

# An IAEA Side Deal could void the Iran Deal



Secretary of State John F. Kerry testifies on Capitol Hill in July on the Iran nuclear deal.

Source: (Andrew Harnik/Associated Press)

US Rep. Mike Pompeo of the House Permanent Intelligence Committee and David B. Rivkin, Jr. Senior fellow Foundation for Defense of Democracies, Constitutional litigator and former Justice Department and White Counsel official who served in both Bush Administrations present cogent arguments for voiding the Iran Nuclear Pact for the non-delivery of IAEA side agreements by the Administration in this Washington Post opinion article. They make the case that the Iran Nuclear Agreement Review Act requires the submission of all documents as a specific condition for the Congress taking a vote. Further they suggest that should the side agreements not be delivered by Monday September 7th that Congress cannot be expected to take a vote on or before the previously agreed to deadline of September 17th. Moreover, that the Senate would be empowered under the Constitution bring suit against the President. This appears to a variation to similar litigation proposed by [Wall Street Journal op ed](#) that argues that all

relevant negotiations documentation have, under earliest Constitutional provisions required delivery of such documents by the Administration to the Senate under its granted in Article III for advise and consent of treaties. Here are some excerpts from the