

Obama to waive Sanctions? Tweet Your State Governor to Sue the President in Federal Court



According to [reports](#) out of Tehran, President Obama is poised to wave sanctions next week. This despite Congressional outrage over Iran's violation of bans against missile testing. Note this comment in a *Washington Free Beacon* [report](#) :

“The ink isn't even dry on President Obama's nuclear agreement and Iran is already breaking rules,” Sen. David Perdue (R., Ga.) said on Thursday. “This should not come as a surprise to anyone since Iran has cheated on every deal.”

Iran's missile test and disclosure of underground sites occurred just before yesterday's initiation date of October 15, 2015 for the JCPOA Iran nuclear deal. Incredulously, White House spokesperson Josh Earnest said that Iran's missile test have nothing to do the nuclear pact. Really? The only reason for testing precision guide missile is to launch nuclear weapons. [Watch](#) this *Reuters* video of Earnest's White House Daily Press Briefing on JCPOA 'initiation day:'

Now, it is your turn to do something: Tweet your state Governor to sue Obama in Federal court for unlawful conduct. That is what the members of the Dallas Task Force of the [Lisa Benson Radio Show](#) National Security Task Force of America (NSTFA) are doing.

Congress is on vacation and lost the opportunity to sue the President when minority Democrat Senators spiked a Republican majority sponsored resolution last month rejecting the Iran deal. Further, while the Senate has standing to sue the President in Federal court over his mishandling of the Iran nuclear pact and review by Congress, it is unable to pass a resolution authorizing that suit as it lacks a super majority. Noted Washington, DC Constitutional litigator, David B. Rivkin, Jr. of the Baker Hostetler Law firm, who has brought successful Federal Court suits on separation of powers grounds over the Affordable Care Act, thinks that the 30 states that passed Iran sanctions laws under Federal Law would have standing to bring a similar cause of action.

So the Dallas members of the (NSTFA) are sending tweets containing messages urging Texas Governor Abbott, Attorney General Paxton and Texas state legislators to join with Republican gubernatorial colleagues in 14 other States to file a suit in Federal court. That might possibly stop the clock on implementation of the Iran nuclear deal by December 15, 2015 preventing release of upwards of \$100 billion in sequestered funds. That assumes Iran gets a rubber stamp of approval from the UN nuclear Watchdog agency, the IAEA about its prior military developments. Iran suggests it only has peaceful nuclear energy applications or intentions despite enrichment of uranium and building plutonium producing heavy water reactor. They have only one purpose; providing fissile material for an arsenal of nuclear weapons. Iran is counting on release of those funds to support global terrorism including aiming ICBMs at the US and allies in Europe and the Middle East, like Israel. Iran already has a running start on that. The 2013 interim Joint Plan of Action released \$12.9 billion in sequestered funds. Further, Swiss Banking authorities released \$60 billion in hard currency reserves of Iran that were held by member banks. That was just a few days after the UN Security Council, including the US, unanimously endorsed, the Joint Comprehensive Plan of Action (JCPOA) .

Now there is further cause for action by American citizens. Just this week Iran disclosed it violated a UN Security Council resolution barring testing of ballistic missile technology by launching a precision guided Missile, the Emad, or pillar in Farsi, with a range of 1,700 kilometers. That would have sufficient range to hit Israel, Saudi Arabia, the Emirates, Egypt and NATO members in Europe. That same guided missile would be capable of lofting a nuclear bomb in a satellite into a polar orbit. If detonated over the US that could trigger a devastating Electronic Magnetic Pulse (EMP) effect shutting down our digital economy and power grid possibly resulting in millions of casualties. If that wasn't enough, we had a senior Revolutionary Guards officer threaten to attack US interests in the Gulf of Mexico. Moreover, despite approval of the Iran nuclear deal by what passes for its parliament, the Majlis, the Iranian Council of Guardians ratified the amended law that it didn't violate Islamic Sharia law. Ayatollah Khamenei forbade further negotiations with the US with calls from his hard liners chanting "Death to America." Iran is already in an alliance with Russia, Syria and Iraq sending funds, weapons and more than 7,000 Revolutionary Guard to prop up the Assad Regime in Damascus, isolating America's allies in the Middle East.

Texas has standing before Federal courts to bring a suit against the President. Texas and 29 other states enacted state Iran sanctions laws, authorized under a 2010 Federal Comprehensive Iran Sanctions law. Moreover, the executive order that the President signed today recognizing the UN recommended JCPOA may be in violation of the failed Corker-Cardin Iran Nuclear Agreement Review Act of 2015. Further, there is a 2012 federal law closing the loophole licensing foreign subsidiaries of US parent corporations barring them from doing business in Iran.

15 States, including Texas, signed a letter authored by Florida Governor Rick Scott objecting to the President's

mishandling of the Iran nuclear act negotiations that drew attention to state sanctions statutes.

As noted in the *Miami Herald* [“Naked Politics” blog](#), “the [September 8th] letter focused concerns about how it would affect pension divestment policies and contracting restrictions.” The governors’ letter supported the position articulated by Washington, DC constitutional litigator David Rivkin, Esq.:

Paragraph 25 of the Iran nuclear agreement provides that the federal government will “actively encourage” states to lift state-level sanctions such as the divestment and contracting restriction laws,” the letter states. “While Secretary Kerry confirmed in testimony before the House Foreign Affairs Committee that the agreement will not preempt state law because it is not a treaty, we are concerned about what steps your Administration may take to attempt to implement paragraph 25. Therefore, we wish to make it clear to you in advance of any efforts to implement paragraph 25 that we intend to ensure that the various state-level sanctions that are now in effect remain in effect. These state-level sanctions are critically important and must be maintained.’

The [letter](#) was signed by Govs. **Scott**, **Doug Ducey** of Arizona, **Asa Hutchinson** of Arkansas, **Mike Pence** of Indiana, **Bobby Jindal** of Louisiana, **Phil Bryant** of Mississippi, **Chris Christie** of New Jersey, **Jack Dalrymple** of North Dakota, **John Kasich** of Ohio, **Mary Fallin** of Oklahoma, **Nikki Haley** of South Carolina, **Dennis Daugaard** of South Dakota, **Greg Abbott** of Texas, **Gary Herbert** of Utah, and **Scott Walker** of Wisconsin.

In our *NER* [article](#) on the question of states having the authority to bring possible federal litigation over sanctions relief, we noted this comment from an August 2015 *Steptoe International Compliance* blog post on “The JCPOA and State

Sanctions:"

The Iran nuclear deal (JCPOA) does not say much about Iran sanctions imposed by US state governments. ... These state restrictions can be more extensive in scope than US federal sanctions. For example, some state restrictions (e.g. in Florida) attach automatically to the parent entity of the company who engages in certain Iran activities. Laws in many states provide for the lifting of Iran sanctions when the President removes Iran from the list of countries that support terrorism; but the JCPOA does not do that, and, as a result, Iran sanction laws in most states will remain intact

Below are what the Dallas NSTFA will be tweeting Texas Governor Abbott, Attorney General Paxton, every state legislator, the Texas Congressional delegations in both the US Senate and House, as well major media in the Lone Star State. You can do the same along with like minded citizens in the 13 remaining states. A number of us will be doing that here in Florida. All you have to do is change the name of your respective state, state officials and Google their Tweet addresses on-line. Then get your teams to retweet them. Can we count on you to do the same in the remaining states of Arizona, Arkansas, Indiana, Louisiana, Mississippi, New Jersey, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Utah and Wisconsin?

Suggested Tweets

For

Texas National Security Task Force

President Obama Signing

Executive Order

For

Iran Nuclear Deal

October 15, 2015



#Texas Sue Obama over Iran Deal: Gov. Abbott Sue in Federal Court Now!

Texas Sue Obama over Iran Deal: Iran Violated Deal before Obama Signed

#Texas Sue Obama over Iran Deal: Texas Iran Sanctions Law Gives Standing to Sue

#Texas Sue Obama over Iran Deal: Stop Iran Missiles aimed at US Now!

Texas Sue Obama over Iran Deal: Demand Iran Release 4 Americans Now!

#Texas Sue Obama over Iran Deal: Iran Already Received \$72 Billion back!

#Texas Sue Obama Over Iran Deal: Pay US Victims of Iran Terror First!

#Texas Sue Obama Over Iran Deal: Congress Didn't Sue but Texas Can!

#Texas Sue Obama Over Iran Deal: Gov. Abbott Join 14 States Who Objected to Iran Deal in Federal Court

#Texas Sue Obama Over Iran Deal: AG Paxton file Federal Court brief now!

#Texas Sue Obama Over Iran Deal: Stop Iran Nuke EMP attack!

Texas Sue Obama Over Iran Deal: Keep Iran Out of the

Gulf of Mexico!

#Texas Sue Obama Over Iran Deal: You can Stop Iran Nukes Now!

#Texas Sue Obama Over Iran Deal: Texas Legislature Pass Resolution to file Suit Now!

#Texas Sue Obama over Iran Deal: Pres. violated Iran Laws He Signed !

#Texas Sue Obama Over Iran Deal: Make the Lone Star State First to File in Federal Court

Consult these *New English Review* articles and *Iconoclast* blog posts for further background information:

[Obama Poised to Sign Iran Deal: Time for the States to Bring ...](#)

[Can the States Stop Implementation of Iran Nuclear Deal ...](#)

[Could The JCPOA be in Violation of a 2012 Iran Sanctions ...](#)

[Can States Prevent Release of Iran Sanctions through Federal Litigation?](#)