

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

[H. Res. 411, finding that the President has not complied with section 2 of the Iran Nuclear Agreement Review Act of 2015](#)

FLOOR SITUATION

On Thursday, September 10, 2015, the House will consider [H. Res. 411](#), a resolution finding that the President has not complied with section 2 of the Iran Nuclear Agreement Review Act of 2015, under a [closed rule](#). H. Res. 411 was introduced on September 9, 2015 by Rep. Mike Pompeo (R-KS) and was referred to the Committee on Foreign Affairs, and in addition, to the Committees on Financial Services, the Judiciary, Oversight and Government Reform, and Ways and Means.

SUMMARY

H. Res. 411 resolves that the President has not complied with section 2 of the Iran Nuclear Agreement Review Act, and consequently, the period for review by Congress of nuclear agreements with Iran has not begun.

BACKGROUND

For more than two decades, Congress has developed and passed strong economic sanctions against Iran in response to Iran's nuclear program, chemical and biological weapons programs, development of ballistic missiles, and support for terrorism. These statutory sanctions recently brought the Iranian regime to the negotiating table to discuss the parameters of its nuclear energy and weapons programs. Included in these statutory sanctions are various national security waiver authorities and other provisions that the President has declared he will use to suspend sanctions on Iran as part of any final nuclear deal.¹

Until recently, there was no limitation on the President's use of waivers to suspend the sanctions Congress put in place; no requirement that Congress receive full details of any agreement with Iran; no review period for Congress to examine an agreement; no requirement that the President certify Iran is complying; and no way for Congress to quickly re-impose sanctions should Iran fail to comply.²

¹ See Senate Committee on Foreign Relations—"The Iran Nuclear Agreement Review Act of 2015," [Background and Key Details](#).

² Id.

The [Iran Nuclear Agreement Review Act](#) (INARA), which the House passed by a vote of [400 to 25](#) on May 14, 2015, prevents the President from waiving or suspending sanctions before Congress has the chance to vote on an agreement, and allows Congress to permanently remove this waiver authority if it disapproves of the deal over a presidential veto.³

INARA includes the following provisions:

Congressional Review: Requires the President to submit to Congress, within five days of concluding a comprehensive agreement with Iran: (1) the text of the agreement and all related *materials*; (2) a verification assessment on Iranian compliance; and (3) a certification that the agreement meets U.S. non-proliferation objectives and does not jeopardize U.S. national security, including not allowing Iran to pursue nuclear-related military activities.

No Suspension of Congressional Sanctions during Review Period: Prohibits the President from waiving statutory sanctions while Congress reviews the agreement. If the agreement and all related documents are submitted prior to July 10, 2015, Congress has up to 52 days to review the deal and may vote on the agreement in the first 30 days; the President then has 12 days to veto the bill, followed by 10 days for Congress to override such a veto. If the deal is submitted between July 10 and September 7, 2015, Congress has an additional 30 days of review, for a total of up to 82 days.

Joint Resolution of Disapproval: Gives Congress the opportunity to enact a joint resolution of disapproval (over a presidential veto) within the review period. Enactment of a joint resolution of disapproval would prevent the President from waiving or suspending the Congressional sanctions.

Oversight and Compliance: Requires the President to certify to Congress every 90 days that Iran is complying with the agreement. If Iran violates the terms of the deal, the legislation provides an expedited process for Congress to rapidly restore sanctions.

Reporting: Includes new reporting requirements on Iran's direct and indirect support for terrorism, human rights violations, and ballistic missile testing.

On July 14, 2015, Iran and the six nations that have negotiated with Iran over its nuclear program (the United States, United Kingdom, France, Russia, China, and Germany—collectively known as the P5+1) finalized the [JCPOA](#). The U.N. Security Council adopted [Resolution 2231](#) on July 20, 2015, which “endorsed the JCPOA and called on U.N. member states to assist in its implementation.”⁴

However, the *Associated Press* recently [reported](#) that, as part of a side agreement between Iran and the International Atomic Energy Agency (IAEA), Iran will be allowed to use its own inspectors to investigate a site it has been accused of using to develop nuclear arms. The story also indicated that an additional side agreement exists regarding the IAEA's probe of the nuclear weapons allegations against Iran.⁵ On August 4, 2015, 94 House members signed a [letter](#) sent to President Obama asking him to provide the text of these side deals to Congress as soon as possible.⁶

³ Id.

⁴ See CRS Report—“[Iran Nuclear Agreement: Selected Issues for Congress](#),” August 6, 2015, at Summary.

⁵ See AP story—“[UN-Iran deal will let Tehran inspect site where it allegedly worked on nukes](#),” August 19, 2015.

⁶ See Press Release—“[Pompeo Leads Call on President Obama to Release Secret Iran Deals](#),” August 4, 2015.

The term ‘agreement,’ as defined by the Atomic Energy Act of 1954, as amended by section 2 of INARA, means “an agreement related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action, regardless of the form it takes, whether a political commitment or otherwise, and regardless of whether it is legally binding or not, including any joint comprehensive plan of action entered into or made between Iran and any other parties, and any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance, technical or other understands, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future.”

According to the sponsor of the resolution, the House and Senate “should vote to register their view that the president has not complied with his obligations under the act by not providing Congress with a copy of an agreement between the IAEA and Iran, and that, as a result, the president remains unable to lift statutory sanctions against Iran.”⁷

For additional information, click [here](#) for the Legislative Digest on the *Iran Nuclear Agreement Review Act*.

COST

A Congressional Budget Office (CBO) cost estimate is currently unavailable.

STAFF CONTACT

For questions or further information please contact [Jerry White](#) with the House Republican Policy Committee by email or at 5-0190.

⁷ See Op Ed—“[A side agreement could void the Iran deal](#),” September 6, 2015.