

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3457) TO PROHIBIT THE LIFTING OF SANCTIONS ON IRAN UNTIL THE GOVERNMENT OF IRAN PAYS THE JUDGMENTS AGAINST IT FOR ACTS OF TERRORISM, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO ACCOMPANY THE BILL (H.R. 1735) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2016 FOR MILITARY ACTIVITIES OF THE DEPARTMENT OF DEFENSE, FOR MILITARY CONSTRUCTION, AND FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR SUCH FISCAL YEAR, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

SEPTEMBER 30, 2015.—Referred to the House Calendar and ordered to be printed

Mr. BYRNE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 449]

The Committee on Rules, having had under consideration House Resolution 449, by a record vote of 8 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3457, the Justice for Victims of Iranian Terrorism Act, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment printed in this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of the conference report to accompany H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. The resolution waives all points of order against the conference report and against its consideration. The resolution provides that the conference report shall be considered as read. The resolution provides that the previous question shall be considered as ordered without intervention of any mo-

tion except one hour of debate and one motion to recommit if applicable. Debate on the conference report is divided pursuant to clause 8(d) of rule XXII.

Section 3 of the resolution provides that it shall be in order at any time on the legislative day of October 1, 2015, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 3457 includes a waiver of section 303 of the Congressional Budget Act, prohibiting consideration of legislation, providing a change in revenues for a fiscal year until the budget resolution for that year has been agreed to.

Although the resolution waives all points of order against provisions in H.R. 3457, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against the conference report to H.R. 1735 and its consideration includes a waiver of the following:

- Clause 9 of rule XXII, which prohibits the inclusion of matter in a conference report not committed to the conference by either House;
- Section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee;
- Section 311 of the Congressional Budget Act of 1974, which prohibits consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded;
- Section 3101 of S. Con. Res. 11, which prohibits consideration of a conference report that would cause a net increase in direct spending in excess of \$5,000,000,000 in any of the 4 consecutive 10-fiscal year periods beginning in 2026.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 107

Motion by Mr. McGovern to report an open rule for H.R. 3457. Defeated: 3–8.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida
Mr. Burgess	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 108

Motion by Mr. Cole to report the rule. Adopted: 8–3.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Cole	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida
Mr. Burgess	Mr. Polis	Nay
Mr. Stivers	Yea		
Mr. Collins	Yea		
Mr. Byrne	Yea		
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 3457 CONSIDERED AS ADOPTED

Meehan (PA): SUBSTITUTE Prohibits the President from providing Iran with sanctions relief—and therefore implementing the nuclear agreement—until he certifies to Congress that Iran has paid compensation to American victims of its terrorism who have successfully obtained judgments in U.S. courts. The amendment refines the legal/technical descriptions of what constitutes “lifting of sanctions” (to ensure that it covers the full range of potential sanctions waivers connected with the nuclear deal) and the universe of “certain judgments” subject to the bill (to ensure that it captures all appropriate judgments against Iran since the 1996 “state sponsor of terrorism” amendment to the Foreign Sovereign Immunities Act).

TEXT OF AMENDMENT TO H.R. 3457 CONSIDERED AS ADOPTED

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice for Victims of Iranian Terrorism Act”.

SEC. 2. PROHIBITION ON LIFTING OF SANCTIONS ON IRAN PENDING PAYMENT OF CERTAIN JUDGMENTS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the President may not take any of the actions described in subsection (b) until the President has certified to the Congress that the Government of Iran has paid each judgment against Iran that is described in subsection (c).

(b) **ACTIONS DESCRIBED.**—

(1) **IN GENERAL.**—The actions described in this subsection are the following:

(A) To waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions described in paragraph (2) or refrain from applying any such sanctions.

(B) To remove a foreign person listed in Attachment 3 or Attachment 4 to Annex II of the Joint Comprehensive Plan of Action from the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury.

(2) **SANCTIONS DESCRIBED.**—The sanctions described in this paragraph are—

(A) the sanctions described in sections 4 through 7.9 of Annex II of the Joint Comprehensive Plan of Action; and

(B) the sanctions described in any other agreement related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action, regardless of the form it takes, whether a political commitment or otherwise, and regardless of whether it is legally binding or not.

(c) JUDGMENTS.—A judgment is a judgment described in this subsection if it is a final judgment entered by the courts of the United States or of the States—

(1) that relates to a claim—

(A) that was brought against Iran or its political subdivisions, agencies, or instrumentalities (regardless of whether the claim was also brought, or the resulting judgment was also entered, against another defendant); and

(B) for which the court determined that Iran (or its political subdivisions, agencies, or instrumentalities, as the case may be) was not immune from the jurisdiction of the courts of the United States or of the States under section 1605A, or section 1605(a)(7) (as such section was in effect on January 27, 2008), of title 28, United States Code; and

(2) that was entered during the period beginning on April 24, 1996, and ending on the date of the enactment of this Act.

(d) JOINT COMPREHENSIVE PLAN OF ACTION DESCRIBED.—In this section, the term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action, agreed to at Vienna on July 14, 2015, by Iran and by the People’s Republic of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action.