SUPPORTING RECOGNITION OF COLUMBUS AND HIS ROLE IN UNITED STATES HISTORY

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 822) expressing support for students to learn about Christopher Columbus.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 822

Whereas Columbus Day is celebrated the second Monday in October every year to honor Christopher Columbus;

Whereas Christopher Columbus arrived in the Americas on October 12, 1492, and is credited with initiating the European colonization of the Americas;

Whereas tributes and memorials to Christopher Columbus exist today in almost every State in the Nation;

Whereas the discovery and colonization of the Americas is an integral part of the history and heritage of the United States;

Whereas according to the National Assessment of Educational Progress in 2006, less than half of the country's high school seniors had a basic knowledge of United States history;

Whereas 29 States require high school students to take a class in civics or government;

Whereas a proficient knowledge of the history and heritage of the United States is important to promoting additional civic involvement; and

Whereas educating today's young people about the history and heritage of the United States is essential to creating an informed generation of citizens: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the recognition of Christopher Columbus and his role in the discovery and history of the United States;

(2) recognizes that it is important for young people to learn about Christopher Columbus and the discovery, heritage, and history of the Nation; and

(3) encourages all people to take advantage of educational opportunities in high schools and institutions of higher education to learn about Christopher Columbus' discovery of the Americas and United States history.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 822 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of House Resolution 822, which recognizes the important role Christopher Columbus played in the history of the United States. The resolution also underlines the overall importance of learning about our history.

On October 12, 1492, Christopher Columbus and his 90 crew members arrived in the Americas aboard his famous three-ship fleet. The voyage, which lasted nearly 10 weeks, began in Spain and ended on the Bahamian island of Guanahani. Credited with discovering the new world, Columbus is a controversial figure whose quest to find new trade routes to Asia brought him to our shores.

□ 1530

Americans first celebrated Columbus Day on October 12, 1792, to commemorate the 300th anniversary of his landing. The first official Columbus Day holiday, however, was not celebrated until after the 400th anniversary, when President Benjamin Harrison issued a proclamation in 1892. Today, tributes and memorial celebrations in honor of Christopher Columbus take place across the Nation.

This resolution stresses the importance of understanding the importance of Christopher Columbus' voyage, our broader history, and a call for students to learn about our Nation's heritage.

The importance of an educated and active citizenship cannot be overstated. Without a basic civic education, it is less likely that today's students will vote or engage in active citizenship as adults. Civic education raises awareness and responsibility in our students. Learning about our history is important not only for its academic aspects, but also for the way in which it improves our democracy.

I want to express my support for this resolution and encourage young people to learn about how history affects their everyday lives. I urge my colleagues to support this resolution, and I thank Representative THOMPSON for bringing it to the floor.

I reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 822, expressing support for students to learn about Christopher Columbus. Yesterday, we celebrated the 517th anniversary of Christopher Columbus' voyage to the Americas. Columbus landed in the Americas in what is now the Commonwealth of the Bahamas on October 12, 1492. Christopher Columbus' voyage to America was an integral part in the history and founding of our Nation.

Today, tributes to Christopher Columbus can be found all around the country. Almost every State has a city that bears the name ''Columbus.'' There are memorials located from coast to coast. There is a fountain memorializing Columbus here in Washington, D.C., and a chapel relocated from the Columbus family castle in Spain to Pennsylvania, just to name a couple of examples.

The importance of Christopher Columbus in American history and heritage is obvious. However, if you asked students today, many cannot tell you why yesterday was a holiday and for most a day off from school. The importance of a knowledge of history has been argued for centuries. Yet, according to the National Assessment of Educational Progress in 2006, less than half of the country's high school seniors have a basic knowledge of American history. For this reason, it is important to support this resolution and encourage students to take advantage of educational opportunities, in and out of school, to learn about Christopher Columbus and his voyage to America and the history of the United States.

I would like to thank my colleague from Pennsylvania, Mr. GLENN THOMPSON, for introducing this resolution. I ask my colleagues to support this resolution.

Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, again I urge my colleagues to support House Resolution 822. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 822.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

IRAN SANCTIONS ENABLING ACT OF 2009

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1327) to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Iran Sanctions Enabling Act of 2009''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) There is an increasing interest by States, local governments, educational institutions, and private institutions to seek to disassociate themselves from companies that directly or indirectly support the Government of Iran's efforts to achieve a nuclear weapons capability.

(2) Policy makers and fund managers may find moral, prudential, or reputational reasons to divest from companies that accept the business risk of operating in countries that are subject to international economic sanctions or that have business relationships with countries, governments, or entities with which any United States company would be prohibited from dealing because of economic sanctions imposed by the United States.

SEC. 3. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM CERTAIN COMPANIES INVESTED IN IRAN'S ENERGY SECTOR.

(a) STATEMENT OF POLICY.—It is the policy of the United States to support the decision of State governments, local governments, and educational institutions to divest from, and to prohibit the investment of assets they control in, persons that have investments of more than $20,000,000 in Iran's energy sector.

(b) AUTHORITY TO DIVEST.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran described in subsection (c).

(c) INVESTMENT ACTIVITIES IN IRAN DESCRIBED.—A person engages in investment activities in Iran described in this subsection if the person—

(1) has an investment of $20,000,000 or more in the energy sector of Iran;

(2) provides oil or liquified natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquified natural gas, for the energy sector in Iran; or

(3) is a financial institution that extends $20,000,000 or more in credit to another person, for 45 days or more, if that person will use the credit to invest in the energy sector in Iran.

(d) REQUIREMENTS.—The requirements referred to in subsection (b) that a measure taken by a State or local government must meet are the following:

(1) NOTICE.—The State or local government shall provide written notice to each person to whom the State or local government, as the case may be, intends to apply the measure, of such intent.

(2) TIMING.—The measure shall apply to a person not earlier than the date that is 90 days after the date on which the person receives the written notice required by paragraph (1).

(3) OPPORTUNITY FOR HEARING.—The State or local government shall provide each person referred to in paragraph (1) with an opportunity to demonstrate to the State or local government, as the case may be, that the person does not engage in investment activities in Iran described in subsection (c). If the person demonstrates to the State or local government that the person does not engage in investment activities in Iran described in subsection (c), the measure shall not apply to the person.

(4) SENSE OF THE CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of the Congress that a State or local government should not adopt a measure under subsection (b) with respect to a person unless the State or local government has made every effort to avoid erroneously targeting the person and has verified that the person engages in investment activities in Iran described in subsection (c).

(e) NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days after adopting a measure pursuant to subsection (b), a State or local government shall submit to the Attorney General of the United States a written notice which describes the measure.

(f) NONPREEMPTION.—A measure of a State or local government authorized under subsection (b), or described in subsection (i), is not preempted by any Federal law or regulation.

(g) DEFINITIONS.—In this section:

(1) INVESTMENT.—The ''investment'' of assets, with respect to a State or local government, includes—

(A) a commitment or contribution of assets;

(B) a loan or other extension of credit; or

(C) the entry into or renewal of a contract for goods or services.

(2) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''assets'' refers to public monies and includes any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled directly or indirectly by a State or local government.

(B) EXCEPTION.—The term ''assets'' does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (i), this section shall apply to measures adopted by a State or local government on or after the date of the enactment of this Act.

(2) NOTICE REQUIREMENTS.—Subsections (d) and (e) apply to measures adopted by a State or local government on or after the date of the enactment of this Act.

(i) AUTHORIZATION FOR PRIOR ENACTED MEASURES.—Notwithstanding any other provision of law, a State or local government may enforce a measure (without regard to the requirements of subsection (d)) adopted by the State or local government before the date of the enactment of this Act that provides for the divestiture of assets of the State or local government from, or prohibits the investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment or business activities in Iran (determined without regard to subsection (c)) identified in the measure.

SEC. 4. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–13(c)(1)) is amended to read as follows:

''(1) IN GENERAL.—Solely for purposes of this subsection, and notwithstanding any other provision of Federal or State law, no person may bring any civil, criminal, or administrative action against any registered investment company, or any employee, officer, director, or investment adviser thereof, based solely upon the investment company divesting from, or avoiding investing in, securities issued by persons that the investment company determines, using credible information that is available to the public, conduct or have direct investments in business operations in Sudan described in section 3(d) of the Sudan Accountability and Divestment Act of 2007 or engage in investment activities in Iran described in section 3(c) of the Iran Sanctions Enabling Act of 2009. Nothing in this paragraph shall be construed to create, imply, diminish, change, or affect in any way the existence of a private cause of action under any other provision of this Act.''.

SEC. 5. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY EMPLOYEE BENEFIT PLANS.

Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following new subsection:

''(e) No person shall be treated as breaching any of the responsibilities, obligations, or duties imposed upon fiduciaries by this title for divesting plan assets from, or avoiding investing plan assets in, persons that are determined by such person, using credible information that is available to the public, to be engaged in investment activities in Iran described in section 3(c) of the Iran Sanctions Enabling Act of 2009. Any divestiture of plan assets from, or avoidance of investing plan assets in, persons that are so determined to be engaged in such investment activities shall be treated as in accordance with this title and the documents and instruments governing the plan.''.

SEC. 6. DEFINITIONS.

In this title:

(1) ENERGY SECTOR.—The term ''energy sector'' refers to activities to develop petroleum or natural gas resources or nuclear power.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that term in section 14(5) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) IRAN.—The term ''Iran'' includes any agency or instrumentality of Iran.

(4) PERSON.—The term ''person'' means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in subparagraph (A) or (B).

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(6) STATE OR LOCAL GOVERNMENT.—The term ''State or local government'' includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State, and any agency or instrumentality thereof;

(C) any other governmental instrumentality; and

(D) any public institution of higher education within the meaning of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 7. SUNSET.

This Act shall terminate 30 days after the date on which the President has certified to the Congress that—

(1) the Government of Iran has ceased providing support for acts of international terrorism and no longer satisfies the requirements for designation as a state-sponsor of terrorism for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law; or

(2) Iran has ceased the pursuit, acquisition, and development of nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Minnesota (Mr. PAULSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

I am somewhat encouraged by what appears to be some progress in negotiations between the United States and

many other nations and Iran. I believe, as do I think, almost everybody in the House, perhaps not everybody, but almost everybody, that nuclear weapons in the hands of the Iranian regime would be a terrible thing for the world to have to deal with, and I am very supportive of our efforts to mobilize the necessary multinational coalition to impose the kind of sanctions that will stop this.

In that context, I have worked closely with the Chair of the Foreign Affairs Committee, the gentleman from California, Mr. BERMAN, on sanctions legislation, and I believe that he is correctly coordinating closely with the administration on the timing of broader sanctions legislation.

The bill we are discussing right now is one that has previously been passed by this House. It was blocked in the Senate in the previous administration because the State Department argued against it, and I think the time has come for us to do it.

It does not in itself impose any sanctions. What it does is to make it very clear that Americans who are deeply concerned about the prospect of Iranian nuclear power and other aspects of Iranian governance, that they are able to act on those. In particular, this bill says that no one in this country ought involuntarily to have his or her money put to the support of the Iranian economy.

It has two provisions. First, it would protect States which have decided to divest from companies that are invested in Iranian energy operations from being preempted by the Federal Government.

The State of Massachusetts, my home State, some years ago passed a bill saying not that no one in Massachusetts could do business with Myanmar, as the dictatorial rulers of that country now call what was once Burma; they said that they did not want State money, money from the State of Massachusetts, to be involved in ways that would be supportive of that regime. The State Department challenged that on the grounds of Federal supremacy in foreign policy, and the Supreme Court upheld it.

What we do today is to say not that States can make foreign policy, but that States have the right to control their own funds. The staff has given me a list of about 20 States that have enacted legislation to divest from Iran and several other States that have adopted policies of divesting from Iran.

Part of this bill today protects those States which have made the decisions by their own democratic processes from having the Federal Government come in and say, no, we are the Federal Government, we are in charge of foreign policy, and you must continue to invest in Iran.

Secondly, we have had a movement of citizens that say to various investment vehicles, we do not want our money invested in Iran. What this says is that if people who are contributors to an investment fund go to that investment fund, whatever it is, and say, we don't want our money helping to bolster the economy of that regime in Iran, withdraw our funds from those companies, that the company can't be sued.

What we have had is the investment vehicles have often said, I think sometimes frankly not entirely meaning that this is the real reason, oh, well, we can't do that, because we are mandated to get you the best possible dollar return, and if we withdraw here, we will be accused of having used other criteria.

Now, in fact it has been, I think, fairly clear that when you have a very large entity investing broadly, withdrawal from no one cause is going to cause a problem. But that is still the fear that was cited. So what this bill does is to give a very narrowly drafted protection to the investment managers against being sued because they respond to a claim from their own contributors to that fund who don't want to be supporting Iran.

As I said, it does not mandate any divestiture. It does protect State governments from having their money put where they don't want it to be, and it protects entities that do investments from being sued if they were to give in to the moral argument that their funds should not go for this or that country.

There are a couple of technical changes to the bill as introduced which provide that the exceptions are very narrowly drafted just to this. It is, in fact, about the Iranian energy section, and I believe those in America who want to make these decisions should be protected in doing so.

I reserve the balance of my time.

Mr. PAULSEN. Mr. Speaker, I also rise today in strong support for H.R. 1327, the Iran Sanctions Enabling Act of 2009. The author of this legislation, Chairman FRANK, deserves a great deal of credit for helping shepherd this legislation through committee in a very strong bipartisan basis and for his tenacious work in bringing it to the House floor today in a bipartisan manner. I also want to commend my colleague from Illinois, who I know could not be here today, Mr. KIRK, who also has been a champion of this legislation in the past.

Mr. Speaker, with the recent disclosure of a second site for enriching uranium in Iran, our relations with that country continue to be at the forefront of U.S. foreign policy. The Iranian regime has made no secret of its ambitions to acquire nuclear technology while it continues to engage in human rights violations and suppressing dissent.

The U.S. can and should demand that Iran take specific actions, concrete actions, in the near term. This legislation today is going to help in that effort. The Iranian government will be more responsive if the United States can isolate the regime and apply some distinct pressure that will help force Tehran to deliver on its commitments and not merely to do what it has done in the past, and that is use negotiations to merely run out the clock.

This legislation increases the economic pressure that is placed on Iran by permitting State governments, local governments and educational institutions to divest from investments related to Iran's energy sector.

In addition, the legislation would extend to private actors the ability to consider U.S.-Iran relationships in their investment calculus. This means that registered investment advisors are provided a safe harbor, allowing them to divest from or elect not to invest in securities of companies that invest in Iran's energy sector.

Many States, as the chairman had noted, including my own State of Minnesota, have already moved in that direction. But today we have the opportunity to push this important initiative a step closer at the Federal level, and in doing so we can help leverage and we can help slow down Iran's nuclear program and move one step closer to helping diminish this major security threat to the Middle East and the rest of the world.

With the recent revelation of the second enrichment site, passage of this legislation is imperative, and it is even more important than it has been in the past.

So I would urge immediate passage of H.R. 1327, Mr. Speaker.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I want to thank the gentleman from Massachusetts and express appreciation for his leadership. I seldom find myself in disagreement with the gentleman from Massachusetts, but I want to take exception to this particular legislation.

In 1996, Congress passed the Iran-Libya Sanctions Act, which sanctioned foreign investment in Iran's energy sector. There are those who have said that there was not that much accomplished from that particular sanction act, and there are those who are saying now that if we move forward with sanctions, that it will be actually undermining the business interests of people on the Security Council that the United States needs to work with to try to bring Iran into the international community in a way that promotes international security, and that would be China and Russia.

The fact is that U.S. policy towards Iran for the last three decades has consisted of pressure primarily in economic sanctions, threats, and isolationism.

□ 1545

While U.S. economic sanctions have hurt Iran's economy, U.S. policy over the last 30 years has not created any meaningful change in the behavior of the Iranian Government. On October

1st, there was a change. For the first time in the recent past, high level delegations from Iran and the U.S. and other industrialized nations sat down to diplomatic talks. There was significant progress.

Among the steps forward was an agreement by Iran to allow access by the International Atomic Energy Agency to the recently revealed planned enrichment facility. Yet, with signs of progress in these highly sensitive talks, we're proposing to set the stage to punish Iran. I think we should be doing everything we can to ensure that diplomacy and that President Obama's efforts here succeed.

I think when we talk about sanctions, we're saying sanctions before the talks, sanctions before any hope for agreements. I don't think the sanctions are going to help with the talks. I don't think sanctions are going to assist us in our efforts to try to bring Iran into a new position in the world community.

I reluctantly oppose this bill, and I'm hopeful that our nuclear posture review will come to an understanding that the United States cannot be in a position of picking nuclear winners and losers. Ultimately, we are going to have to get everyone involved in nuclear abolition.

Mr. PAULSEN. Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 3 minutes to an active supporter of this administration and a strong approach towards Iran, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. I thank the gentleman in support of the resolution.

I rise today, Mr. Speaker, in support of H.R. 1327, the Iran Sanctions Enabling Act of 2009, which aims to put a stop to Iran's pursuit of nuclear weapons. It cannot be overstated. A nuclear armed Iran is an urgent and deadly threat to peace and stability in the Middle East and at home.

The anti-Western rhetoric of Iranian President Ahmadinejad has only intensified in recent years. His regime supports terrorism in all its forms, a travesty worsened by the fact that Iran continues to pursue nuclear weapons against the will of the international community. If Iran continues its plans for nuclear buildup, we can expect that nuclear proliferation will increase throughout the region and around the globe. That is why it is critical for Congress to pass the Iran Sanctions Enabling Act.

This legislation would authorize State and local governments to divest from companies investing in Iran's petroleum and natural gas sector. With Tehran importing nearly 40 percent of its gas and diesel needs, this legislation would have a dramatic effect on Iran's economy and is an important step forward in convincing Iran to suspend its nuclear program. It strikes a careful balance between the administration's diplomatic outreach and the need for us to make sure that we can tighten the noose around Iran's neck in the event that those diplomatic efforts are not successful.

Mr. PAULSEN. Mr. Speaker, in closing for this side, I yield myself as much time as I may consume.

Mr. Speaker, at the end of last month, Iran finally got around to notifying the United Nations International Atomic Energy Agency of a previously undisclosed nuclear enrichment facility located on a military base. This additional enrichment facility will allow Iran to make more enriched uranium and make it faster.

Now, what this means is that previous estimates on when Iran could potentially achieve a nuclear weapons breakout are now inaccurate and unreliable. What is especially disconcerting to many of us in Congress is that this is supposed to be a civilian facility but it's located on a military base. This raises quite a few red flags, and we must make sure and not allow the Iranian regime to buy even more time.

Finally, Mr. Speaker, this is another violation of Iran's obligation under the Nuclear Nonproliferation Treaty, which requires all members to declare all nuclear facilities and allow inspection.

Mr. Speaker, it is high time we begin to act on the threat of a nuclear Iran by demanding action, and the Iran Sanctions Enabling Act is one more tool in the toolbox, an important step in moving that direction forward. I ask for its passage, and I commend the leadership again of the chairman for moving this bill in a bipartisan manner forward.

Mr. Speaker, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume to make one final point.

It is the fantasy of the President of Iran, among many fantasies, most of them malign, that somehow it's the American Government that's been opposed to them and that the broad reach of the American people would be more sympathetic. The important point to stress here is that this bill does not do anything at the Federal level. This bill empowers State governments and private citizens to give vent to their own understandable extreme dislike and fear of the Iranian Government.

So let's be very clear. This is a bill that will have effect to the extent that the activities of the Iranian Government increase the revulsion many Americans feel at those actions; not at the people of Iran, but at the Government of Iran. If, in fact, some of the hopeful signs were to look better, then this bill will not have much of an impact.

So, to the great extent, whether or not this bill has a real impact will depend very much on what the Iranians do. And so I appreciate the cooperation we've gotten on both sides. And I stress again, this is a bill that empowers American citizens, American local and State governments, and whether or not this leads to action will depend very much on future actions by the Government of Iran.

Mr. MORAN of Kansas. Mr. Speaker, it is none too soon that the House is considering what I hope will be the first of several pieces of legislation to sanction Iran for its illegal nuclear program.

Despite Iran's agreement on October 1 to allow IAEA inspectors to visit its newly disclosed nuclear site near Qom, the regime continues to enrich uranium. Iran grows more and more dangerous each day enrichment is allowed to continue. A nuclear-armed Iran is an existential threat to Israel; would threaten the safety of American troops in the region; would likely embolden terrorist groups Hamas and Hezbollah; and could lead to a dangerous nuclear arms race in the Middle East. We must not allow this to happen.

I strongly support the legislation before us today. H.R. 1327, the Iran Sanctions Enabling Act, would allow state and local governments to divest the assets of their pension funds and any other funds under their control from companies investing $20 million or more in Iran's energy sector. By allowing states and local governments to withdraw their investments in companies doing business in Iran, we can increase pressure on the Iranian regime to change course and abandon its pursuit of nuclear weapons. Only when Iran feels pressured, is it likely to make concessions.

Unfortunately, the leaders of Iran seem to feel fairly secure despite all the talk of tough sanctions. On Friday, October 9, Ayatollah Ahmad Khatami, a member of Iran's Assembly of Experts, said the October 1 talks between Iran, the U.S. and other world powers were a "great victory" for Iran, suggesting Iran had been successful in putting off any sanctions.

By passing this legislation today, though, Congress can send Iran a clear and powerful message. While the President and other world leaders gauge whether Iran is truly serious about complying with its obligations, Congress will back the negotiations with sanctions to show Iran that it must act in good faith and not delay as it usually does.

Passage of this legislation is important, but it is only the beginning of what needs to be done to address the Iranian nuclear threat. Congress must pass additional legislation, including H.R. 2194, the Iran Refined Petroleum Sanctions Act, to put sufficient pressure on Iran to fully suspend all enrichment and work on its nuclear program.

No government that calls for the complete destruction of another should be allowed to have nuclear weapons. The Iran Sanctions Enabling Act is a first step to take in order to prevent Iran's leaders from acquiring the means to do what they say they will.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H.R. 1327, the Iran Sanctions Enabling Act of 2009, and I commend my friend Mr. FRANK for his leadership on this important issue.

This bill will allow state and local governments and educational institutions to divest from companies that invest $20 million or more in Iran's energy sector. I am hopeful that the threat of divestment will persuade companies not to do business with Iran, and that this additional economic pressure will help deter Iran from pursuing a nuclear weapons capability or supporting terrorism.

Several states and localities have already begun the process of divestment, and I expect that a divestment bill will soon be introduced in the state legislature in my home state of California. The legislation before us, H.R. 1327, will provide federal legal protection for these actions, allowing them, in the case of Iran, to place their moral sensibilities ahead of their fiduciary responsibilities. As such, this is not a sanctions bill per se—it creates no new sanctions on Iran or on companies that invest in Iran.

The reasons that states and localities divest may vary—whether in response to Iran's pursuit of nuclear weapons, its support for terrorism, its abysmal disregard for human rights, or its fraudulent elections and their brutal aftermath. The timing of this bill, just a few short months after the elections and the subsequent crackdown—and in the midst of the ongoing crisis of regime legitimacy—certainly makes it an appropriate response to those ugly events.

I strongly support this legislation, and I urge all my colleagues to do likewise.

Mr. VAN HOLLEN. Mr. Speaker, earlier this month, Iran admitted the existence of a secret enrichment facility in the holy city of Qom. This development has set in motion a renewed commitment on the part of the international community to pursue more aggressive penalties against Iran for its nuclear enrichment activities. Today, as Secretary of State Hilary Clinton arrives in Moscow to solicit Russian support for more stringent sanctions against Iran, the U.S. House of Representatives considers legislation that will enable ordinary Americans to express their opposition to Iran's illegal nuclear activities.

The Iran Sanctions Enabling Act of 2009 helps to weaken Iran's vital petroleum industry by cutting off its access to global investment. The legislation enables State and local governments to divest from entities that invest more than $20 million in Iran's energy sector. Though Iran possesses large oil reserves, it has little refining capacity and the lack of refined petroleum products has often been a source of tension between its government and its people.

It is clear that arresting Iran's illegal nuclear enrichment program will require a comprehensive approach that targets Iran's important energy sector, truncates its access to the global financial system and engages its people. This legislation can help to achieve these goals. I encourage my colleagues to join me in support of this bill.

Mr. MCMAHON. Mr. Speaker, Iran's nuclear program has been an issue of serious concern for the international community since the Islamic Revolution of 1979.

Since that time, Iran has been steadily advancing towards the nuclear threshold necessary to develop nuclear weaponry.

Ahmadinejad already has 8,000 centrifuges that have produced enough uranium to build two nuclear weapons and the International Atomic Energy Agency, IAEA, has evidence of an Iranian uranium enrichment program coupled with explosives testing and development of devices to fire nuclear weapons.

Furthermore, every day Iran's nuclear stockpile grows by 4½ pounds.

It would be an absolute disaster for the United States and its allies if Iran enriched uranium even further.

Israel, in particular, sees the face of Iran's blind aggression every day.

Iran has not only threatened the very existence of the one true democracy in the Middle East, but encourages other hostile governments to do the same through a complex network of nuclear and arms cooperation.

Given these facts and undoubtedly an immeasurable amount of undisclosed information, the United States finds itself at a crossroads.

Negotiations with the Iranians will conclude in Vienna on October 19.

But, recent revelations of a previously undisclosed nuclear facility, not to mention the increasingly atrocious treatment of opposition supporters, have illustrated that unfortunately, Iran has already failed the test and it is time for Plan B.

For this reason, I commend the House on the passage of the Iran Sanctions Act, H.R. 1327, a bill which I am a proud cosponsor of.

The future of nuclear nonproliferation, international security and the well-being of young Iranians lies in the administration's ability to steer Iran away from it dangerous ambitions.

Fortunately, H.R. 1327 opens the door to this diversion by uniquely complementing the administration's forward-thinking strategy of dialogue with strict credit sanctions.

Sans sanctions, engagement can be and historically has been manipulated by Iran as a mere tactic for delay.

Without the foreign capital investments to modernize its petroleum infrastructure, Ahmadinejad will soon have no choice but to change course.

I would like to conclude by noting that Iran's deficient refining capacity calls for targeted sanctions on refined petroleum and increased international cooperation to enforce these measures with our partners in the EU, Russia and China.

The threat from Iran demands an effective policy response—and our European allies are well-placed to formulate one.

Germany, for example, has already taken notable steps to reduce its business with Iran.

But despite a 90 percent decline between 2006 and 2008 in the German Government's issuance of export credit guarantees to Iran, exports to Iran have increased.

These sorts of disturbing trends coupled with Iran's thriving black market, underpin the premise that more must be done to curtail foreign investment and ultimately, Iran's nuclear weapons pursuit.

Mr. Speaker, I look forward to working with both my colleagues in the House and the Foreign Affairs Committee to increase the administration's options when dealing with Iran.

Once again, the passage of the Iran Sanctions Act is a momentous step towards not only effectively dealing with Iran, but towards replacing a troubling network of nuclear cooperation with a newfound movement towards international cooperation for the sake of world peace.

Mr. FRANK of Massachusetts. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 1327, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina (during consideration of H.R. 1327) submitted the following conference report and statement on the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes:

CONFERENCE REPORT (H. REPT. 111–298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2892), making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $147,818,000: Provided, That not to exceed $60,000 shall be for official reception and representation expenses, of which $20,000 shall be made available to the Office of Policy solely to host Visa Waiver Program negotiations in Washington, DC: Provided further, That $15,000,000 shall not be available for obligation for the Office of Policy until the Secretary submits an expenditure plan for the Office of Policy for fiscal year 2010: Provided further, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $254,190,000, of which not less than $1,000,000 shall be for logistics training; and of which not to exceed $3,000 shall be for official reception and representation expenses: Provided, That of the total amount made available under this