

114TH CONGRESS
1ST SESSION

S. _____

To provide for congressional review and oversight of agreements relating to Iran’s nuclear program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CORKER (for himself, Mr. MENENDEZ, Mr. GRAHAM, Mr. KAINE, Mr. MCCAIN, Mr. DONNELLY, Mr. RUBIO, Ms. HEITKAMP, Ms. AYOTTE, Mr. NELSON, Mr. RISCH, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide for congressional review and oversight of agreements relating to Iran’s nuclear program, 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 “Iran Nuclear Agree-
5 ment Review Act of 2015”.

1 **SEC. 2. CONGRESSIONAL REVIEW AND OVERSIGHT OF**
2 **AGREEMENTS WITH IRAN RELATING TO THE**
3 **NUCLEAR PROGRAM OF IRAN.**

4 The Atomic Energy Act of 1954 (42 U.S.C. 2011 et
5 seq.) is amended by inserting after section 134 the fol-
6 lowing new section:

7 **“SEC. 135. CONGRESSIONAL REVIEW AND OVERSIGHT OF**
8 **AGREEMENTS WITH IRAN.**

9 “(a) TRANSMISSION TO CONGRESS OF NUCLEAR
10 AGREEMENTS WITH IRAN AND VERIFICATION ASSESS-
11 MENT WITH RESPECT TO SUCH AGREEMENTS.—

12 “(1) TRANSMISSION OF AGREEMENTS.—Not
13 later than 5 calendar days after reaching an agree-
14 ment with Iran relating to the nuclear program of
15 Iran, the President shall transmit to the appropriate
16 congressional committees—

17 “(A) the text of the agreement and all re-
18 lated materials and annexes;

19 “(B) a verification assessment report of
20 the Secretary of State prepared under para-
21 graph (2) with respect to the agreement; and

22 “(C) a certification that—

23 “(i) the agreement includes the appro-
24 priate terms, conditions, and duration of
25 the agreement’s requirements with respect
26 to Iran’s nuclear activities and provisions

1 describing any sanctions to be waived, sus-
2 pended, or otherwise reduced by the
3 United States, and any other nation or en-
4 tity, including the United Nations; and

5 “(ii) the President determines the
6 agreement meets United States non-pro-
7 liferation objectives, does not jeopardize
8 the common defense and security, provides
9 an adequate framework to ensure that
10 Iran’s nuclear activities permitted there-
11 under will not be inimical to or constitute
12 an unreasonable risk to the common de-
13 fense and security, and ensures that Iran’s
14 nuclear activities permitted thereunder will
15 not be used to further any nuclear-related
16 military or nuclear explosive purpose, in-
17 cluding for any research on or development
18 of any nuclear explosive device or any
19 other nuclear-related military purpose.

20 “(2) VERIFICATION ASSESSMENT REPORT.—

21 “(A) IN GENERAL.—The Secretary of
22 State shall prepare, with respect to an agree-
23 ment described in paragraph (1), a report as-
24 sessing—

1 “(i) the extent to which the Secretary
2 will be able to verify that Iran is complying
3 with its obligations under the agreement;

4 “(ii) the adequacy of the safeguards
5 and other control mechanisms and other
6 assurances contained in the agreement
7 with respect to Iran’s nuclear program to
8 ensure Iran’s activities permitted there-
9 under will not be used to further any nu-
10 clear-related military or nuclear explosive
11 purpose, including for any research on or
12 development of any nuclear explosive de-
13 vice or any other nuclear-related military
14 purpose; and

15 “(iii) the capacity and capability of
16 the International Atomic Energy Agency to
17 effectively implement the verification re-
18 gime required by the agreement, including
19 whether the International Atomic Energy
20 Agency has the required funding, man-
21 power, and authority to do so.

22 “(B) ASSUMPTIONS.—In preparing a re-
23 port under subparagraph (A) with respect to an
24 agreement described in paragraph (1), the Sec-
25 retary shall assume that Iran could—

1 “(i) use all measures not expressly
2 prohibited by the agreement to conceal ac-
3 tivities that violate its obligations under
4 the agreement; and

5 “(ii) alter or deviate from standard
6 practices in order to impede efforts to
7 verify that Iran is complying with those
8 obligations.

9 “(C) CLASSIFIED ANNEX.—A report under
10 subparagraph (A) shall be transmitted in un-
11 classified form, but shall include a classified
12 annex prepared in consultation with the Direc-
13 tor of National Intelligence, summarizing rel-
14 evant classified information.

15 “(3) EXCEPTION.—The requirements of sub-
16 paragraphs (B) and (C) of paragraph (1) shall not
17 apply to an agreement defined in subsection (i)(4).

18 “(b) PERIOD FOR REVIEW BY CONGRESS OF NU-
19 CLEAR AGREEMENTS WITH IRAN.—

20 “(1) IN GENERAL.—During the 60-day period
21 following transmittal by the President of an agree-
22 ment pursuant to subsection (a), the Committee on
23 Foreign Relations of the Senate and the Committee
24 on Foreign Affairs of the House of Representatives
25 shall, as appropriate, hold hearings and briefings

1 and otherwise obtain information in order to fully
2 review such agreement.

3 “(2) LIMITATION ON ACTIONS DURING PERIOD
4 OF REVIEW.—Notwithstanding any other provision
5 of law, except as provided in paragraph (3), during
6 the period for review provided in paragraph (1), the
7 President may not waive, suspend, reduce, provide
8 relief from, or otherwise limit the application of stat-
9 utory sanctions with respect to Iran under any pro-
10 vision of law or refrain from applying any such sanc-
11 tions pursuant to an agreement described in sub-
12 section (a).

13 “(3) EXCEPTION.—The prohibition under para-
14 graph (2) does not apply to any deferral, waiver, or
15 other suspension of statutory sanctions pursuant to
16 the Joint Plan of Action if that deferral, waiver, or
17 other suspension is made—

18 “(A) consistent with the law in effect on
19 the date of the enactment of the Iran Nuclear
20 Agreement Review Act of 2015; and

21 “(B) not later than 45 days before the
22 transmission by the President of an agreement,
23 assessment report, and certification under sub-
24 section (a).

1 “(c) EFFECT OF CONGRESSIONAL ACTION WITH RE-
2 SPECT TO NUCLEAR AGREEMENTS WITH IRAN.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of law, action involving any measure of
5 statutory sanctions relief by the United States pur-
6 suant to an agreement subject to subsection (a) or
7 the Joint Plan of Action—

8 “(A) may be taken, consistent with exist-
9 ing statutory requirements for such action, if,
10 during the period for review provided in sub-
11 section (b)(1), the Congress adopts, and there
12 is enacted, a joint resolution stating in sub-
13 stance that the Congress does favor the agree-
14 ment;

15 “(B) may not be taken if, during the pe-
16 riod for review provided in subsection (b)(1),
17 the Congress adopts, and there is enacted, a
18 joint resolution stating in substance that the
19 Congress does not favor the agreement; or

20 “(C) may be taken, consistent with exist-
21 ing statutory requirements for such action, if,
22 following the period for review provided in sub-
23 section (b)(1), there is not enacted any such
24 joint resolution.

1 “(2) DEFINITION.—For the purposes of this
2 subsection, the phrase ‘action involving any measure
3 of statutory sanctions relief by the United States’
4 shall include waiver, suspension, reduction, or other
5 effort to provide relief from, or otherwise limit the
6 application of statutory sanctions with respect to,
7 Iran under any provision of law or any other effort
8 to refrain from applying any such sanctions.

9 “(d) CONGRESSIONAL OVERSIGHT OF IRANIAN COM-
10 PLIANCE WITH NUCLEAR AGREEMENTS.—

11 “(1) IN GENERAL.—The President shall, within
12 10 days of receiving credible and accurate informa-
13 tion relating to a potentially significant breach or
14 compliance incident by Iran with respect to an
15 agreement subject to subsection (a), submit such in-
16 formation to the appropriate congressional commit-
17 tees.

18 “(2) MATERIAL BREACH REPORT.—Not later
19 than 10 days after submitting information about a
20 potentially significant breach or compliance incident
21 pursuant to paragraph (1), the President shall make
22 a determination whether such potentially significant
23 breach or compliance issue constitutes a material
24 breach and shall submit to the appropriate congres-
25 sional committees such determination, accompanied

1 by, as appropriate, a report on the action or failure
2 to act by Iran that led to the material breach, ac-
3 tions necessary for Iran to cure the breach, and the
4 status of Iran's efforts to cure the breach.

5 “(3) SEMI-ANNUAL REPORT.—Not later than
6 180 days after entering into an agreement described
7 in subsection (a), and not less frequently than once
8 every 180 days thereafter, the President shall sub-
9 mit to the appropriate congressional committees a
10 report on Iran's nuclear program and the compli-
11 ance of Iran with the agreement during the period
12 covered by the report, including the following ele-
13 ments:

14 “(A) Any action or failure to act by Iran
15 that breached the agreement or is in noncompli-
16 ance with the terms of the agreement.

17 “(B) Any delay by Iran of more than one
18 week in providing inspectors access to facilities,
19 people, and documents in Iran as required by
20 the agreement.

21 “(C) Any progress made by Iran to resolve
22 concerns by the International Atomic Energy
23 Agency about possible military dimensions of
24 Iran's nuclear program.

1 United States person anywhere in the
2 world.

3 “(4) ADDITIONAL REPORTS AND INFORMA-
4 TION.—

5 “(A) AGENCY REPORTS.—Following sub-
6 mission of an agreement pursuant to subsection
7 (a) to the appropriate congressional committees,
8 the Department of State, the Department of
9 Energy, and the Department of Defense shall,
10 upon the request of either of those committees,
11 promptly furnish to those committees their
12 views as to whether the safeguards and other
13 controls contained in the agreement with re-
14 spect to Iran’s nuclear program provide an ade-
15 quate framework to ensure that Iran’s activities
16 permitted thereunder will not be inimical to or
17 constitute an unreasonable risk to the common
18 defense and security.

19 “(B) PROVISION OF INFORMATION ON NU-
20 CLEAR INITIATIVES WITH IRAN.—The President
21 shall keep the appropriate congressional com-
22 mittees fully and currently informed of any ini-
23 tiative or negotiations with Iran relating Iran’s
24 nuclear program, including any new or amended
25 agreement.

1 “(5) CERTIFICATION.—After the review period
2 provided in subsection (b)(1), the President shall,
3 not less than every 90 days—

4 “(A) determine whether the President is
5 able to certify that—

6 “(i) Iran is transparently, verifiably,
7 and fully implementing the agreement, in-
8 cluding all related technical or additional
9 agreements;

10 “(ii) Iran has not committed a mate-
11 rial breach with respect to the agreement
12 or, if Iran has committed a material
13 breach, Iran has cured the material
14 breach;

15 “(iii) Iran has not taken any action,
16 including covert action, that could signifi-
17 cantly advance its nuclear weapons pro-
18 gram;

19 “(iv) Iran has not directly supported
20 or carried out an act of terrorism against
21 the United States or a United States per-
22 son anywhere in the world; and

23 “(v) suspension of sanctions related to
24 Iran pursuant to the agreement is—

1 “(I) appropriate and propor-
2 tionate to the specific and verifiable
3 measures taken by Iran with respect
4 to terminating its illicit nuclear pro-
5 gram; and

6 “(II) vital to the national secu-
7 rity interests of the United States;
8 and

9 “(B) if the President determines he is able
10 to make the certification described in subpara-
11 graph (A), make such certification to the appro-
12 priate congressional committees.

13 “(e) EXPEDITED CONSIDERATION OF LEGISLA-
14 TION.—

15 “(1) IN GENERAL.—In the event the President
16 does not submit a certification pursuant to sub-
17 section (d)(5) or has determined pursuant to sub-
18 section (d)(2) that Iran has materially breached an
19 agreement subject to subsection (a), Congress may
20 initiate within 60 days expedited consideration of
21 qualifying legislation pursuant to this subsection.

22 “(2) QUALIFYING LEGISLATION DEFINED.—For
23 purposes of this subsection, the term ‘qualifying leg-
24 islation’ means only a bill of either House of Con-
25 gress—

1 “(A) the title of which is as follows: ‘A bill
2 reinstating statutory sanctions imposed with re-
3 spect to Iran.’; and

4 “(B) the matter after the enacting clause
5 of which is: ‘Any statutory sanctions imposed
6 with respect to Iran pursuant to _____
7 that were waived, suspended, reduced, or other-
8 wise relieved pursuant to an agreement sub-
9 mitted pursuant to section 135(a) of the Atomic
10 Energy Act of 1954 are hereby reinstated and
11 any action by the United States Government to
12 facilitate the release of funds or assets to Iran
13 pursuant to such agreement, or provide any
14 further waiver, suspension, reduction, or other
15 relief is hereby prohibited.’, with the blank
16 space being filled in with the law or laws under
17 which sanctions are to be reinstated.

18 “(3) INTRODUCTION.—During the 60-day pe-
19 riod provided for in paragraph (1), qualifying legis-
20 lation may be introduced—

21 “(A) in the House of Representatives, by
22 the Speaker (or the Speaker’s designee) or the
23 minority leader (or the minority leader’s des-
24 ignee); and

1 “(B) in the Senate, by the majority leader
2 (or the majority leader’s designee) or the mi-
3 nority leader (or the minority leader’s des-
4 ignee).

5 “(4) COMMITTEE REFERRAL.—Qualifying legis-
6 lation introduced in the Senate shall be referred to
7 the Committee on Foreign Relations and in the
8 House of Representatives to the Committee on For-
9 eign Affairs.

10 “(5) DISCHARGE.—If the committee of either
11 House to which qualifying legislation has been re-
12 ferred has not reported such qualifying legislation
13 within 10 session days after the date of referral of
14 such legislation, that committee shall be discharged
15 from further consideration of such legislation and
16 the qualifying legislation shall be placed on the ap-
17 propriate calendar.

18 “(6) FLOOR CONSIDERATION IN HOUSE OF
19 REPRESENTATIVES.—

20 “(A) PROCEEDING TO CONSIDERATION.—
21 After each committee authorized to consider
22 qualifying legislation reports it to the House of
23 Representatives or has been discharged from its
24 consideration, it shall be in order to move to
25 proceed to consider the qualifying legislation in

1 the House. All points of order against the mo-
2 tion are waived. Such a motion shall not be in
3 order after the House has disposed of a motion
4 to proceed on the qualifying legislation. The
5 previous question shall be considered as ordered
6 on the motion to its adoption without inter-
7 vening motion. The motion shall not be debat-
8 able. A motion to reconsider the vote by which
9 the motion is disposed of shall not be in order.

10 “(B) CONSIDERATION.—The qualifying
11 legislation shall be considered as read. All
12 points of order against the qualifying legislation
13 and against its consideration are waived. The
14 previous question shall be considered as ordered
15 on the qualifying legislation to its passage with-
16 out intervening motion except 2 hours of debate
17 equally divided and controlled by the proponent
18 and an opponent. A motion to reconsider the
19 vote on passage of the qualifying legislation
20 shall not be in order. No amendment to, or mo-
21 tion to recommit, qualifying legislation shall be
22 in order.

23 “(C) APPEALS.—All appeals from the
24 Chair relating to the application of the Rules of
25 the House of Representatives to the procedure

1 relating to the qualifying legislation shall be de-
2 cided without debate.

3 “(7) FLOOR CONSIDERATION IN THE SEN-
4 ATE.—

5 “(A) IN GENERAL.—Notwithstanding Rule
6 XXII of the Standing Rules of the Senate, it is
7 in order at any time after the committee au-
8 thorized to consider qualifying legislation re-
9 ports it to the Senate or has been discharged
10 from its consideration (even though a previous
11 motion to the same effect has been disagreed
12 to) to move to proceed to the consideration of
13 qualifying legislation, and all points of order
14 against qualifying legislation (and against con-
15 sideration of the qualifying legislation) are
16 waived. The motion to proceed is not debatable.
17 The motion is not subject to a motion to post-
18 pone. A motion to reconsider the vote by which
19 the motion is agreed to or disagreed to shall not
20 be in order. If a motion to proceed to the con-
21 sideration of the qualifying legislation is agreed
22 to, the qualifying legislation shall remain the
23 unfinished business until disposed of.

24 “(B) DEBATE.—Debate on qualifying leg-
25 islation, and on all debatable motions and ap-

1 peals in connection therewith, shall be limited
2 to not more than 10 hours, which shall be di-
3 vided equally between the majority and minority
4 leaders or their designees. A motion to further
5 limit debate is in order and not debatable. An
6 amendment to, or a motion to postpone, or a
7 motion to proceed to the consideration of other
8 business, or a motion to recommit the quali-
9 fying legislation is not in order.

10 “(C) VOTE ON PASSAGE.—The vote on
11 passage shall occur immediately following the
12 conclusion of the debate on the qualifying legis-
13 lation and a single quorum call at the conclu-
14 sion of the debate, if requested in accordance
15 with the rules of the Senate.

16 “(D) RULINGS OF THE CHAIR ON PROCE-
17 DURE.—Appeals from the decisions of the Chair
18 relating to the application of the rules of the
19 Senate, as the case may be, to the procedure re-
20 lating to qualifying legislation shall be decided
21 without debate.

22 “(E) CONSIDERATION OF VETO MES-
23 SAGES.—Debate in the Senate of any veto mes-
24 sage with respect to qualifying legislation, in-
25 cluding all debatable motions and appeals in

1 connection with such qualifying legislation, shall
2 be limited to 10 hours, to be equally divided be-
3 tween, and controlled by, the majority leader
4 and the minority leader or their designees.

5 “(8) RULES RELATING TO SENATE AND HOUSE
6 OF REPRESENTATIVES.—

7 “(A) COORDINATION WITH ACTION BY
8 OTHER HOUSE.—If, before the passage by one
9 House of qualifying legislation of that House,
10 that House receives qualifying legislation from
11 the other House, then the following procedures
12 shall apply:

13 “(i) The qualifying legislation of the
14 other House shall not be referred to a com-
15 mittee.

16 “(ii) With respect to qualifying legis-
17 lation of the House receiving the legisla-
18 tion—

19 “(I) the procedure in that House
20 shall be the same as if no qualifying
21 legislation had been received from the
22 other House; but

23 “(II) the vote on passage shall be
24 on the qualifying legislation of the
25 other House.

1 “(B) TREATMENT OF JOINT RESOLUTION
2 OF OTHER HOUSE.—If one House fails to intro-
3 duce or consider qualifying legislation under
4 this section, the qualifying legislation of the
5 other House shall be entitled to expedited floor
6 procedures under this section.

7 “(C) TREATMENT OF COMPANION MEAS-
8 URES.—If, following passage of the qualifying
9 legislation in the Senate, the Senate then re-
10 ceives a companion measure from the House of
11 Representatives, the companion measure shall
12 not be debatable.

13 “(f) RULES OF HOUSE OF REPRESENTATIVES AND
14 SENATE.—Subsection (e) is enacted by Congress—

15 “(1) as an exercise of the rulemaking power of
16 the Senate and the House of Representatives, re-
17 spectively, and as such are deemed a part of the
18 rules of each House, respectively, but applicable only
19 with respect to the procedure to be followed in that
20 House in the case of legislation described in those
21 sections, and supersede other rules only to the ex-
22 tent that they are inconsistent with such rules; and

23 “(2) with full recognition of the constitutional
24 right of either House to change the rules (so far as
25 relating to the procedure of that House) at any time,

1 in the same manner, and to the same extent as in
2 the case of any other rule of that House.

3 “(g) RULES OF CONSTRUCTION.—Nothing in the sec-
4 tion shall be construed as—

5 “(1) modifying, or having any other impact on,
6 the President’s authority to negotiate, enter into, or
7 implement appropriate executive agreements, other
8 than the restrictions on implementation of the agree-
9 ments specifically covered by this Act;

10 “(2) allowing any new waiver, suspension, re-
11 duction, or other relief from statutory sanctions with
12 respect to Iran under any provision of law, or allow-
13 ing the President to refrain from applying any such
14 sanctions pursuant to an agreement described in
15 subsection (a) during the period for review provided
16 in subsection (b)(1);

17 “(3) revoking or terminating any statutory
18 sanctions imposed on Iran; or

19 “(4) authorizing the use of military force
20 against Iran.

21 “(h) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 “(1) the sanctions regime imposed on Iran by
24 Congress is primarily responsible for bringing Iran
25 to the table to negotiate on its nuclear program;

1 “(2) these negotiations are a critically impor-
2 tant matter of national security and foreign policy
3 for the United States and its closest allies; and

4 “(3) it is critically important that Congress
5 have the opportunity to consider and, as appro-
6 priate, take action on any agreement affecting the
7 statutory sanctions regime imposed by Congress.

8 “(i) DEFINITIONS.—In this section:

9 “(1) AGREEMENT AND ALL RELATED MATE-
10 RIALS AND ANNEXES.—The term ‘agreement and all
11 related materials and annexes’ means the agreement
12 itself and any additional materials related thereto,
13 including annexes, appendices, codicils, side agree-
14 ments, implementing materials, documents, and
15 guidance, technical or other understandings, and any
16 related agreements, whether entered into or imple-
17 mented prior to the agreement or to be entered into
18 or implemented in the future.

19 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term ‘appropriate congressional com-
21 mittees’ has the meaning given that term in section
22 14 of the Iran Sanctions Act of 1996 (Public Law
23 104–172; 50 U.S.C. 1701 note).

24 “(3) IRANIAN FINANCIAL INSTITUTION.—The
25 term ‘Iranian financial institution’ has the meaning

1 given the term in section 104A(d) of the Com-
2 prehensive Iran Sanctions, Accountability, and Di-
3 vestment Act of 2010 (22 U.S.C. 8513b(d)).

4 “(4) JOINT PLAN OF ACTION.—The term ‘Joint
5 Plan of Action’ means the Joint Plan of Action,
6 signed at Geneva November 24, 2013, by Iran and
7 by France, Germany, the Russian Federation, the
8 People’s Republic of China, the United Kingdom,
9 and the United States, and all implementing mate-
10 rials and agreements related to the Joint Plan of
11 Action, including the technical understandings
12 reached on January 12, 2014, the extension thereto
13 agreed to on July 18, 2014, the extension agreed to
14 on November 24, 2014, and any extension that is
15 agreed to on or after the date of the enactment of
16 the Iran Nuclear Agreement Review Act of 2015.

17 “(5) MATERIAL BREACH.—The term ‘material
18 breach’ means, with respect to an agreement de-
19 scribed in subsection (a), any breach of the agree-
20 ment that substantially—

21 “(A) benefits Iran’s nuclear program;

22 “(B) decreases the amount of time re-
23 quired by Iran to achieve a nuclear weapon; or

24 “(C) deviates from or undermines the pur-
25 poses of such agreement.

1 “(6) NONCOMPLIANCE DEFINED.—The term
2 ‘noncompliance’ means any departure from the
3 terms of an agreement described in subsection (a)
4 that is not a material breach.

5 “(7) P5+1 COUNTRIES.—The term ‘P5+1
6 countries’ means the United States, France, the
7 Russian Federation, the People’s Republic of China,
8 the United Kingdom, and Germany.

9 “(8) UNITED STATES PERSON.—The term
10 ‘United States person’ has the meaning given that
11 term in section 101 of the Comprehensive Iran
12 Sanctions, Accountability, and Divestment Act of
13 2010 (22 U.S.C. 8511).”.