

**AMENDMENT TO H.R. 5136, AS REPORTED  
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

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

1 **SEC. 1237. U.S.-RUSSIA NUCLEAR COOPERATION AGREEMENT.**  
2

3 (a) **DETERMINATION OF PRESIDENT REQUIRED FOR**  
4 **ENTRY INTO FORCE.—**

5 (1) **IN GENERAL.—**The proposed agreement be-  
6 tween the United States and the Russian Federation  
7 that was transmitted to the Congress by the Presi-  
8 dent on May 10, 2010, pursuant to section 123 of  
9 the Atomic Energy Act of 1954 (42 U.S.C. 2153),  
10 shall not enter into force, no license may be issued  
11 for the export directly or indirectly to the Russian  
12 Federation of any nuclear material, facilities, compo-  
13 nents, or other goods, services, or technology that  
14 would be subject to such agreement, and no approval  
15 may be given for the transfer or retransfer directly  
16 or indirectly to the Russian Federation of any nu-  
17 clear material, facilities, components, or other goods,  
18 services, or technology that would be subject to such

1 agreement, until the President makes the determina-  
2 tion and report under paragraph (2).

3 (2) DETERMINATION AND REPORT.—The deter-  
4 mination and report referred to in paragraph (1) are  
5 a determination and report by the President, sub-  
6 mitted to the Committee on Foreign Relations of the  
7 Senate and the Committee on Foreign Affairs of the  
8 House of Representatives, that—

9 (A) Iran has verifiably ceased its efforts to  
10 design, develop, or acquire a nuclear explosive  
11 device or related materials or technology and is  
12 in full compliance with its International Atomic  
13 Energy Agency safeguards obligations and  
14 United Nations Security Council Resolutions  
15 1696, 1737, 1747, 1803, 1835, and 1887; or

16 (B) the Government of the Russian Fed-  
17 eration—

18 (i) has verifiably suspended all assist-  
19 ance to the nuclear program of Iran and  
20 all transfers of advanced conventional  
21 weapons and missiles to Iran; and

22 (ii) is committed to maintaining that  
23 suspension until Iran has implemented  
24 measures that would permit the President

1 to make the determination described in  
2 subparagraph (A).

3 (b) CONSTRUCTION.— The restrictions in subsection  
4 (a) shall apply in addition to all other applicable proce-  
5 dures, requirements, and restrictions contained in the  
6 Atomic Energy Act of 1954 and other laws.

7 (c) DEFINITIONS.—In this section:

8 (1) ASSISTANCE TO THE NUCLEAR PROGRAM OF  
9 IRAN.—The term “assistance to the nuclear program  
10 of Iran” means the intentional transfer to Iran by  
11 the Government of the Russian Federation, or by a  
12 person subject to the jurisdiction of that government  
13 with the knowledge and acquiescence of that govern-  
14 ment, of goods, services, or technology listed on—

15 (A) the Nuclear Suppliers Group Guide-  
16 lines for the Export of Nuclear Material, Equip-  
17 ment and Technology (published by the Inter-  
18 national Atomic Energy Agency as Information  
19 Circular INFCIRC/254/Rev. 3/Part 1, and sub-  
20 sequent revisions); or

21 (B) the Nuclear Suppliers Group Guide-  
22 lines for Transfers of Nuclear-Related Dual-Use  
23 Equipment, Material, and Related Technology  
24 (published by the International Atomic Energy

1 Agency as Information Circular INFCIR/254/  
2 Rev. 3/Part 2, and subsequent revisions).

3 (2) TRANSFER OF ADVANCED CONVENTIONAL  
4 WEAPONS AND MISSILES TO IRAN.—The term  
5 “transfer of advanced conventional weapons and  
6 missiles to Iran” means the intentional transfer to  
7 Iran by the Government of the Russian Federation,  
8 or by a person subject to the jurisdiction of that  
9 government with the knowledge and acquiescence of  
10 that government, of goods, services, or technology  
11 listed on—

12 (A) the Wassenaar Arrangement list of  
13 Dual Use Goods and Technologies and Muni-  
14 tions list of July 12, 1996, and subsequent revi-  
15 sions; or

16 (B) the Missile Technology Control Regime  
17 Equipment and Technology Annex of June 11,  
18 1996, and subsequent revisions.

