



## H. Res. 411: Finding that the President has not complied with section 2 of the Iran Nuclear Agreement Review Act of 2015 (Rep. Pompeo, R-KS)

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### FLOOR SCHEDULE:

SCHEDULED FOR CONSIDERATION ON SEPTEMBER 10, 2015, UNDER A CLOSED [RULE](#)

### TOPLINE SUMMARY:

[H. Res. 411](#) would find that the President has not complied with section 2 of the [Iran Nuclear Agreement Review Act of 2015](#) because the communication from the President did not contain the entirety of the agreement as defined in the Act. Specifically, the President omitted the contents of the [recently revealed side deals](#) between the International Atomic Energy Agency and the Islamic Republic of Iran regarding the latter's nuclear warhead development. Therefore, the resolution stipulates that the 60-day review period mandated in the Iran Nuclear Agreement Review Act has not commenced.

### COST:

No Congressional Budget Office (CBO) estimate is available.

### CONSERVATIVE CONCERNS:

There are no substantive concerns regarding the resolution.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

Section 2 of the Iran Nuclear Agreement Review Act of 2015 ([42 USC 2160e \(h\)\(1\)](#)) defines the term "agreement" as meaning:

*"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 understandings, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future."*

The [Joint Comprehensive Plan of Action](#) (the Iran nuclear deal) transmitted to Congress by the President on July 19<sup>th</sup>, required Iran to implement the “Roadmap for Clarification of Past and Present Outstanding Issues regarding Iran’s Nuclear Program”, identifying two separate, confidential agreements between the IAEA and Iran, one to address remaining outstanding issues related to “Possible Military Dimensions” of Iran’s nuclear program, and another regarding Iran’s covert development of nuclear warhead technology at Parchin military base. H. Res 411 deems those agreements to constitute side agreements within the meaning of section 135(h)(1) of the Atomic Energy Act of 1954. The President’s failure to include the side agreements means that the 60-day Congressional review period has not yet begun. Therefore, the President would not have the authority to provide sanctions relief until the full agreement is transmitted and the 60-day period is exhausted.

**COMMITTEE ACTION:**

The resolution was introduced on September 9, 2015 and was referred to the House Committees on Foreign Affairs; Financial Services; Judiciary; Oversight and Government Reform; and Ways and Means.

**ADMINISTRATION POSITION:**

No statement of administration policy is available.

**CONSTITUTIONAL AUTHORITY:**

No Constitutional authority statement is available.

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