually exclusive and the Iran has declared war on its own people. **Eliot Engel** (D-NY) he also supported the bill and spoke about the sanctions

and diplomacy effort he spearheaded against Syria. **Christopher Smith** (R-NJ) argued that the sanctions sought to address the will of the people and he questioned the State Department's decision to limit funding to Freedom House and IRI. **Albio Sires** (D-NJ) spoke out against China's growing influence with Iran and its work to support their oil and weapons development. **Gerald Connolly** (D-VA), **Edward Royce** (R-CA), **Michael McMahon** (D-NY), and **Gene Green** (D-TX) all spoke in support of the bill. **Michael McCaul** (R-TX) raised the issue of the need to give this bill teeth and worried about Venezuela's intention to provide refined oil.

Ron Paul (R-TX) spoke out in opposition of the bill, arguing that the sanctions are deeply flawed and will do more harm than good. He declared sanctions are an act of war and asked how the U.S. would respond in the same situation. Iran has the right to enrich and they have never been found to violate the non-proliferation treaty. The U.S. drove Iraqis into the hands of the Iranians, an unintended consequence of the war, and these sanctions are the best thing for China. If the U.S. punishes the Iranian people they will not get angry with the regime, but with the U.S. He did not understand why the Congress sought to disrupt Obama's policy of engagement and he argued the Congress is not looking at the unintended consequences of these sanctions. He concluded, "Motivations are not the answer... we need to look at the consequences."

Jeff Flake (R-AZ) also questioned the efficacy of moving in this direction. The next step from these sanctions will be to later tie the hands of the administration with unilateral action. He argued that unilateral sanctions against Cuba have hindered democracy promotion and multilateral sanctions that could be more effective in this case. **Keith Ellison** (D-MN) was the only other representative to speak out against sanctions. He argued against the timing of the bill and said that diplomacy was making important gains to limit Iranian nuclear activity. The Iranian opposition leaders do not support sanctions because they will only hurt the people. These sanctions will also increase Iranian Revolutionary Guard Corps' black market strengths. Congress needs to give Obama a chance.

The bill was then passed by a voice vote.