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August 13, 2012

The Honorable Hillary Clinton
Secretary of State
Department of State
Washington, D.C. 20520

The Honorable Timothy Geithner
Secretary of the Treasury
Department of the Treasury
Washington, D.C. 20220

Dear Secretaries Clinton and Geithner:

In light of the enactment August 10th of the Iran Threat Reduction and Syria Human Rights Act, I write to register my concern about Iran's continuing efforts to conceal the operations of its ocean-going oil tankers and cargo vessels that are operated by the National Iranian Tanker Company (NITC) and the Islamic Republic of Iran Shipping Line (IRISL).

Section 202 of the new law contains a provision that calls for U.S. sanctions to be imposed on persons, worldwide, who assist Iran in concealing the identity and operations of Iranian vessels. The legislation makes clear the Congressional intent that sanctions are to be used to counteract Iran's shipping operations that generate revenues in support its weapons program and terrorism. Moreover, the President's Executive Order 13608 of May 1st authorizes the imposition of sanctions and penalties against those who assist Iran in concealing its tankers and other vessels.

Although your departments have taken steps to track, identify and designate Iranian ships that have been re-registered by other governments and to demarche those governments, the re-flagging and concealment efforts continue, allowing NITC to deliver Iranian crude oil exports and IRISL to transport cargo to and from Iran. The U.S. has had some success, most recently with the announcement by the Government of Tanzania that it is de-registering NITC vessels.

However, with other governments, the U.S. must take more robust action. One of the most egregious examples is the ship registry of the Government of Tuvalu, which has re-flagged some 22 Iranian oil tankers. In a response to my July 9th letter to the Tuvalu Prime Minister, the Government on July 17th issued a public statement acknowledging that it has re-registered NITC tankers as part of a broader effort to generate income through ship registry fees, and indicated that it intends to continue to assist Iran.

I recommend that you use the authority of both E.O. 13608 and the new law to take aggressive action to change Tuvalu's policy of abetting Iran in evading U.S. sanctions.

Sincerely,

HOWARD L. BERMAN
Ranking Member