

# Democrat Senators provide final votes supporting President Obama on the Iran Nuclear Pact



President Obama at American University, Washington, DC

August 5, 2015

Source: *Reuters*

Maryland Democrat Senator Barbara Mikulski [clinched](#) President Obama's Iran Nuclear Deal today by announcing her support making it a virtual fait accompli. The President can now veto Congressional Resolutions rejecting the pact. *The Washington Post* headline today tells the story, ["Chris Coons and Bob Casey back Iran deal, putting Obama one vote from major diplomatic victory."](#) The Iran nuclear pact comes up for a vote 15 days from now at the latest could be mooted by a possible filibuster or may be ended by a likely Presidential veto of a majority vote rejecting it in both Chambers of Congress. It begs the questions of whether there is any means of stopping this dangerous and misguided deal from being implemented. Depending on whether a successor overturns the multilateral agreement that according to the Administration would be a major diplomatic faux pas. As we have written in a September 2015, NER [article](#) there may be more options than simply voiding it as an executive political agreement by a new President in January 2017. Republicans and a few Democrats are seeking to target sanctions against Iranian Revolutionary Guard Leaders and the Ayatollah who own companies that would benefit economically from the release of \$100 billion in sequestered funds in US financial institutions resulting from

implementing the JCPOA. There is also increasing interest in several legislative alternatives. That is reflected in a *FrontPage Magazine* article published today by Robert B, Sklaroff and Lee S. Bender, Esq., [“The Only Way to Block the Iran TREATY: Sue Obama.”](#) Their bottom line:

Emergency Prescription for Senate: [1]–Pass rule that abolishes the filibuster; [2]–Pass resolution declaring the Iran nuke deal to be a “treaty”; [3]–Defeat the deal; and [4]–Sue President Obama to enjoin him from implementing the deal.

[Opinion polls](#) taken of Americans indicate that by a margin of 2 to 1 they urge members of both Congressional Chambers to vote against it. Trusting that approval of this deal will cut off Iran from all pathways from achieving industrialization of nuclear weapons- whether in a few weeks, months or a decade or more- amount to sleepwalking towards oblivion. Many analysts and military nuclear experts [think](#) that Iran may already have nuclear weapons and shortly the means of delivering them. Further, believing that \$100 billion plus of sequestered Iranian funds will be devoted to rebuilding a beleaguered Iranian economy and raising the living standards of Iranians is myopic. It will go to lining the pockets of the Ayatollah Khamenei and Revolutionary Guard leaders. Furthermore, it will fund proxies, Hezbollah, Hamas, Palestinian Islamic Jihad and the Houthi rebels in Yemen to destabilize the Middle East and conduct low intensity warfare against America, Israel other Middle East allies. The Saudis, Egyptians, Emirates say that if the pact is approved they will develop their own nuclear weapons capabilities. War might likely loom. President Obama has allegedly called opponents “crazies,” criticized those who say he’s anti-Semitic by replying he doesn’t have a smidgen of that, while inveighing the infamous Juden frage- Jewish question , an innuendo of dual loyalty. We have witnessed Congress straying from the pathway suggested by Senators Cotton (R-AR), Cruz (R-TX), Johnson (R-WI), Rubio (R-

FL) and others that the Joint Comprehensive Plan of Action should have been treated as a treaty under Article III of the Constitution requiring the advice and consent of the Senate. The result was the Iran Nuclear Agreement Review Act of 2015 enacted into law with a stroke of the President's pen on May 22, 2015.

Following the announcement of the JCPOA on July 14, 2015 and the unanimous endorsement by the UN Security Council on July 22, 2015, testimony provided by Administration negotiators, led by Secretary of State Kerry, Energy Secretary Ernest Moniz, and Undersecretary of State Wendy Sherman has, if anything, raised concerns about the enforceability of the Iran nuclear pact. Most appalling they exhibited in their responses to Senate and House Committee Members less than curiosity about the provisions of confidential agreements between the UN nuclear watchdog agency, IAEA and the Islamic Republic of Iran. They suggested that to do so would interfere with the confidential nature of such activities between the IAEA and the Islamic Republic under UN protocols.

The IAEA in turn requested an estimated \$10.5 million annually as the required contribution from the US, a board member of the IAEA, to support their activities inspecting and monitoring Iran's progress towards an alleged 'peaceful' nuclear energy program.

[Watch](#) this Yahoo News video of Secretary Kerry at the National Convention Center in Philadelphia, today making the final sales pitch for approval of the Iran Nuclear Pact:

Based on the hearing record, the expert witness testimony presenting contradictory views, Americans now realize that there will likely be less than a robust, intrusive inspection scheme. A scheme that would rely on the UN nuclear watchdog,

the IAEA. Instead, Iranian inspection of known military development sites will be used to produce a Road Map of prior military developments enabling release of \$100 billion of sequestered funds. Moreover, there already have been breaches of conventional weapons and missile technology purchases, despite the 5 and 8 year sunset provisions under [UN Security Council Resolution 1929](#). There have also been breaches of lifting restrictions on travel bans and assets of more than 800 individuals and entities largely controlled by the Ayatollah, mullahs and Revolutionary Guard elite like Quds Force Commander Qasem Soliemani. Paul Alster in his Fox News [criticism](#) of the Iran deal pointed out that Iran has already launched attacks against Israel via proxies in the country's North . He also suggests the diversion of \$1 billion of released funds that would go annually to underwrite the support of Iran's terrorist proxies attacking US ally Israel and others in the Middle East Region. Then there is the delivery of new precision rockets and missiles to Hezbollah, Hamas and the Palestinian Islamic Jihad.

We could go on, but it is moot given the President is likely before Labor Day to line up all of the votes required for him to veto the rejection resolutions voted by the Republican majorities of both houses with a sprinkling of Democrats with moral compasses. There may never be a vote in the Senate, as Minority Leader Reid has offered up the alternative of killing the vote via a filibuster and resort to the so-called "nuclear option" used for approving Judicial appointment in 2013. That is unless the suggestion by Sklaroff and Bender about the Senate passing a rule banishing the so-called "nuclear option" is adopted.

This brings us to Plan B – a suit by the Senate against the President's actions brought before the US Supreme Court that might result in a ruling granting the senior Chamber an up or down vote treating the Iran nuclear pact as a treaty. We believe its time for serious consideration of the Sklaroff

Bender proposal as the Senate would have standing whereas individuals may not. That is evidenced by Federal Judge Kenneth A. Marra's ex cathedra [remarks](#) in the Palm Beach Federal District Court in response to a declaratory judgment motion filed by [Larry Klayman](#) of Freedom Watch on August 4, 2015. We commend Freedom Watch for bringing that action.

[Listen](#) to this 1330amWEBY segment that aired on September 1, 2015 with Mike Bates, Host of Your Turn and Senior editor, Jerry Gordon discussing the Iran nuclear pact and options to overturn it.

Now we have to see whether Senate Majority Republican Leaders have the courage of their convictions to bring such an important landmark case before the Supreme Court to protect Americans from the threat of an Iranian nuclear attack.

Presidential hopefuls and Congressional leaders who will speak before a huge crowd of concerned Americans gathered on the back lawn of the US Capitol Building in Washington on September 9<sup>th</sup> at the [March to Save America](#) might echo their resolve to sue the President. That is contingent on whether he carries out his threat to veto the majority vote in both Chambers of Congress rejecting the Iran nuclear pact backed by the opinions of a majority of Americans.

Now it is time for concerted action by those bi-partisan Members of Congress who reject the Iran nuclear pact. Tens of millions of Americans are disturbed by the President's appeasement of a keystone member of the Evil Axis, the Islamic Republic of Iran.