

113TH CONGRESS
1ST SESSION

H. R. 3292

To prevent the Government of Iran from gaining a nuclear weapons capability and to maximize the United States diplomatic influence to achieve, consistent with the national security interest of the United States and its allies and partners, a negotiated settlement with the Government of Iran regarding Iran's nuclear weapons program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2013

Mr. FRANKS of Arizona (for himself, Mr. CONAWAY, Mr. LAMBORN, Mr. KING of Iowa, Mr. STOCKMAN, Mr. HULTGREN, Mr. GOHMERT, Mr. AUSTIN SCOTT of Georgia, Mr. WEBER of Texas, Mr. PERRY, Mr. ROKITA, Mr. PEARCE, Mr. HARRIS, Mr. LAMALFA, Mrs. BLACKBURN, and Mr. WILLIAMS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prevent the Government of Iran from gaining a nuclear weapons capability and to maximize the United States diplomatic influence to achieve, consistent with the national security interest of the United States and its allies and partners, a negotiated settlement with the Government of Iran regarding Iran's nuclear weapons program.

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 “United States-Iran Nu-
3 clear Negotiations Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) After a 30-year formal diplomatic relations
7 drought and decades of repeated and direct threats
8 to the United States, Iran and the United States re-
9 cently exchanged communication between high-rank-
10 ing government officials with the stated intent to ac-
11 celerate negotiations and relations.

12 (2) Since at least the late 1980s, Iran has en-
13 gaged in a sustained and well-documented pattern of
14 illicit and deceptive activities to acquire a nuclear
15 weapons capability and has provided weapons, train-
16 ing, funding, and direction to terrorist groups.

17 (3) Iran already possesses the necessary
18 amount of low- and medium-enriched uranium that,
19 if enriched further to weapons-grade level, can
20 produce several nuclear weapons.

21 (4) Iran has the advanced nuclear facilities and
22 technology to carry out weapons-grade enrichment
23 and the infrastructure to assemble, house and
24 launch long-range ballistic weapons.

25 (5) Since September 2005, the International
26 Atomic Energy Agency (IAEA) has found Iran to be

1 in non-compliance with its safeguards agreement,
2 which Iran is obligated to adhere to as a non-nu-
3 clear-weapon State Party to the Treaty on the Non-
4 Proliferation of Nuclear Weapons, done at Wash-
5 ington, London, and Moscow July 1, 1968, and en-
6 tered into force March 5, 1970.

7 (6) The United Nations Security Council
8 (UNSC) has adopted multiple resolutions since 2006
9 demanding Iran's full and sustained suspension of
10 all uranium enrichment-related and reprocessing ac-
11 tivities and Iran's full cooperation with the IAEA on
12 all outstanding issues related to its nuclear activi-
13 ties, particularly those concerning the possible mili-
14 tary utilizations of its nuclear program.

15 (7) On July 31, 2006, the UNSC adopted Res-
16 olution 1696 that calls on Tehran to suspend its en-
17 richment program and verify its compliance with the
18 IAEA Board of Governors' requirements.

19 (8) On December 23, 2006, the UNSC adopted
20 Resolution 1737 in response to Iran's failure to com-
21 ply with Resolution 1696 and requires Iran to sus-
22 pend uranium enrichment and heavy-water reactor
23 projects, and take other confidence-building meas-
24 ures.

1 (9) On March 24, 2007, the UNSC adopted
2 Resolution 1747 as a result of Iran’s failure to com-
3 ply with the previous two resolutions. It calls on
4 Iran to take measures required by the IAEA Board
5 of Governors and outlined in Resolution 1737 to
6 verify that its nuclear program has only peaceful
7 purposes and to reach a long-term comprehensive
8 agreement with the P5+1 nations (the United
9 States, the United Kingdom, France, Russia, China,
10 and Germany).

11 (10) On March 3, 2008, the UNSC adopted
12 Resolution 1803 as a response to Iran’s decision to
13 not abide by previous resolutions and calls for Iran
14 to halt its enrichment program and comply with pre-
15 vious UNSC and IAEA resolutions.

16 (11) On September 27, 2008, the UNSC adopt-
17 ed Resolution 1835 which reaffirms the four pre-
18 vious resolutions.

19 (12) On June 9, 2010, the UNSC adopted Res-
20 olution 1929 which reiterates the UNSC’s demands
21 from previous resolutions that Iran halt all enrich-
22 ment activity and to cooperate with IAEA efforts to
23 determine that Iran does not have a nuclear weap-
24 ons program.

1 (13) On June 9, 2011, the UNSC adopted Res-
2 olution 1984 which recalls all previous resolutions
3 and extends the mandate of the Panel of Experts
4 that monitors sanctions on Iran’s nuclear program
5 for a period of one year.

6 (14) On June 7, 2012, the UNSC adopted Res-
7 olution 2049 which extends the mandate of the
8 Panel of Experts to monitor the implementation of
9 international sanctions against Iran and to provide
10 several reports on compliance with international
11 sanctions.

12 (15) Congress has passed and the President has
13 signed into law legislation imposing significant eco-
14 nomic and diplomatic sanctions to pressure Iran to
15 abandon its pursuit of nuclear weapons and end its
16 support for terrorism.

17 (16) The Department of State has designated
18 Iran as a state sponsor of terrorism since 1984 and
19 for the past decade has characterized Iran as the
20 “most active state sponsor of terrorism” in the
21 world.

22 (17) During the State of the Union Address on
23 January 24, 2012, President Barack Obama stated,
24 “Let there be no doubt: America is determined to
25 prevent Iran from getting a nuclear weapon, and I

1 will take no options off the table to achieve that
2 goal.”.

3 (18) On March 4, 2012, President Obama stat-
4 ed, “Iran’s leaders should understand that I do not
5 have a policy of containment; I have a policy to pre-
6 vent Iran from obtaining a nuclear weapon.”.

7 (19) On October 22, 2012, President Obama
8 said of Iran, “The clock is ticking . . . And we’re
9 going to make sure that if they do not meet the de-
10 mands of the international community, then we are
11 going to take all options necessary to make sure
12 they don’t have a nuclear weapon.”.

13 (20) Iran Supreme Leader Khamenei’s newly
14 elected President, Hassan Rouhani, served as a
15 member of Iran’s Supreme National Security Coun-
16 cil since 1989, spent 16 years as the Supreme Na-
17 tional Security Council’s secretary, and was Iran’s
18 nuclear negotiator from 2003 to 2005.

19 (21) In a secret 2004 speech that leaked in
20 2006, Rouhani acknowledged that he used the nego-
21 tiations to buy time for the advancement of Iran’s
22 nuclear program: “While we were talking with the
23 Europeans in Tehran, we were installing equipment
24 in parts of the facility in Isfahan [the site of Iran’s
25 uranium conversion plant], but we still had a long

1 way to go to complete the project. In fact, by cre-
2 ating a calm environment, we were able to complete
3 the work in Isfahan.”.

4 (22) Since Barack Obama has become Presi-
5 dent, Iran has tripled the number of operating cen-
6 trifuges to 15,000 and has expanded the Natanz en-
7 richment facility and its newer, deep underground
8 plant at Fordow where it has installed hundreds of
9 more advanced machines (the IR-2) which are capa-
10 ble of tripling the production rate, drastically reduc-
11 ing the time it would need to break out and produce
12 weapons-grade materials.

13 (23) Iran has continued to construct the Arak
14 heavy water reactor that is suitable for plutonium
15 production.

16 (24) Iran’s illicit pursuit and development of
17 nuclear weapons and its foreign policy conduct and
18 actions constitute a grave threat to regional sta-
19 bility, world peace, global economy and energy mar-
20 kets, and the national security interests of the
21 United States and its allies and partners.

22 (25) A nuclear weapons-capable Iran, with
23 intercontinental ballistic capabilities, would pose a
24 direct nuclear and high altitude electromagnetic

1 pulse (HEMP) threat to the United States and its
2 allies.

3 (26) A nuclear weapons-capable Iran would
4 likely lead directly to the proliferation of nuclear
5 weapons in such nearby powers as Saudi Arabia,
6 Egypt, and Turkey, thus increasing the risk of re-
7 gional nuclear confrontation.

8 **SEC. 3. SUPPORT FOR UNITED STATES DIPLOMATIC EF-**
9 **FORTS.**

10 (a) STATEMENT OF POLICY.—It is the policy of Con-
11 gress that it is in the national security interest of the
12 United States and its allies and partners to ensure the
13 following objectives with respect to Iran are achieved:

14 (1) Iran permanently halts all uranium enrich-
15 ment and identifies all sites where such enrichment
16 is occurring.

17 (2) Iran removes, and transfers to a third party
18 under the auspices of the International Atomic En-
19 ergy Agency (IAEA), all uranium enriched to a 20
20 percent and higher threshold.

21 (3) Iran closes the uranium enrichment facility
22 at Fordow, near Qom, Iran.

23 (4) Iran ceases developing reactors capable of
24 producing plutonium and ceases the importation and

1 domestic manufacturing of all centrifuges for enrich-
2 ing uranium.

3 (b) SENSE OF CONGRESS.—

4 (1) IN GENERAL.—It is the sense of Congress
5 that if the objectives described in paragraphs (1)
6 through (4) of subsection (a) are met, it shall be the
7 policy of the United States to enter into a negotiated
8 settlement regarding nuclear activities in Iran that
9 includes the terms described in paragraph (2) of this
10 subsection.

11 (2) TERMS DESCRIBED.—The terms referred to
12 in paragraph (1) are the following:

13 (A) The Government of Iran reaffirms its
14 commitment to the Treaty on the Non-Pro-
15 liferation of Nuclear Weapons and ratifies and
16 implements all provisions of the Additional Pro-
17 tocol.

18 (B) Iran ceases the development and test-
19 ing of long-range ballistic weapons.

20 (C) Iran permits unfettered access by
21 IAEA officials to inspect and verify its compli-
22 ance to IAEA safeguards and the IAEA Board
23 of Governors' obligations.

24 (D) Iran ceases to provide weapons, train-
25 ing, funding, and direction to terrorist groups,

1 including Hamas, Hezbollah, Shiite militias in
2 Iraq, and the regime of Bashar al Assad in
3 Syria.

4 (E) Iran demonstrates peaceful foreign
5 policy conduct and actions and issues full rec-
6 ognition of its neighbors' sovereignty, including
7 Israel.

8 (F) Iran ceases all threats against the
9 United States and Israel.

10 **SEC. 4. MILITARY READINESS AND CONGRESSIONAL CON-**
11 **SENT.**

12 (a) **DECLARATION OF POLICY.**—Congress declares
13 that the United States is wholly capable, willing, and
14 ready to use military force to prevent Iran from obtaining
15 or developing a nuclear weapons capability.

16 (b) **CONGRESSIONAL CONSENT.**—

17 (1) **IN GENERAL.**—To maximize the Adminis-
18 tration's diplomatic leverage to achieve, consistent
19 with the national security interests of the United
20 States and its allies and partners, a negotiated set-
21 tlement with the Government of Iran regarding
22 Iran's nuclear weapons program, and consistent with
23 the President's authority under article II, section 2
24 of the Constitution and pursuant to the War Powers

1 Resolution (50 U.S.C. 1541 et seq.), at such time
2 when the President determines that—

3 (A) Iran is using the cover of diplomacy to
4 continue advancing its nuclear program to ac-
5 quire a nuclear weapons capability,

6 (B) diplomatic efforts have failed to miti-
7 gate Iran’s nuclear enrichment program in doc-
8 umented, inspected, and verifiable ways, or

9 (C) Iran poses a threat to the national se-
10 curity interests of the United States and its al-
11 lies and partners,

12 Congress hereby acknowledges that this Act con-
13 stitutes current consultation with the President on
14 Iran in order to provide for swift application of all
15 options to prevent Iran from obtaining a nuclear
16 weapons capability and provides consent to the nec-
17 essary and appropriate use of force against legiti-
18 mate targets in Iran to achieve the objectives de-
19 scribed in paragraph (2).

20 (2) OBJECTIVES DESCRIBED.—The objectives
21 referred to in paragraph (1) are the following:

22 (A) Uphold and implement all relevant
23 United Nations Security Council resolutions re-
24 garding Iran’s nuclear program.

1 (B) Deter Iran's development of nuclear
2 weapons in order to protect the national secu-
3 rity interests of the United States and to pro-
4 tect United States allies and partners against
5 the development and transfer of such weapons
6 to rogue regimes and non-state actors.

7 (C) Degrade Iran's capacity to develop
8 such weapons in the future.

9 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO**
10 **IRAN.**

11 (a) AUTHORIZATION FOR IMPOSITION OF SANC-
12 TIONS.—If any business, firm, or entity has not termi-
13 nated the provision of goods, services, or technology in
14 Iran or with any Iranian-controlled entity, the President
15 may—

16 (1) prohibit that business, firm, or entity from
17 receiving any United States Government contract or
18 accessing United States capital markets; and

19 (2) in the case of a business, firm, or entity
20 that is a foreign financial institution, prohibit, or
21 impose strict conditions on, the opening or maintain-
22 ing in the United States of a correspondent account
23 or payable-through account by the business, firm, or
24 entity.

25 (b) DEFINITIONS.—In this section:

1 (1) BUSINESS, FIRM, OR ENTITY.—The term
2 “business”, “firm”, or “entity”—

3 (A) means a partnership, association,
4 trust, joint venture, corporation, company, gov-
5 ernmental, quasi-governmental or non-govern-
6 mental body, affiliate or other organization; and

7 (B) includes any affiliate, subsidiary, or
8 branch thereof.

9 (2) IRAN.—The term “Iran” means the Govern-
10 ment of the Islamic Republic of Iran, including the
11 central bank or monetary authority of that Govern-
12 ment and any agency or instrumentality of that Gov-
13 ernment.

14 (3) IRANIAN-CONTROLLED ENTITY.—The term
15 “Iranian-controlled entity” means a partnership, as-
16 sociation, trust, joint venture, corporation, affiliate
17 or other organization in which the Government of
18 Iran—

19 (A) holds more than 50 percent of the eq-
20 uity interest by vote or value in the entity;

21 (B) holds a majority of seats on the board
22 of directors of the entity; or

23 (C) otherwise controls the actions, policies,
24 or personnel decisions of the entity.

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