say—and yet we respect each other. That is what this body is all about. We should have people who are on both sides of all these controversial issues talking about it. There has been a silence for 3 years. Now we are talking about the Middle East.

So welcome back to the discussion of global warming. I look forward to future discussions about this.

Mr. President, I yield the floor.

unanimous consent agreements 3326

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we are about to do something really important in the Senate. It would increase U.S. textile exports to Central American countries, it would promote development and economic stability by creating jobs in, of course, African countries, and it would extend U.S. import sanctions with Burma, which the Republican leader will speak more about. This bill would help maintain about 2,000 jobs in North Carolina and South Carolina alone. It is a very good bill. It is fully paid for. It is an important piece of legislation.

Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 459, S. 3326; that the only amendment in order be a Coburn amendment, the text of which is at the desk; that there be 30 minutes for debate equally divided and controlled in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote in relation to the amendment; that if the amendment is not agreed to, the bill be read the third time and passed without further action or debate; that when the Senate receives H.R. 5966 and if its text is identical to S. 3326, the Senate proceed to the immediate consideration of H.R. 5966, the bill be read the third time and passed without further debate, with no amendments in order prior to passage; further, if the Coburn amendment is agreed to, the Finance Committee be discharged from further consideration of H.R. 9 and the Senate proceed to its immediate consideration; that all after the enacting clause be stricken and the text of S. 3326, as amended, be inserted in lieu thereof, the bill be read the third time and passed without further debate; that when the Senate receives H.R. 5966, the Senate proceed to it forthwith and all after the enacting clause and the text of sections 2 and 3 of S. 3326, as reported, by inserted in lieu thereof, the bill be read the third time and passed, without further debate, as amended, and S. 3326 be returned to the Calendar of Business; finally, that all motions be in order other than motions to waive or motions to table and that motions to reconsider be made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, and I will not be objecting, let me echo the remarks of the majority leader. This is an important piece of legislation.

The part I have the most interest in is the one that contains the sanctions—something we have done on an annual basis for 10 years. These sanctions are, in spite of the fact that much progress has been made in Burma in the last year and a half. Secretary Clinton will, of course, recommend to the President that these sanctions be waived in recognition of the significant progress that has been made in the last year and a half in that country, which is trying to move from a rather thuggish military dictatorship to a genuine democracy. There is still a long way to go.

This is an important step in the right direction. America speaks with one voice regarding Burma. My views are the same as the views of the Obama administration as expressed by Secretary Clinton.

I thank the chairman of the Finance Committee also for helping us work through the process, and particularly Senator Coburn, who had some reservations about the non-Burma parts of this bill. I think we have worked those out and are moving forward. It is an important step in the right direction.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House with respect to H.R. 850.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Resolved, that the House agree to the amendment offered by Mr. Coburn to H.R. 5966 (the "Burma Freedom Act of 1993") entitled "An Act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes", with an amendment.

Mr. JOHNSON of South Dakota. Mr. President, I rise in strong support of the Iran Threat Reduction and Syria Human Rights Act, our legislation which embodies a bipartisan, bicameral agreement to reconcile the current Senate and House-passed versions of Iran sanctions legislation. Once implemented, this comprehensive new set of sanctions will help dramatically to increase the pressure on Iranian government leaders to abandon their illicit nuclear activities and support for terrorism. This bill passed the House of Representatives by an overwhelming bipartisan vote of 421 to 6 earlier this evening. I hope all of my colleagues will join me today so that it can be adopted by the Senate and signed into law by the President as soon as possible.

So far, in the sputtering P5+1 negotiations, Iran has shown no clear signs of a willingness to work with the international community to engage in a serious way on nuclear issues. It remains to be seen whether Iran will ultimately be willing to work towards progress on the central issues at upcoming negotiating sessions, or whether the meetings will simply be another in a series of stalling actions to buy time to enrich additional uranium and further fortify their program of development s. I think it necessary to intensify the pressure, and move forward quickly now on this new package that leaves no doubts about U.S. resolve on this issue.

As we all recognize, economic sanctions are not an end: they are a means to an end. That end is to apply enough pressure to secure agreement from Iran’s leaders to fully, completely and verifiably abandon their illicit nuclear nuclear program, more deeply into Iran’s energy sector than ever before, and build on the sweeping banking sanctions Congress enacted 2 years ago to reach to insurance, shipping, trade, finance and other sectors, targeting those who help to support the Iranian government revenues which support their illicit nuclear activities.

As I have said before, the prospect of a nuclear-armed Iran is the most pressing foreign policy challenge we face, and we must continue to do all we can—politically, economically, and diplomatically—to avoid that result. In recent months, we have seen increased signs that the Iranian regime is feeling the pressure of these sanctions. Their currency has plummeted, their trade revenues have been sharply curtailed, and they are under increasing pressure from the oil sanctions regime currently in place. With passage of this bill, we are taking another significant step to block the remaining avenues for the Iranians to fund their illicit behavior and evade sanctions. The bill also requires sanctions on those who purchase new Iranian sovereign debt, thereby further limiting the regime’s ability to finance its illicit activities.

In addition, there are substantial new sanctions for anyone who engages...
in joint ventures with the National Iranian Oil Company, NIOC; provides insurance or re-insurance to the National Iranian Oil Company or the National Iranian Tanker Company, NITC; helps Iran evade oil sanctions through reflagging or other means; or sells, leases, or otherwise transfers oil tankers to Iran unless they are from a country that is sharply reducing its oil purchases from Iran.

The bill also expands sanctions against Iran's blocking, freezing, or other activities in providing goods, services, technology, or other items and know or should have known this action would materially contribute to the ability of Iran to develop or acquire WMDs. The bill expands sanctions to be imposed (subject to certain conditions) on persons who knowingly participate in joint ventures with Iran's government-sanctioned firms, or persons acting on behalf of Iran's government, in the mining, production or transportation of uranium or other activities necessary to Iran's development of WMDs.

H. Res. 104—Resolution of Inquiry: Requires the President to report to Congress on the status of implementation of the Iran Sanctions Act of 1996.

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for transportation of goods that materially contribute to Iran's WMD program or its terrorism-related activities. Applies as well to parents of the persons involved if they knew or should have known of the sanctions, and to any of the persons involved that knowingly participated in the activity. Permits the President to designate "any person who has engaged in a significant transaction with the Government of Iran or an entity owned or controlled by the Government of Iran, and Sanctions Evaders: Requires that any person who has engaged in a significant transaction with the Government of Iran, the Central Bank of Iran, or a successor entity to either company. Provides an exemption for persons providing such services for activities relating to food, medicine, and medical devices or humanitarian assistance to Iran.

Sec. 212—Imposition of Sanctions for Provision of Underwriting Services or Insurance to National Iranian Tanker Company or for Certain Transactions with Respect to Financial Institutions: Requires the Secretary of the Treasury to take appropriate steps to block the assets of Iranian financial institutions, whether or not they or their affiliates have knowingly engaged in activities described in section 3 of ISDA (energy sector activity) or (b)(1) of ISDA (related to foreign financial institutions who facilitate WMD/terror, money laundering, drug trafficking, or waste management).

Sec. 213—Prohibition on Transactions with Certain IRGC Officers: Requires the President to report on designations and sanctions under CISADA or IEEPA on persons the President determines to be drug traffickers, members of the IRGC, its agents or affiliates, or those acting for or on their behalf, or those owning or controlled by them. Provides for additional sanctions against such persons to engage in significant transactions with UN-sanctioned persons, which may include barter transactions.

Sec. 214—Imposition of Sanctions on Certain Activities in Iran: Advances the Sense of Congress that the US should support actions by States or local governments, within their authority, including designations, for financial institutions safety and soundness purposes, that are consistent with and in furtherance of this Act. Requires the President to report to Congress regarding the use of such designations and sanctions, and the imposition of sanctions related to WMD proliferation.

Sec. 215—Liability of Parent Companies for Violations of Sanctions by Foreign Subsidiaries: Requires the imposition of civil penalties against foreign financial institutions, or subsidiaries of foreign financial institutions, on behalf of or for or on behalf of, or at the direction of, or owned or controlled by, the designee, including as a means to hold parent companies liable for the activities of their foreign subsidiaries.

Sec. 216—Imposition of Sanctions on Transactions with PersonsSanctioned for Activities Relating to Terrorism or Proliferation of WMD: Extends CISADA to impose sanctions on persons the President determines to be engaged in activities described in 104(c)(2) or (d)(1) of CISADA (related to foreign financial institutions who facilitate WMD/terror, money laundering, drug trafficking, or waste management).

Sec. 217—Continuation of Sanction for the Government of Iran, the Central Bank of Iran, and Sanctions Evaders: Requires that various sanctions imposed by Executive Order, including blocking the property of the Government of Iran, the Central Bank of Iran, and Sanctions Evaders: Requires that various sanctions imposed by Executive Order, including blocking the property of the designated Iranian entities, imposing penalties on foreign sanctions evaders, and blocking the property of the Iranian Central Bank, remain in effect until the President determines that such persons have ceased to support terrorism and Iranian development of WMD.
each agency of the government of a foreign country, other than Iran, that the President determines knowingly and materially supported a foreign person that is an official, agent, or employee of the government of Iran designated pursuant to the National Defense Authorization Act for Fiscal Year 2002 to be a target of EIEPA or any other law. Provides authority for the President to impose various measures described in the section, including restrictions on financial transactions with those persons and entities, to ensure that persons and entities do not engage in activities that support the Government of Iran or its financial structure. Requires the President to report on designations to Congress, and make the updated lists to Congress, and make the updated lists to Congress.

Sec. 303—Sanctions on those Complicit in Human Rights Abuses: States the sense of Congress that the Supreme Leader, seniors of the Iranian government or its entities should cease to provide such service unless the government ceases its activities intended to jam or restrict the use of services that is the illegal jamming through voice and vote at the United Nations International Telecommunications Union. Requires imposition of sanctions on individuals and firms found to have engaged in censorship or curtailment of the rights of freedom of expression or assembly of Iran's citizens.

Sec. 304—Sanctions on those Tyre Manufacturers of Iran: Requires the Secretary of Commerce to restrict the use of services that is the illegal jamming through voice and vote at the United Nations International Telecommunications Union. Requires imposition of sanctions on individuals and firms found to have engaged in censorship or curtailment of the rights of freedom of expression or assembly of Iran's citizens.

Sec. 305—Sanctions on those Complicit in Human Rights Abuses: Provides the President with the necessary procedures to administer the provisions of the new law, including subpoena and other surveillance tools to administer the provisions of the new law, including subpoena and other surveillance tools to administer the provisions of the new law. Provides for the first time the ability to seize or block the assets of those persons and entities that directly provide satellite service to the Iranian government or its entities should cease to provide such service unless the government ceases its activities intended to jam or restrict the use of services that is the illegal jamming through voice and vote at the United Nations International Telecommunications Union. Requires imposition of sanctions on individuals and firms found to have engaged in censorship or curtailment of the rights of freedom of expression or assembly of Iran's citizens. and the court also determines that no one possesses a constitutionally-protected interest in the blocked assets under the Fifth Amendment.

Sec. 306—Technical Corrections: Requires the Secretary of Commerce to report to Congress on how best to assist Iran's citizens in freely and safely accessing the Internet, developing countermeasures to disruptions caused by “surrogate” programs, and using the information it contains to promote Internet Freedom in Iran. Requires the President to submit to Congress within 60 days of receiving the EIA report, and using the information it contains to promote Internet Freedom in Iran. And the court also determines that no one possesses a constitutionally-protected interest in the blocked assets under the Fifth Amendment.

Sec. 307—Exclusion of Certain Iranian Students from the US: Requires the Secretary of State to deny visas to Iranians, and the court also determines that no one possesses a constitutionally-protected interest in the blocked assets under the Fifth Amendment.

Sec. 308—Sanctions on those Engaging in Human Rights Abuses: Provides the President with the necessary procedures to administer the provisions of the new law, including subpoena and other surveillance tools to administer the provisions of the new law. Requires the President to report on designations to Congress, and make the updated lists to Congress, and make the updated lists to Congress.
the President certifies as required in CISADA that Iran has ceased its support for terrorism and ceased efforts to procure, acquire or develop weapons of mass destruction and ballistic missiles. It also dismantled its WMD.

Sec. 701—Short Title for Title VII: The “Syria Human Rights Accountability Act of 2012.”

Sec. 702—Sanctions on those Responsible for Human Rights Abuses of Syria’s Citizens: Requires the President to identify and sanction persons determined to have engaged in the transfer of technologies—including weapons, rubber bullets, tear gas and other riot control equipment, and jamming, monitoring, surveillance equipment—which the President determines are likely to be used by Syrian officials to commit human rights abuses or restrict the free flow of information. Provides for exceptions where a person has agreed to stop providing such technologies, and agreed not to knowingly provide such technologies in the future. Requires the President to report on designations and waivers, where applicable, and to update the list periodically.

Sec. 703—Sanctions on those Transferring to Syria Technologies for Human Rights Abuses: Requires the President to identify and sanction persons determined to have engaged in the transfer of technologies—including weapons, rubber bullets, tear gas and other riot control equipment, and jamming, monitoring, surveillance equipment—which the President determines are likely to be used by Syrian officials to commit human rights abuses or restrict the free flow of information. Provides for exceptions where a person has agreed to stop providing such technologies, and agreed not to knowingly provide such technologies in the future. Requires the President to report on designations and waivers, where applicable, and to update the list periodically.

Sec. 704—Sanctions on those Engaging in Censorship and Repression in Syria: Requires the President to identify and report to Congress within 90 days of enactment those persons and firms found to have engaged in censorship or the restriction of the right of expression or assembly of Syria’s citizens, and impose sanctions under IEEPA on such persons. Requires periodic updating of the list, and public access via the websites of the Departments of State and Treasury.

Sec. 705—Waiver: Provides for Presidential national security interest waiver for Syria provisions; requires a report to Congress on the reasons for the waiver.

Sec. 706—Termination: Provides for termination of the Syria provisions if the President certifies that certain conditions are met.

PARENT COMPANIES

Mr. LAUTENBERG. Mr. President, I rise today to engage in a colloquy with my friend, the distinguished Chairman of the Senate Committee on Banking, Housing, and Urban Affairs, regarding HR 1905, the Iran Threat Reduction and Syria Human Rights Act of 2012. I want to thank the chairman for crafting a strong sanctions package that includes language to close a loophole in current law that allows foreign subsidiaries of U.S. companies to continue doing business with Iran without imposing any penalties on their U.S. parent companies. We must close this loophole once and for all. In current law, the foreign subsidiary of a U.S. company can continue to do business with Iran if the U.S. parent company had no knowledge of the transactions.

Mr. JOHNSON of South Dakota. I thank Senator LAUTENBERG for his longstanding leadership on this issue. As I have previously noted, it is long past time for foreign subsidiaries of U.S. companies to end their business in Iran. That is already happening due to US and international pressure on the business and financial sectors, and this new provision will accelerate that process. Firms realize the huge risks such activity poses, reputationally and otherwise, to their companies. I note that it is already a violation of U.S. law for U.S. subsidiaries to engage in sanctionable activity in Iran’s energy sector and certain other activities under U.S. sanctions laws. It is also a violation of U.S. trade law for a U.S. firm to do business of any kind in Iran via a subsidiary that it directs. The balance that has been struck in prior law is focused on the activity of U.S. companies. Foreign subsidiaries are not, by definition, U.S. companies, and your provision takes a major new step forward in this area of the law. I agree with you that the way we have addressed this issue authorizing for the first time penalties on U.S. parents if their foreign subsidiaries engages in an activity that would be sanctionable if committed by a U.S. person—is a sound and responsible one, and will hopefully shut down this activity once and for all.

Mr. LAUTENBERG. Does the chairman agree that the language in the bill currently under consideration would apply the same penalties that can be imposed on U.S. companies that directly violate the U.S. trade ban to those U.S. parent companies whose foreign subsidiaries are doing business with Iran?

Mr. JOHNSON of South Dakota. The bill would authorize the imposition of similar civil penalties on such U.S. parent companies.

Mr. LAUTENBERG. Does the chairman also agree that this language subjects to penalties U.S. parent companies if their foreign subsidiaries knew or should have known that their subsidiary was directly or indirectly doing business with an Iranian entity, even if it was the case that the parent companies were not actually aware of the activity of the subsidiary?

Mr. JOHNSON of South Dakota. I agree with you that the way we have addressed this issue authorizing for the first time penalties on U.S. parents if their foreign subsidiaries engages in an activity that would be sanctionable if committed by a U.S. person—is a sound and responsible one, and will hopefully shut down this activity once and for all.

Mr. LAUTENBERG. And does the chairman agree that this requirement that U.S. parent subsidiaries knew or should have known that they were doing business with Iran relates only to the actual business transaction and does not require that the subsidiary had or should have had knowledge of current U.S. sanctions law in order to place penalties on the U.S. parent company?

Mr. JOHNSON of South Dakota. Yes. That is my intent.

Mr. LAUTENBERG. I thank Chairwoman JOHNSON for all of her work on this important issue of keeping Iran on the periphery. Iran continues to defy numerous United Nations Security Council resolutions. It funds Hamas, Hezbollah, and other terrorist organizations, and it commits severe human rights abuses against its own people. We must do everything we can to place as much pressure on the Iranian regime as possible. I am pleased that we have finally closed this loophole in current law, and I am pleased that the Congress and the President have agreed to the Motion to Consider.
the people of Iran the benefit of OFAC-approved humanitarian trade.

Mr. REID. I am pleased that the Senate has just passed the final version of the Iran Sanctions legislation.

I want to thank Senators JOHNSON, SHELBY and MENENDEZ for their leadership and hard work getting this bill completed.

At a time when Iran continues to defy the international community with its nuclear weapons program, it is critical we continue to tighten our sanctions regime.

This legislation expands our existing sanctions on Iran’s energy sector, and imposes new sanctions targeting shipping and insurance.

Iran continues to try to evade existing sanctions. But this legislation, in combination with newly announced measures by the Obama administration, closes loopholes and stops the use of front companies or financial institutions to get around international sanctions.

Our current sanctions, and a recent European Union ban on purchasing Iranian oil, have already had an impact.

In spite of the rhetoric coming out of Iran, the regime is clearly feeling the heat.

Oil exports are down by 50 percent, and the Iranian currency has lost nearly 40 percent of its value.

Iranian tankers full of oil are crowding the waters around Iran, acting as floating storage facilities for oil the rogue nation cannot sell.

Over the past year, I have come to the floor many times urging passage of this measure.

I am pleased we have finally completed this important work.

There is no time to waste, as the Iranian regime continues to threaten our ally Israel and the national security of the United States.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING CHIEF ROD MAGGARD

Mr. McCONNELL. Mr. President, I rise today in memory of former Hazard Police Chief Rod Maggard. Chief Maggard was a prominent member of the Perry County, KY, community, and he dedicated his life to serving his country, State, and city.

A native of the southeastern Kentucky region, Chief Maggard was born on April 9, 1944, to Ivory and Margaret Maggard. After graduating from Cumberland High School, he attended Southeast Community College. Shortly thereafter, Chief Maggard received his draft notice for the Vietnam War. Initially, he was stationed in Biloxi, MI, where he worked as a Morse radio intercept operator, and he ultimately served a 14-month tour in DaNang, Vietnam.

Chief Maggard became a State trooper in 1967 when he returned home from the war. He was a decorated trooper and recipient of the Year Award for the Hazard KSP Post. In 1981, Maggard left public service and became director of Blue Diamond Coal’s security. However, in 1991, he returned to public duty when he accepted the position of police chief for the City of Hazard.

His career was highly distinguished as he earned many different forms of recognition. Chief Maggard was invited to the White House to represent the Kentucky Chiefs of Police; he also served on the Kentucky Law Enforcement Council from 1995 to 2001; in 1997 he was appointed to the National Law Enforcement and Corrections Technology Center Advisory Council; and he was president of the Kentucky Association of Chiefs of Police from 1999 to 2000. In 2001, Chief Maggard retired from the police force and became the director of the Rural Law Enforcement Technology Center in Hazard.

Though a decorated police officer and public servant, the legacy Chief Rod Maggard hoped to leave was that of a good member of his community. Current Hazard police chief Minor Allen said that Chief Maggard was not just a mentor but more like a second father to him who taught him the love of Hazard and Kentucky that set Maggard apart as a great police chief, and that is the reason why Rod will be dearly missed by those he knew and with whom he worked.

Today, I ask that my colleagues in the U.S. Senate would join me in honoring Chief Rod Maggard. I extend my most sincere condolences to his wife, Beverly; their daughters, Lesley Buckner, Brandi Townsley, and Vali Dye; his stepson, Jason; and many more beloved family members and friends. The Hazard Herald, a publication from Hazard, KY, published an obituary that highlighted Chief Maggard’s outstanding service to Kentucky. Mr. President, I ask unanimous consent that said article appear in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

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REMEMBERING AURORA’S LOSS

Mr. LEVIN. Mr. President, as we gain perspective on the recent horrific shooting in Aurora, CO, our thoughts and prayers are with the victims, their families, and on all those who have been impacted by this tragedy. I, like many Americans, have been uplifted by the many examples of courage and heroism that have emerged from this dark moment. A young woman refusing to leave her injured friend, pulling her out of harm’s way. A man giving his life to shield a loved one. A 19-year-old stepping into danger to rescue a mother and her two young daughters. These stories and the others that will almost certainly emerge as time goes on serve as powerful reminders of the simple decency that makes our Nation strong.

But as we reflect on these stories, it is also important that we begin to understand what caused or contributed to this heinous act. When an alleged shooter burst into the theater, he opened fire on the audience with an AR-15 assault rifle. The AR–15 is a type of military-style assault weapon, built for no purpose other than combat. According to the Congressional Research Service, they were designed in the aftermath of the Second World War to give soldiers a weapon suited for the modern battlefield. Such weapons often use high-capacity ammunition magazines, which allow shooters to continually fire rounds without reloading. It has been reported that the alleged shooter used an oversized drum magazine, which reports have indicated could fire 100 rounds without reloading.

Between 1994 and 2004, a Federal ban prohibited the purchase of assault weapons. The idea was that if we took lethal weapons with no sporting purpose off the streets, it would make our society safer and protect American lives. Our law enforcement community strongly supported and worked. After the ban was enacted, Brady Campaign studies observed a 66 percent decrease in the number of assault weapons that the Bureau of Alcohol, Tobacco, and Firearms, ATF, traced back to a crime scene. When assault weapons were taken off the market, our Nation became safer. But, unfortunately, Congress allowed the assault weapons ban to lapse in 2004, and repeated efforts to reinstate it have been unsuccessful.

So this past May, when the alleged gunman walked into a local gun shop, he was able to purchase an AR-15 assault rifle. The sale was completed