

111TH CONGRESS  
2D SESSION

# S. 3810

To restrict participation in offshore oil and gas leasing by a person who engages in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996, to require the lessee under an offshore oil and gas lease to disclose any participation by the lessee in certain energy-related joint ventures, investments, or partnerships located outside Iran, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2010

Mrs. GILLIBRAND (for herself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To restrict participation in offshore oil and gas leasing by a person who engages in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996, to require the lessee under an offshore oil and gas lease to disclose any participation by the lessee in certain energy-related joint ventures, investments, or partnerships located outside 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Gulf Security and Iran  
3 Sanctions Enforcement Act”.

4 **SEC. 2. RESTRICTION ON PARTICIPATION IN OFFSHORE**  
5 **OIL AND GAS LEASING.**

6 (a) **CERTIFICATION REQUIREMENT.**—The Secretary  
7 of the Interior shall—

8 (1) include in each lease issued after the date  
9 of enactment of this Act that authorizes drilling for  
10 oil and gas on the Outer Continental Shelf a provi-  
11 sion that requires that—

12 (A) the person that is the lessee to certify  
13 annually to the Secretary that the person does  
14 not engage in any activity for which sanctions  
15 may be imposed under section 5 of the Iran  
16 Sanctions Act of 1996 (50 U.S.C. 1701 note);  
17 and

18 (B) authorizes the Secretary to cancel the  
19 lease if the person fails to make such a certifi-  
20 cation or makes such a certification that is  
21 false; and

22 (2) upon determination by the Secretary, in  
23 consultation with the Secretary of State and the  
24 Secretary of the Treasury, that the person has failed  
25 to make a certification required under such provision

1 or made such a certification that is false, shall can-  
2 cel the lease.

3 (b) DISCLOSURE REQUIREMENT.—The Secretary of  
4 the Interior shall—

5 (1) include in each lease issued after the date  
6 of enactment of this Act that authorizes drilling for  
7 oil and gas on the Outer Continental Shelf a provi-  
8 sion that—

9 (A) requires the person that is the lessee  
10 to disclose to the Secretary any participation by  
11 the person in any energy-related joint venture,  
12 investment, or partnership located outside Iran  
13 that involves—

14 (i) any person whose property and in-  
15 terests in property are blocked pursuant to  
16 Executive Order 13224 (66 Fed. Reg.  
17 49079; relating to blocking property and  
18 prohibiting transacting with persons who  
19 commit, threaten to commit, or support  
20 terrorism);

21 (ii) any person whose property and in-  
22 terests in property are blocked pursuant to  
23 Executive Order 13382 (70 Fed. Reg.  
24 38567; relating to blocking of property of

1 weapons of mass destruction proliferators  
2 and their supporters); or

3 (iii) any entity listed on appendix A to  
4 part 560 of title 31, Code of Federal Regu-  
5 lations (relating to the Iranian Trans-  
6 actions Regulations); and

7 (B) authorizes the Secretary to cancel the  
8 lease if the person fails to make such a disclo-  
9 sure or makes such a disclosure that is false;  
10 and

11 (2) upon determination by the Secretary, in  
12 consultation with the Secretary of State and the  
13 Secretary of the Treasury, that the person has failed  
14 to make a disclosure required under such provision  
15 or made such a disclosure that is false, shall cancel  
16 the lease.

17 (c) WAIVER.—

18 (1) IN GENERAL.—The Secretary of the Inte-  
19 rior may waive the requirement of subsection (a) or  
20 (b) (or both) on a case-by-case basis if the Secretary  
21 determines and certifies in writing to the appro-  
22 priate congressional committees that it is in the na-  
23 tional interest of the United States to do so.

24 (2) REPORTING REQUIREMENT.—Not later than  
25 120 days after the date of the enactment of this Act

1 and semi-annually thereafter, the Secretary of the  
2 Interior shall submit to the appropriate congress-  
3 sional committees a report on waivers granted under  
4 paragraph (1).

5 (d) REPORTING REQUIREMENT.—The Secretary of  
6 the Interior shall promptly report to the appropriate con-  
7 gressional committees any cancellation of a lease under  
8 this section, including an explanation of the reasons for  
9 the cancellation.

10 (e) DEFINITIONS.—In this section—

11 (1) the term “appropriate congressional com-  
12 mittees” means—

13 (A) the Committee on Natural Resources  
14 and the Committee on Foreign Affairs of the  
15 House of Representatives; and

16 (B) the Committee on Energy and Natural  
17 Resources and the Committee on Foreign Rela-  
18 tions of the Senate; and

19 (2) the term “person” has the meaning given  
20 such term in section 14(14) of the Iran Sanctions  
21 Act of 1996 (50 U.S.C. 1701 note).

22 **SEC. 3. SUNSET.**

23 This Act shall terminate 30 days after the date on  
24 which the President certifies to Congress that the Govern-  
25 ment of Iran—

1 (1) has permanently ceased—

2 (A) providing support for acts of inter-  
3 national terrorism and no longer satisfies the  
4 requirements for designation as a state sponsor  
5 of terrorism for purposes of section 6(j) of the  
6 Export Administration Act of 1979, section  
7 620A of the Foreign Assistance Act of 1961,  
8 section 40 of the Arms Export Control Act, or  
9 any other provision of law; and

10 (B) the pursuit, acquisition, and develop-  
11 ment of nuclear, biological, and chemical weap-  
12 ons and missiles; and

13 (2) poses no significant threat to United States  
14 national security, interests, or allies.

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