

113TH CONGRESS  
1ST SESSION

# H. R. 783

To enhance diplomacy with Iran to peacefully prevent Iran from acquiring nuclear weapons, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2013

Ms. LEE of California (for herself, Mr. CONYERS, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. RUSH, Mr. BLUMENAUER, Mr. DINGELL, Ms. MCCOLLUM, Mr. HOLT, and Mr. MORAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To enhance diplomacy with Iran to peacefully prevent Iran from acquiring nuclear weapons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prevent Iran from Ac-  
5 quiring Nuclear Weapons and Stop War Through Diplo-  
6 macy Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1           (1) In his Nobel Peace Prize acceptance speech  
2           on December 10, 2009, President Obama said, “I  
3           know that engagement with repressive regimes lacks  
4           the satisfying purity of indignation. But I also know  
5           that sanctions without outreach—and condemnation  
6           without discussion—can carry forward a crippling  
7           status quo. No repressive regime can move down a  
8           new path unless it has the choice of an open door.”.

9           (2) President Obama stated on November 14,  
10          2012, that, “With respect to Iran, I very much want  
11          to see a diplomatic resolution to the problem. I was  
12          very clear before the campaign, I was clear during  
13          the campaign and I’m now clear after the cam-  
14          paign—we’re not going to let Iran get a nuclear  
15          weapon. But I think there is still a window of time  
16          for us to resolve this diplomatically. We’ve imposed  
17          the toughest sanctions in history. It is having an im-  
18          pact on Iran’s economy. There should be a way in  
19          which they can enjoy peaceful nuclear power while  
20          still meeting their international obligations and pro-  
21          viding clear assurances to the international commu-  
22          nity that they’re not pursuing a nuclear weapon.”.

23          (3) While the United States has engaged in di-  
24          rect negotiations with Iran without preconditions  
25          under the Obama Administration, official represent-

1 atives of the United States and official representa-  
2 tives of Iran have held only two direct, bilateral  
3 meetings in over 30 years, both of which occurred in  
4 October 2009, one on the sidelines of the United  
5 Nations Security Council negotiations in Geneva,  
6 and one on the sidelines of negotiations brokered by  
7 the United Nations International Atomic Energy  
8 Agency (referred to in this Act as the “IAEA”) in  
9 Vienna.

10 (4) Resolving all of the outstanding issues be-  
11 tween the United States and Iran cannot be  
12 achieved instantaneously and will require a robust,  
13 sustained diplomatic effort involving multilateral and  
14 bilateral negotiations.

15 (5) Under the Department of State’s current  
16 “no contact” policy, officers and employees of the  
17 Department of State are not permitted to make any  
18 direct contact with official representatives of the  
19 Government of Iran without express prior authoriza-  
20 tion from the Secretary of State.

21 (6) On September 20, 2011, then-Chairman of  
22 the Joint Chiefs of Staff Admiral Mike Mullen called  
23 for establishing direct communications with Iran,  
24 stating, “I’m talking about any channel that’s open.  
25 We’ve not had a direct link of communication with

1 Iran since 1979. And I think that has planted many  
2 seeds for miscalculation. When you miscalculate, you  
3 can escalate and misunderstand.”.

4 (7) While the International Atomic Energy  
5 Agency continues to verify the non-diversion of de-  
6 clared nuclear material in Iran and has inspectors  
7 and monitoring devices located at Iranian nuclear  
8 facilities, the agency has expressed concerns regard-  
9 ing Iran’s past and ongoing nuclear work that can  
10 only be resolved through increased transparency,  
11 more robust safeguards, and a more vigorous inspec-  
12 tions regime.

13 (8) On October 3, 2012, former Secretary of  
14 Defense Robert Gates stated, “The results of an  
15 American or Israeli military strike on Iran could, in  
16 my view, prove catastrophic, haunting us for genera-  
17 tions in that part of the world.”, adding that  
18 “[S]uch an attack would make a nuclear-armed Iran  
19 inevitable. They would just bury the program deeper  
20 and make it more covert.”.

21 **SEC. 3. STATEMENT OF POLICY.**

22 It should be the policy of the United States—

23 (1) to prevent Iran from pursuing or acquiring  
24 a nuclear weapon and to resolve the concerns of the  
25 United States and of the international community

1 about Iran’s nuclear program and Iran’s human  
2 rights obligations under international and Iranian  
3 law;

4 (2) to ensure inspection of suspected prohibited  
5 cargo to or from Iran, as well as the seizure and dis-  
6 posal of prohibited items, as authorized by United  
7 Nations Security Council Resolution 1929 (June 9,  
8 2010);

9 (3) to pursue sustained, direct, bilateral nego-  
10 tiations with the Government of Iran without pre-  
11 conditions in order to reduce tensions, prevent war,  
12 prevent nuclear proliferation, support human rights,  
13 and seek resolutions to issues that concern the  
14 United States and the international community;

15 (4) to utilize all diplomatic tools, including en-  
16 gaging in direct bilateral and multilateral diplomacy,  
17 leveraging sanctions, engaging in Track II diplo-  
18 macy, creating a special envoy described in section  
19 4, and enlisting the support of all interested parties  
20 to prevent a nuclear-armed Iran and to prevent war;

21 (5) to secure an agreement that ensures Iran  
22 does not engage in nuclear weapons work and that  
23 Iran’s nuclear enrichment program is verifiably lim-  
24 ited to civilian purposes through the implementation  
25 of robust safeguards and enhanced IAEA inspec-

1 tions, including through the implementation of the  
2 Additional Protocol;

3 (6) to pursue opportunities to build mutual  
4 trust and to foster sustained negotiations in good  
5 faith with Iran and to explore areas of mutual ben-  
6 efit to both Iran and the United States, such as re-  
7 gional security, the long-term stabilization of Iraq  
8 and Afghanistan, the establishment of a framework  
9 for peaceful nuclear energy production, other peace-  
10 ful energy modernization programs, and counter-  
11 narcotics efforts; and

12 (7) that no funds appropriated or otherwise  
13 made available to any executive agency of the Gov-  
14 ernment of the United States may be used to carry  
15 out any military operation or activity against Iran  
16 unless the President determines that a military oper-  
17 ation or activity is warranted and seeks express  
18 prior authorization by Congress, as required under  
19 article I, section 8, clause 2 of the United States  
20 Constitution, which grants Congress the sole author-  
21 ity to declare war, except that this requirement shall  
22 not apply to a military operation or activity—

23 (A) to directly repel an offensive military  
24 action launched from within the territory of  
25 Iran against the United States or any ally with

1           which the United States has a mutual defense  
2           assistance agreement;

3           (B) in hot pursuit of forces that engage in  
4           an offensive military action outside the territory  
5           of Iran against United States forces or an ally  
6           with which the United States has a mutual de-  
7           fense assistance agreement and then enter into  
8           the territory of Iran; or

9           (C) to directly thwart an imminent offen-  
10          sive military action to be launched from within  
11          the territory of Iran against United States  
12          forces or an ally with which the United States  
13          has a mutual defense assistance agreement.

14 **SEC. 4. APPOINTMENT OF HIGH-LEVEL UNITED STATES**  
15 **REPRESENTATIVE OR SPECIAL ENVOY.**

16          (a) APPOINTMENT.—At the earliest possible date, the  
17 President, in consultation with the Secretary of State,  
18 shall appoint a high-level United States representative or  
19 special envoy for Iran.

20          (b) CRITERIA FOR APPOINTMENT.—The President  
21 shall appoint an individual under subsection (a) on the  
22 basis of such individual's knowledge and understanding of  
23 Iran and the issues regarding Iran's nuclear program, ex-  
24 perience in conducting international negotiations, and  
25 ability to conduct negotiations under subsection (c) with

1 the respect and trust of the parties involved in such nego-  
2 tiations.

3 (c) DUTIES.—The high-level United States represent-  
4 ative or special envoy for Iran shall—

5 (1) seek to facilitate direct, unconditional, bilat-  
6 eral, and multilateral negotiations with Iran for the  
7 purpose of easing tensions and normalizing relations  
8 between the United States and Iran;

9 (2) lead the diplomatic efforts of the United  
10 States with regard to Iran;

11 (3) consult with other countries and inter-  
12 national organizations, including countries in the re-  
13 gion, where appropriate and when necessary to  
14 achieve the purpose specified in paragraph (1);

15 (4) act as liaison with United States and inter-  
16 national intelligence agencies where appropriate and  
17 when necessary to achieve the purpose specified in  
18 paragraph (1); and

19 (5) ensure that the bilateral negotiations under  
20 paragraph (1) complement the ongoing international  
21 negotiations with Iran.

22 **SEC. 5. DUTIES OF THE SECRETARY OF STATE.**

23 (a) ELIMINATION OF “NO CONTACT” POLICY.—Not  
24 later than 30 days after the date of the enactment of this  
25 Act, the Secretary of State shall rescind the “no contact”

1 policy that prevents officers and employees of the Depart-  
2 ment of State from making any direct contact with official  
3 representatives of the Government of Iran without express  
4 prior authorization from the Secretary of State.

5 (b) OFFICE OF HIGH-LEVEL UNITED STATES REP-  
6 RESENTATIVE OR SPECIAL ENVOY.—Not later than 30  
7 days after the appointment of a high-level United States  
8 representative or special envoy under section 4, the Sec-  
9 retary of State shall establish an office in the Department  
10 of State for the purpose of supporting the work of such  
11 representative or special envoy.

12 **SEC. 6. REPORTING TO CONGRESS.**

13 (a) REPORTS.—Not later than 60 days after the  
14 high-level United States representative or special envoy for  
15 Iran is appointed under section 4 and every 180 days  
16 thereafter, such United States representative or special  
17 envoy shall submit to the committees specified in sub-  
18 section (b) a report on the steps that have been taken to  
19 facilitate direct, unconditional, bilateral, and multilateral  
20 negotiations with the Government of Iran under section  
21 4(c). Each such report may, when necessary or appro-  
22 priate, be submitted in classified and unclassified form.

23 (b) COMMITTEES.—The committees referred to in  
24 subsection (a) are—

1           (1) the Committee on Appropriations, the Com-  
2           mittee on Foreign Affairs, the Committee on Armed  
3           Services, and the Permanent Select Committee on  
4           Intelligence of the House of Representatives; and

5           (2) the Committee on Appropriations, the Com-  
6           mittee on Foreign Relations, the Committee on  
7           Armed Services, and the Select Committee on Intel-  
8           ligence of the Senate.

9 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

10          There is authorized to be appropriated to carry out  
11 this Act such sums as may be necessary for each of fiscal  
12 years 2013 and 2014.

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