

Iranian Leaks Reveal Biden Administration Efforts to Circumvent Congressional Review

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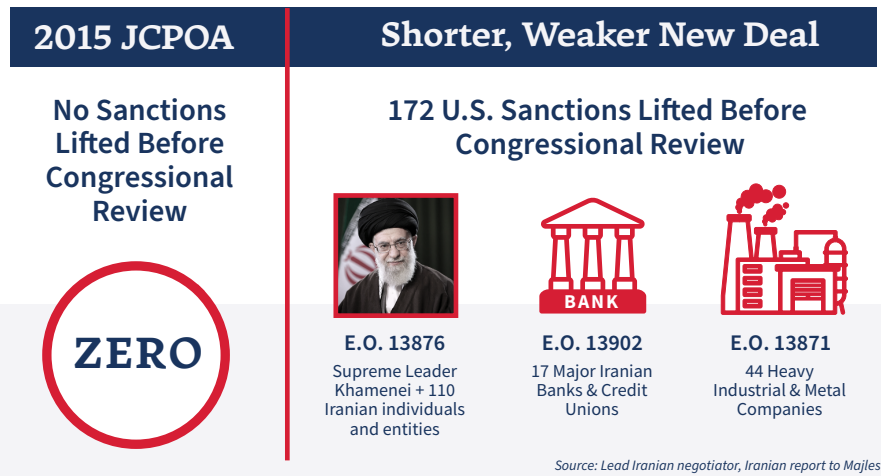
Recent Iranian reports indicate the nuclear deal negotiated by the Biden administration would lift over 170 sanctions imposed on Iran by executive order prior to President Biden submitting the deal to Congress. This is technically permitted under the relatively permissive Iran Nuclear Agreement Review Act (INARA) but goes beyond Obama administration concessions in 2015 and undermines the original intention of the law to provide congressional review on such an important subject. To retain its oversight prerogatives, Congress should rapidly codify the existing executive orders on Iran or broaden the scope of INARA to keep them under congressional review.

What Happened?

- On August 17, the lead Iranian negotiator to the Vienna talks, Ali Bagheri-Kani, briefed the Iranian parliament (Majles) on progress in negotiations. [Leaked](#) audio from the briefing revealed the structure of U.S. sanctions relief is designed to partially circumvent Congressional review of the deal under the Iran Nuclear Agreement Review Act ([INARA](#)).
- The Iranians [disclosed](#) that the first step of the deal, before the State Department submits the text to Congress, would entail President Biden lifting sanctions under three executive orders. A previous [report](#) from the Iranian Ministry of Foreign Affairs to the Majles disclosed that the United States had agreed to lift Executive Order (E.O.) 13876, E.O. 13871, and E.O. 13902.

RELIEF BEFORE REVIEW:

Unlike JCPOA, new deal would lift sanctions before  JINSA congressional review



- » E.O. 13876 [targets](#) Iranian Supreme Leader Ali Khamenei and 111 of his closest aides and lucrative parts of his economic network. Also sanctioned under E.O. 13876 are Iranian President Ebrahim Raisi (responsible for sentencing 5,000 political prisoners to death), IRGC Brigadier General Hossein Dehghan (responsible for the 1983 Beirut Marine Barracks Bombing), former IRGC Commander Mohsen Reza'i (responsible for the 1994 AMIA Bombing), brutal cleric Ahmad Jannati, the Armed Forces General Staff, and the \$95 billion conglomerate known as EIKO or Setad.
- » E.O. 13871 [targets](#) 44 major heavy industrial, mining, and metal companies. These companies are primarily located in Iran, with some in China, UAE, and elsewhere sanctioned for circumventing U.S. sanctions on Iran.
- » E.O. 13902 [targets](#) 17 major Iranian banks and credit unions, which were sanctioned under the authority in October 2020.
- In total, over 170 individuals and entities could be removed from U.S. sanctions before congressional review. A list of the specific individuals and entities is included at the end of this report. 145 of these are Iranian individuals/entities.
- Several other reports have noted that the United States would release \$7 billion in frozen Iranian assets currently held in South Korean banks in exchange for the release of U.S. citizens held hostage held in Iran.

Why Is It Important?

- Sanctions removal on Iranian individuals and entities before Congress even has a chance to see the deal violates Biden administration pledges to negotiate a “stronger” deal with Iran and to submit the deal for congressional review. Doing so while Iran is targeting U.S. officials and dissidents for assassination would only further embolden the regime.
 - » In February 2021, Secretary of State Blinken [told](#) CNN "If Iran returns to compliance with its obligations under the nuclear agreement, we would do the same thing, and then we would work with our allies and partners to try to build a longer and stronger agreement."
 - » On May 25, 2022, after over a year of deflections, Special Envoy to Iran Rob Malley [pledged](#) to the Senate Foreign Relations Committee that the State Department would submit any nuclear deal it reached with Iran to Congress pursuant to INARA.
 - » One of the entities slated to receive sanctions relief in this initial tranche [funds](#) the active \$3.3 million bounty against Salman Rushdie.
- INARA was written to provide Congress with an opportunity to weigh in on any deal negotiated by the Executive Branch that sought to relieve sanctions on Iran. However, INARA was written for the circumstances and sanctions architecture that existed in 2015, not that of 2022.

- » INARA [says](#): “the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law” during the 30-day review period after the President submits the deal to Congress, as well as during consideration of a joint resolution of disapproval.
- » President Biden cannot lift statutory sanctions on Iran before INARA review, but there are no constraints on the President lifting sanctions imposed under non-codified executive orders. President Biden can lift those sanctions before the deal is submitted to Congress and before the INARA review process.
- In 2015, the majority of sanctions on Iran, including those lifted by the original JCPOA, were enacted pursuant to laws passed by Congress. Now, however, there are many more sanctions that exist only pursuant to non-codified executive orders.
 - » President Obama issued four new executive orders to facilitate the imposition of sanctions on Iran. While two of the executive orders he issued were pursuant to acts of Congress, Obama refrained from waiving other non-codified sanctions, such as those under E.O. 13608, until INARA’s congressional review period finished.
 - » President Trump issued five Executive Orders providing sanctions on Iran that were never codified by Congress. President Biden is set to lift sanctions entirely from three of those five executive orders prior to INARA review and would later lift most sanctions under a fourth Trump-era order.
 - » After the INARA review period ends, President Biden would lift many, but not all, sanctions imposed on Iran under E.O. 13846, a broad sanctions authority that was used to target more than 100 Iranian economic entities, foreign entities violating U.S. sanctions (particularly those based in China, UAE, and Hong Kong), as well as Iranian officials involved in serious human rights abuses.
 - » There is no current reporting indicating that President Biden would lift sanctions issued under E.O. 13949, the fifth Iran-related executive order issued by President Trump in September 2019, which sanctioned several targets involved in Iranian conventional arms proliferation.

What Should the United States Do Next?

- Any attempted circumvention of Congress, including through the lifting of executive orders, will only entrench further bipartisan opposition to President Biden’s deal and is likely to render its guarantees to Iran even shakier. Biden should not accept any deal which requires the United States to suspend or lift any sanctions on Iran prior to the period of congressional review required in INARA.
- Congress should expeditiously codify the executive orders enacted by President Trump to ensure recent sanctions remain protected under the umbrella of INARA. Congress should also modify INARA to broaden the scope of sanctions that cannot be removed prior to congressional review.
- The atrophy of congressional oversight capability on Iran is partially a result of Congress’ failure to modernize INARA, and partially a result of its failure to codify the more recent sanctions architecture on Iran that in recent years has been constructed primarily by the Executive Branch rather than Congress.

List of Individuals and Entities Receiving Sanctions Relief Prior to Congressional Review

Target Name	Sanctions Authority 1	Sanctions Authority 2	Target Type	Country of Origin	First Date Sanctioned
Ali Hussein Khamenei	E.O. 13876		Individual	Iran	6/24/2019
ZARIF, Mohammad Javad	E.O. 13876		Individual	Iran	7/31/2019
BAGHERI, Mohammad	E.O. 13876		Individual	Iran	11/4/2019
DEHGHAN, Hossein	E.O. 13876		Individual	Iran	11/4/2019
GOLPAYEGANI, Mohammad Mohammadi	E.O. 13876		Individual	Iran	11/4/2019
HADDAD-ADEL, Gholamali	E.O. 13876		Individual	Iran	11/4/2019
HAGHANIAN, Vahid	E.O. 13876		Individual	Iran	11/4/2019
KHAMENEI, Mojtaba	E.O. 13876		Individual	Iran	11/4/2019
RAISI, Ebrahim	E.O. 13876		Individual	Iran	11/4/2019
RASHID, Gholam Ali	E.O. 13876		Individual	Iran	11/4/2019
VELAYATI, Ali Akbar	E.O. 13876		Individual	Iran	11/4/2019
ARMED FORCES GENERAL STAFF	E.O. 13876		Entity	Iran	11/4/2019
Pamchel Trading Beijing Co. Ltd.	E.O. 13871		Entity	China	1/10/2020
Power Anchor Limited	E.O. 13871		Entity	Seychelles	1/10/2020
Hong Xun	E.O. 13871		Vessel	Liberia	1/10/2020
Hongyuan Marine Co. Ltd.	E.O. 13871		Entity	China	1/10/2020
ALMAHDI ALUMINUM CO.	E.O. 13871		Entity	Iran	1/10/2020
ABDOLLAHI, Ali	E.O. 13876		Individual	Iran	1/10/2020
ASHTIANI, Mohammad-Reza	E.O. 13876		Individual	Iran	1/10/2020
QOMI, Mohsen	E.O. 13876		Individual	Iran	1/10/2020
REZA'I, Mohsen	E.O. 13876		Individual	Iran	1/10/2020
SHAMKHANI, Ali	E.O. 13876		Individual	Iran	1/10/2020
SOLEIMANI, Gholamreza	E.O. 13876	E.O. 13553	Individual	Iran	1/10/2020
ARFA IRON AND STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
CHADORMALU MINING & INDUSTRIAL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
ESFAHAN STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
GOLGOHAR MINING AND INDUSTRIAL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
HORMOZGAN STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
IRAN ALLOY STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
IRAN ALUMINUM COMPANY	E.O. 13871		Entity	Iran	1/10/2020
IRANIAN GHADIR IRON & STEEL CO.	E.O. 13871		Entity	Iran	1/10/2020
KHALAGH TADBIR PARS CO.	E.O. 13871		Entity	Iran	1/10/2020
KHORASAN STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
KHOUZESTAN STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
NATIONAL IRANIAN COPPER INDUSTRIES COMPANY	E.O. 13871		Entity	Iran	1/10/2020
OXIN STEEL COMPANY	E.O. 13871		Entity	Iran	1/10/2020
REPUTABLE TRADING SOURCE LLC	E.O. 13871		Entity	Oman	1/10/2020
SABA STEEL	E.O. 13871		Entity	Iran	1/10/2020
SOUTH KAVEH STEEL COMPANY	E.O. 13871	E.O. 13876	Entity	Iran	1/10/2020
JANNATI, Ahmad	E.O. 13876		Individual	Iran	2/20/2020
KADKHODAEI, Abbas Ali	E.O. 13876		Individual	Iran	2/20/2020
RAHPEYK, Siamak	E.O. 13876		Individual	Iran	2/20/2020
SADEGHI MOGHADAM, Mohammad Hasan	E.O. 13876		Individual	Iran	2/20/2020

Target Name	Sanctions Authority 1	Sanctions Authority 2	Target Type	Country of Origin	First Date Sanctioned
YAZDI, Mohammad	E.O. 13876		Individual	Iran	2/20/2020
BETTER FUTURE GENERAL TRADING CO LLC	E.O. 13871		Entity	UAE	6/25/2020
IRAN CENTRAL IRON ORE COMPANY	E.O. 13871		Entity	Iran	6/25/2020
METIL STEEL	E.O. 13871		Entity	Iran	6/25/2020
PACIFIC STEEL FZE	E.O. 13871		Entity	UAE	6/25/2020
SIRJAN JAHAN STEEL COMPLEX	E.O. 13871		Entity	Iran	6/25/2020
TARA STEEL TRADING GMBH	E.O. 13871		Entity	Germany	6/25/2020
TUKA METAL TRADING DMCC	E.O. 13871		Entity	UAE	6/25/2020
ALIKHANI, Mohsen	E.O. 13876		Individual	Iran	11/18/2020
ATABAK, Seyyed Mohammad	E.O. 13876		Individual	Iran	11/18/2020
BORGHEI, Amir-Mansour	E.O. 13876		Individual	Iran	11/18/2020
ESKANDARI, Mohammad	E.O. 13876		Individual	Iran	11/18/2020
GHANA'AT, Javad	E.O. 13876		Individual	Iran	11/18/2020
IMANI, Seyyed Zia	E.O. 13876		Individual	Iran	11/18/2020
MOKHTARI, Khosro	E.O. 13876		Individual	Iran	11/18/2020
OJI, Javad	E.O. 13876		Individual	Iran	11/18/2020
ALIAF COMPANY	E.O. 13876		Entity	Iran	11/18/2020
ARVAND KAVEH STEEL CO.	E.O. 13876		Entity	Iran	11/18/2020
BEH TAM RAVANKAR	E.O. 13876		Entity	Iran	11/18/2020
BEHRAN OIL CO.	E.O. 13876		Entity	Iran	11/18/2020
BEHRAN TRADING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
BONYAD EASTERN RAILWAY COMPANY	E.O. 13876		Entity	Iran	11/18/2020
BONYAD SHIPPING AGENCIES COMPANY	E.O. 13876		Entity	Iran	11/18/2020
COAL TAR REFINING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
DAMAVAND MINING	E.O. 13876		Entity	Iran	11/18/2020
DAY COMPANY	E.O. 13876		Entity	Iran	11/18/2020
HEJAB TEXTILE COMPANY	E.O. 13876		Entity	Iran	11/18/2020
INTERNATIONAL TRADE AND INDUSTRIAL TECHNOLOGY ITRITEC GMBH	E.O. 13876		Entity	Germany	11/18/2020
IRAN ELECTRONIC DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
IRAN TIRE MANUFACTURING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
ISLAMIC REVOLUTION MOSTAZAFAN FOUNDATION	E.O. 13876		Entity	Iran	11/18/2020
KAVEH KHOZESTAN ALUMINUM COMPANY	E.O. 13876		Entity	Iran	11/18/2020
KAVEH PARS MINING INDUSTRIES DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
KAVEH SHARGH STEEL CO.	E.O. 13876		Entity	Iran	11/18/2020
MELLI SAKHTEMAN COMPANY	E.O. 13876		Entity	UAE	11/18/2020
NORTH DRILLING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
NORTH WOOD INDUSTRY COMPANY	E.O. 13876		Entity	Iran	11/18/2020
OMRAN VA MASKAN IRAN COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PARS ENERGY-GOSTAR DRILLING AND EXPLORATION	E.O. 13876		Entity	Iran	11/18/2020
PARS SARRALLE COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PARS TILE COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PARSIAN TOURISM AND RECREATIONAL CENTERS COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PAYA SAMAN PARS	E.O. 13876		Entity	Iran	11/18/2020

Target Name	Sanctions Authority 1	Sanctions Authority 2	Target Type	Country of Origin	First Date Sanctioned
PAYANDAN COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PEYVAND TEJARAT ATIEH IRANIAN COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PISHGAMAN HORIZON DEVELOPMENT IRANIAN BUSINESS TRADING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
PISHRO IRAN FINANCIAL AND INVESTMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
RAH NEGAR PARS MIDDLE EAST COMPANY	E.O. 13876		Entity	Iran	11/18/2020
RAMAN COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SANATI DOODEH FAM CO.	E.O. 13876		Entity	Iran	11/18/2020
SELKBAF CO	E.O. 13876		Entity	Iran	11/18/2020
SHISHEH VA GAS INDUSTRIES GROUP	E.O. 13876		Entity	Iran	11/18/2020
SINA CURRENCY EXCHANGE COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SINA ENERGY DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SINA FINANCIAL AND INVESTMENT HOLDING COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SINA PAYA SANAT DEVELOPMENT CO.	E.O. 13876		Entity	Iran	11/18/2020
SINA PORT AND MARINE SERVICES DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SINA RAIL PARS COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SINA TILE AND CERAMIC INDUSTRIES COMPANY	E.O. 13876		Entity	Iran	11/18/2020
SOMIC ENGINEERING AND MANAGEMENT CO	E.O. 13876		Entity	Iran	11/18/2020
TABCHEM CHEMICAL INDUSTRIES CO.	E.O. 13876		Entity	Iran	11/18/2020
TALOON COMPANY	E.O. 13876		Entity	Iran	11/18/2020
TEHRAN CEMENT COMPANY	E.O. 13876		Entity	Iran	11/18/2020
TEHRAN INTERNATIONAL TRANSPORT CO	E.O. 13876		Entity	Iran	11/18/2020
TURIRA COMPANY	E.O. 13876		Entity	Turkey	11/18/2020
BOSCO GILAN (EPAE3)	E.O. 13876		Vessel	Iran	11/18/2020
BONAB STEEL INDUSTRY COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
ESFARAYEN INDUSTRIAL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
GILAN STEEL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
GMI PROJECTS HAMBURG GMBH	E.O. 13871		Entity	Germany	1/5/2021
GMI PROJECTS LTD	E.O. 13871		Entity	United Kingdom	1/5/2021
KAIFENG PINGMEI NEW CARBON MATERIALS TECHNOLOGY CO., LTD.	E.O. 13871		Entity	China	1/5/2021
KHAZAR STEEL CO.	E.O. 13871		Entity	Iran	1/5/2021
MIDDLE EAST MINES AND MINERAL INDUSTRIES DEVELOPMENT HOLDING COMPANY	E.O. 13871		Entity	Iran	1/5/2021
PASARGAD STEEL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
SIRJAN IRANIAN STEEL	E.O. 13871		Entity	Iran	1/5/2021
SOUTH ROUHINA STEEL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
VIAN STEEL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
WEST ALBORZ STEEL COMPLEX	E.O. 13871		Entity	Iran	1/5/2021
WORLD MINING INDUSTRY COMPANY LTD	E.O. 13871		Entity	Iran	1/5/2021
YAZD INDUSTRIAL CONSTRUCTIONAL STEEL ROLLING MILL	E.O. 13871		Entity	Iran	1/5/2021

Target Name	Sanctions Authority 1	Sanctions Authority 2	Target Type	Country of Origin	First Date Sanctioned
ZARAND IRANIAN STEEL COMPANY	E.O. 13871		Entity	Iran	1/5/2021
MARVI, Ahmad	E.O. 13876		Individual	Iran	1/13/2021
MOKHBER, Mohammad	E.O. 13876		Individual	Iran	1/13/2021
ABADAN POWER GENERATION COMPANY	E.O. 13876		Entity	Iran	1/13/2021
ASTAN QUDS RAZAVI	E.O. 13876		Entity	Iran	1/13/2021
BARKAT VENTURES	E.O. 13876		Entity	Iran	1/13/2021
IRAN COMBINE MANUFACTURING CO.	E.O. 13876		Entity	Iran	1/13/2021
IRAN MOBIN ELECTRONIC DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	1/13/2021
MOFIDRAHBAR AUDIT FIRM	E.O. 13876		Entity	Iran	1/13/2021
QUDS RAZAVI HOUSING AND CONSTRUCTION CO.	E.O. 13876		Entity	Iran	1/13/2021
QUDS RAZAVI MINES CO.	E.O. 13876		Entity	Iran	1/13/2021
QUDS RAZAVI TRADITIONAL TILE CO.	E.O. 13876		Entity	Iran	1/13/2021
RAZAVI BROKERAGE FIRM	E.O. 13876		Entity	Iran	1/13/2021
RAZAVI ECONOMIC ORGANIZATION	E.O. 13876		Entity	Iran	1/13/2021
RAZAVI INFORMATION AND COMMUNICATION TECHNOLOGY CO.	E.O. 13876		Entity	Iran	1/13/2021
RAZAVI OIL AND GAS DEVELOPMENT CO.	E.O. 13876		Entity	Iran	1/13/2021
RAZAVI SUPPLY CHAIN MANAGEMENT CO.	E.O. 13876		Entity	Iran	1/13/2021
SHAHAB KHODRO CO.	E.O. 13876		Entity	Iran	1/13/2021
TADBIR DRILLING DEVELOPMENT COMPANY	E.O. 13876		Entity	Iran	1/13/2021
Bank Keshavarzi	ITR	E.O. 13902	Entity	Iran	7/1/2010
Bank Maskan	ITR	E.O. 13902	Entity	Iran	7/1/2010
Bank Refah Kargaran	E.O. 13382	E.O. 13902	Entity	Iran	2/17/2011
Bank-e Shahr	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Eghtesad Novin Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Iran Zamin Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Islamic Regional Cooperation Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Karafarin Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Mehr Iran Credit Union	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Pasargad Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Saman Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Sarmayeh Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Tosee Taavon Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Tourism Bank	E.O. 13599	E.O. 13902	Entity	Iran	7/12/2012
Amin Investment Bank	E.O. 13599	E.O. 13902	Entity	Iran	6/4/2013
Khavarmianeh Bank	E.O. 13599	E.O. 13902	Entity	Iran	8/29/2014
Gharzolhasaneh Resalat Bank	E.O. 13599	E.O. 13902	Entity	Iran	8/29/2014

Note 1: The 17 banks sanctioned under E.O. 13902 were originally sanctioned under other weaker sanctions authorities that were lifted in the JCPOA and reimposed on November 5, 2018.

Note 2: Gholamreza Soleimani was also sanctioned by the Biden Administration on December 7, 2021, under E.O. 13553 for leading the Basij, one of Iran's most brutal forces that were responsible for killing many of the 1,500 protesters killed in November 2019. He would likely remain sanctioned under that authority after E.O. 13876 is rescinded.