



H.R. 3461: To Approve the Joint Comprehensive Plan of Action, signed at Vienna on July 14, 2015, relating to the nuclear program of Iran (Rep. Boehner, R-OH)

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FLOOR SCHEDULE:

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

TOPLINE SUMMARY:

[H.R. 3461](#) would express that the Congress approves of the [Joint Comprehensive Plan of Action](#) (JCPOA, the Iran nuclear deal) transmitted to Congress by the President on July 19th, 2015.

COST:

No Congressional Budget Office (CBO) estimate is available.

CONSERVATIVE CONCERNS:

There are major national security concerns regarding this legislation. Some conservatives argue that lifting sanctions would greatly [destabilize](#) the regional order in the Middle East. The deal itself would provide weak and [limited enforcement](#) regarding Iran's nuclear program, and would [allow the Islamic Republic](#) to continue its sponsorship of terrorism globally by lifting a multitude of sanctions.

Additionally, under the terms of the [Iran Nuclear Agreement Review Act of 2015](#), the President was required to disclose to Congress the entirety of the JCPOA, including any side deals. With the [revelation](#) of the [secret side deals](#) between the International Atomic Energy Agency and the Islamic Republic of Iran regarding the latter's nuclear warhead development at [Parchin](#), some conservatives have argued that the President has failed to fully disclose the scope of the deal to Congress.

- **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:

H.R. 3461 does not serve as a resolution of approval for the purposes of the Iran Nuclear Agreement Review Act of 2015, and would not, therefore, grant the President the authority to grant sanctions relief if adopted. The RSC's legislative bulletin for H.R. 1191, the Iran Nuclear Agreement Review Act of 2015 can

be found [here](#). More information on Congressional action on the Iran nuclear deal from the House Foreign Affairs Committee can be found [here](#).

H.R. 3461 would express that the House does approve of the JCPOA.

Below are keys provisions in the Joint Comprehensive Plan of Action:

1. ENRICHMENT:

- Iran will begin phasing out its IR-1 centrifuges in 10 years. During this period, Iran could maintain an enrichment capacity of up to 5060 installed IR-1 centrifuges at its Natanz facility. Excess centrifuges and enrichment related infrastructure at Natanz will be stored under IAEA monitoring. **Iran would still be in possession of over 6,000 centrifuges, in clear violation of its international obligations under the Nuclear Non-Proliferation Treaty (NPT).**
- For 15 years, Iran is mandated to carry out its uranium enrichment-related activities, including safeguarded R&D exclusively in the Natanz Enrichment facility, keep its level of uranium enrichment at up to 3.67%, and, refrain from any uranium enrichment, uranium enrichment R&D, or storing any nuclear material at Fordow. Iran will convert [the hardened underground and isolated facility at Fordow](#) into a nuclear, physics and technology center.

2. ARAK, HEAVY WATER, REPROCESSING:

- In order to prevent the Arak heavy water reactor from producing weapons-grade plutonium, Iran is mandated to redesign and rebuild a modernized heavy water research reactor at Arak, based on a design agreed upon in an international partnership. Other than Arak, this deal provides very little to address the [plutonium route to a nuclear device](#).

3. TRANSPARENCY:

- Iran is mandated to implement the "Roadmap for Clarification of Past and Present Outstanding Issues" agreed with the IAEA, containing arrangements to address past and present issues of concern relating to its nuclear program. **In theory, this would force Iran to disclose its past illicit nuclear activity; however, the terms of this agreement have not been made available to the Congress.**
- Iran is required to allow the IAEA to monitor the implementation of the voluntary measures for their respective durations, as well as to implement transparency measures. These measures include: a long-term IAEA presence in Iran; IAEA monitoring of uranium ore concentrate produced by Iran for 25 years; containment and surveillance of centrifuge rotors and bellows for 20 years; use of IAEA approved and certified modern technologies including on-line enrichment measurement and electronic seals; and a reliable mechanism to ensure speedy resolution of IAEA access concerns for 15 years.

4. SANCTIONS:

- The UN Security Council resolution endorsing this JCPOA would terminate all provisions of previous UN Security Council resolutions related to Iran's nuclear activities simultaneously with the IAEA-verified implementation of agreed nuclear-related measures by Iran. This includes resolutions [1696](#) (2006), [1737](#) (2006), [1747](#) (2007), [1803](#) (2008), [1835](#) (2008), [1929](#) (2010) and [2224](#) (2015). **By lifting UN Security Council resolution 1747, the Administration would effectively lift the UN arms embargo against Iran and unfreeze numerous financial assets. Iran would be free to purchase advanced weaponry from China and Russia.**
- The European Union would terminate all provisions of the EU Regulation implementing all nuclear-related economic and financial sanctions, including related designations, simultaneously with the IAEA-verified implementation of agreed nuclear-related measures by Iran. This includes sanctions related to the import and transport of Iranian oil, petroleum products, gas and petrochemical products, the export of key equipment or technology for the oil, gas and petrochemical sectors,

investment in the oil, gas and petrochemical sectors, and the export of key naval equipment and technology.

- The United States would lift sanctions on numerous Iranian energy and shipping companies, paramilitary groups, and government institutions as well as several companies with ties to Iran's military, including the Islamic Republic of Iran Shipping Company, the Iranian Oil Company Ltd., the Iranian Ministries of Energy and Petroleum. (IRGC)
- **Sanctions would also be lifted against the Iranian Revolutionary Guard Corps' (IRGC) top commanders including [Qasem Soleimani](#), who directed an attack in 2007 against the Karbala provincial headquarters in Iraq. His forces proceeded to capture and execute 4 US Army soldiers in cold blood. The IRGC's Quds Force [designated by the U.S. Treasury](#) Department as providing material support to US-designated terrorist organizations in 2007.**
- A full list of Iranian companies and entities that the Administration is lifting sanctions on can be found in Annex II of the finalized agreement.
- The deal would additional unfreeze \$100 billion to \$150 billion in assets frozen since the Iran Revolution. This cash infusion would allow to Iran to potentially fund its support for designated terrorist organizations in the region, perpetuating conflict in Syria, Iraq, and further endangering Israel's security.

According to the Obama administration, "the IAEA will have regular access to all of Iran's nuclear facilities, including to Iran's enrichment facility at Natanz and its former enrichment facility at Fordow, and including the use of the most up-to-date, modern monitoring technologies." Under the framework, Iran would implement an agreed set of measures to address the IAEA's concerns regarding the Possible Military Dimensions (PMD) of its program. However, the administration has not revealed how the IAEA will have the resources available to set up such a [large and ambitious inspection regimen](#). **IAEA inspectors are not certified to inspect the PMD of Iran's nuclear program and would not be effective.** More than likely, weapon inspectors similar to those mandated by the United Nations Special Commission in Iraq would be needed to verify the full spectrum of Iran's nuclear program. However, such inspections are unlikely to happen.

According to the [House Foreign Affairs Committee](#), experts have also warned that without "anytime, anywhere" inspections, including access to Iran's military facilities, it will be impossible for the IAEA to verify Iran's compliance with a final agreement. Such intrusive inspections are [difficult to enforce](#), and as [one former inspector cautioned](#) "Iran has cheated and been more noncooperative with its nonproliferation obligations than I think any other country." The administration has stated that U.S. sanctions on Iran for terrorism, human rights abuses, and ballistic missiles will remain in place under the deal.

Despite the agreed framework, Iran continues to destabilize the region by supporting Hezbollah terrorists in Lebanon, the murderous Assad regime in Syria, Houthi rebels in Yemen, and Iraqi militias responsible for killing American forces during the Iraq war.

OUTSIDE GROUPS IN OPPOSITION TO THE JCPOA:

- [The American Israeli Public Affairs Coalition](#)
- [Republican Jewish Coalition](#)
- [Citizens for a Nuclear Free Iran](#)
- [Veterans Against the Deal](#)
- [Tea Party Patriots](#)
- [Center for Security Policy](#)
- [Jewish Institute for National Security Affairs](#)
- [Coalition of 190 Retired Generals and Admirals](#)

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:

Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 3 of the Constitution of the United States (relating to the regulation of commerce with foreign nations).

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