



BIPARTISAN POLICY CENTER

Congress and the White House Need Each Other on Iran

Preventing a Nuclear Iran

A nuclear weapons-capable Iran would be strategically untenable for the United States. Preventing that outcome—hopefully diplomatically—has been a priority for leaders of both parties. As diplomatic efforts toward negotiating a final deal between Iran and the P5+1 nations resume in 2015, maintaining that bipartisanship, especially cooperation between the White House and Capitol Hill, will be crucial to their success. Whether through the failure of talks or acceptance of a too lax deal, a nuclear Iran still remains an all too real danger.

Congress and the White House Need Each Other

The success of any final deal on Iran's nuclear program will be judged by whether Iran's ability to pursue a nuclear weapon has been sufficiently and sustainably curtailed. Tehran's willingness to make concessions will be a direct result of both how damaging it believes continued intransigence would be and how advantageous a deal would be. Reaching a final deal that satisfies U.S. security interests will require credibly applying pressure before such an agreement and being able to relieve it afterwards.

U.S. sanctions are a complex mix of legislation and executive orders, with different conditions for waiving, suspending or repealing each. Thus, the White House, which is responsible for conducting talks, is unlikely to be able to unilaterally grant Iran all the relief needed to make a final deal stick. Members of Congress, on the other hand, who have expressed concern that a final deal might not do enough to prevent a nuclear Iran, have little ability to guide the direction of negotiations but can determine whether to repeal many sanctions or not.

In short, both legislative and executive action will be needed to reach a successful diplomatic solution to Iran's nuclear program.

Way Forward: Framework for Intra-governmental Cooperation

[As BPC argued in late 2013](#), an important step towards necessary intra-governmental, bipartisan cooperation should come in the form of congressional legislation that spells out the conditions both for the imposition of additional sanctions on Iran and for their removal.

More specifically, Congress should consider enacting legislation that includes the following provisions:

- Should an interim deal be made with Iran, require the president to certify monthly that Iran is abiding by the terms of that agreement and is not making further progress in its nuclear program.
- Enumerate the specific elements that Congress expects a final deal with Iran to include.
- Require the president to certify at the end of the six-month interim period which of the elements identified by Congress have been agreed to by Iran as part of a final deal or have not been agreed to by Iran as part of a final deal.
- Provide for implementation of the additional sanctions currently under consideration in Congress, but to be triggered only if the president fails to certify that Iran is abiding by the terms of the interim deal or all of the elements identified by Congress have been agreed to by Iran as part of a final deal.
- Alternatively, provided that the president certifies that Iran is in compliance with terms of the interim deal and all of the elements identified by Congress have been agreed to by Iran as part of a final deal, expedited congressional procedures will be available for the consideration of legislation authorizing lifting relevant sanctions required to be terminated as part of that deal.

A complete list of all sanctions currently on the books against Iran, as well as which branch of government has the authority to lift each sanction, can be found below.

Iran Sanctions Relief

Appendix A: Sanctions Easing by Jurisdiction

Sanction	Power to Revoke	Waiver/Exemption Authority	Targets
Export Administration Act (1984)	Congress	Secretary of State and Secretary of the Treasury and - if they cannot agree - the President	Terrorism
Foreign Assistance Act (1985)	Congress	Secretary of State	Foreign Assistance
Antiterrorism and Effective Death Penalty Act (1996)	Congress	President	Foreign Assistance; Terrorism
Iran Sanctions Act (1996)	Congress	President	Energy
Foreign Operations, Export Financing and Related Program Appropriations Act (1997)	Congress	President	Foreign Assistance; WMDs and Conventional Weapons; Financial Sector
Executive Order 13224 (2001)	President	Secretary of State and Secretary of the Treasury	Terrorism
USA Patriot Act Section 311 (2001)	Congress	Secretary of the Treasury	Money Laundering
Executive Order 13382 (2005)	President	Secretary of the Treasury	WMDs
Iran Freedom Support Act (2006)	Congress	President	WMDs and Conventional Weapons
Arms Export Control Act (2008)	Congress	President	Terrorism; Weapons
Executive Order 13553 (2010)	President	Secretary of the Treasury	Human Rights
Comprehensive Iran Sanctions, Accountability and Divestment Act (2010)	Congress	President	Energy; Human Rights; Financial Sector; WMDs and Conventional Weapons; Trade
Iran Nonproliferation Act of 2000 (Renamed the Iran North Korea Syria Nonproliferation Act (2011))	Congress	President	WMDs
Executive Order 13572 (2011)	President	Secretary of the Treasury	Human Rights
FY2012 National Defense Authorization Act (2011)	Congress	President	Money Laundering; Financial Sector
Iran Threat Reduction and Syria Human Rights Act of 2012	Congress	President	Energy; Human Rights; WMDs; Financial Sector; Trade
Executive Order 13599 (2012)	President	-	Financial Sector
Executive Order 13608 (2012)	President	-	Sanctions Evasion
Executive Order 13622 (2012)	President	-	Energy
FY2013 National Defense Authorization Act (2013)	Congress	President	Energy; Financial Sector; Trade