

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle B of title XVII, insert the following:

1 **SEC. 17___ . ACTIONS TO ENSURE ISRAEL IS PREPARED**
2 **FOR ALL CONTINGENCIES IF IRAN SEEKS TO**
3 **DEVELOP A NUCLEAR WEAPON.**

4 (a) IN GENERAL.—Subject to the preliminary condi-
5 tions described in subsection (b), the President is author-
6 ized to take the actions described in subsection (c), upon
7 the request of the Government of Israel, to ensure Israel
8 is prepared for all contingencies if Iran seeks to develop
9 a nuclear weapon.

10 (b) PRELIMINARY CONDITIONS.—The President may
11 exercise the authority of subsection (a) only if the Presi-
12 dent first determines and certifies to Congress that it is
13 vital to the national security interests of the United States
14 to do so and the conditions in subsection (c)(2)(B) are
15 met.

16 (c) ACTIONS DESCRIBED.—The actions described in
17 this subsection are the following:

18 (1) To provide for the construction of infra-
19 structure in Israel to accommodate large ordnance

1 systems that are designed to destroy underground
2 nuclear infrastructure, including—

3 (A) construction of extended runways for
4 aircraft that carry the Massive Ordnance Pene-
5 trator (MOP);

6 (B) aircraft to carry and deliver the MOP;

7 (C) basing options for such aircraft; and

8 (D) munition storage facilities.

9 (2)(A) To store in the territory of Israel the
10 MOP or related munitions described in paragraph
11 (1), to be used by the United States except as pro-
12 vided in subparagraph (B).

13 (B) To transfer the MOP or related munitions
14 described in paragraph (1) to Israeli custody if the
15 President determines and certifies to Congress
16 that—

17 (i) Iran—

18 (I) is in noncompliance with the NPT
19 Safeguards Agreement;

20 (II) has modified its implementation
21 of the NPT Safeguards Agreement (includ-
22 ing modified Code 3.1); or

23 (III) as determined by the President,
24 has reduced access of inspectors of the
25 IAEA in such a manner so as to be preju-

1 dicial to the IAEA's ability to provide con-
2 fidence as to the non-diversion of declared
3 nuclear material and absence of undeclared
4 nuclear activities;

5 (ii) it is vital to the national security of the
6 United States to do so;

7 (iii) Israel has no other means to achieve
8 a mutual national security objective of destroy-
9 ing Iran's underground nuclear infrastructure
10 or facilities; and

11 (iv) a dual key control system is in place
12 requiring approval by the President, acting
13 through the Secretary of Defense (which may
14 not be further delegated) for deployment of the
15 MOP or related munitions described in para-
16 graph (1) prior to Israeli deployment of such
17 munitions.

18 (3) To provide for training of Israeli personnel
19 with respect to the MOP or related munitions de-
20 scribed in paragraph (1).

21 (4) To conduct joint research and development
22 with Israel to—

23 (A) enhance United States ordnance; and

24 (B) develop Israeli capability for ordnance
25 to destroy underground infrastructure, includ-

1 ing Hezbollah rocket storage and manufac-
2 turing facilities and underground Iranian nu-
3 clear facilities.

4 (d) NPT SAFEGUARDS AGREEMENT DEFINED.—In
5 this section, the term “NPT Safeguards Agreement”
6 means the Agreement between Iran and the International
7 Atomic Energy Agency for the Application of Safeguards
8 in Connection with the Treaty on the Non-Proliferation
9 of Nuclear Weapons, which entered into force on May 15,
10 1974.

11 (e) RULE OF CONSTRUCTION.—Nothing in this sub-
12 title may be construed to serve as an authorization for
13 the use of military force against Iran.

