

Top Senate Dem Quietly Inserts Iran Poison Pill into China Bill

Proponents of diplomacy with Iran say the measure may have been meant to complicate the ongoing talks in Vienna.

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It seems like a basic transparency measure. But some Senate Democrats worry that an amendment quietly added to a [China-related bill](#) could be a stealth poison pill for diplomacy with Iran.

Shortly before the Strategic Competition Act was set to be marked up by the Senate Foreign Relations Committee, chairman Bob Menendez (D-N.J.) and ranking member Jim Risch (R-Idaho) inserted an amendment that vastly expands the reporting requirements for international agreements.

The amendment requires the State Department to provide detailed reports to Congress within five days after it “approves the negotiation or conclusion” of an international agreement or “non-binding instrument” with “an important effect on the foreign policy of the United States.”

While the amendment was backed by [some legal experts](#), two congressional aides and an activist speaking on condition of anonymity expressed concern to Responsible Statecraft that it could affect ongoing negotiations in Vienna, where the Biden administration is in talks with five other world powers to constrain Iran’s nuclear program.

“In our view, the language was concerning because it could be interpreted as requiring congressional notification for any negotiation of an international agreement (not just Iran) once it has begun,” one congressional aide told Responsible Statecraft. “That felt vague and open-ended that it could potentially derail efforts that diplomats do all the time to quietly test waters on issues.”

The activist was more blunt, stating that the amendment “could give opponents of [the Vienna negotiations] in Congress an opportunity to try and frustrate those talks.”

Menendez and Risch both opposed the original 2015 Joint Comprehensive Plan of Action, which the Biden administration is seeking a return to.

Menendez has also worked to frustrate the Biden administration's current diplomatic approach, cooperating with Senate Republicans and the American Israel Public Affairs Committee in an attempt to pressure the Biden administration to [take a harder line](#) on Iran.

Menendez's office did not respond to a request for comment as of press time.

Democrats were also concerned with the way the amendment was introduced, one of the congressional aides and the activist claimed. Menendez used his prerogative as chairman to insert it into the text of the bill shortly before markup — the debate on the bill — began.

"This was done last-minute, very little notice to other Democratic members of the committee," the second aide said. "People were caught unaware of it, it seems, by design."

The State Department declined to comment, but Sen. Chris Murphy (D-Conn.) claimed that the Biden administration is worried.

"I know the State Department has some concerns about when they would be required to make that initial notification of Congress," he said during the April 21 markup meeting. "It's sometimes difficult to know when a negotiation begins, and so I would hope we would work with the State Department moving forward to make sure that we get that provision right."

The Strategic Competition Act has passed the Senate Foreign Relations Committee, but it still has a long way to go before becoming law. It will still have to pass the full Senate and the House of Representatives, with plenty of opportunities to amend the text.

The bill itself is widely expected to pass, with bipartisan support and the backing of the administration. But the fate of Menendez and Risch's amendment is less certain.

"Chairman Menendez, working with Republicans, used his position as chair of the committee to slip in and try to hide from his fellow Democrats language that could frustrate one of his party's and his president's most significant foreign policy objectives," the activist said. "The administration feels completely blindsided by this."

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