ASKING CLAUDE'S OPINION

Would a Vote in Congress Make a Deal Stick?

Sanctions relief is the currency of American diplomacy, but foreign governments have learned it can be taken back after the next election. Would giving Congress a vote change that?

By Claude (Anthropic), at the request of Eric Sohn | mrsanctions.com | November 17, 2026

> Eric put a proposition to me. Deals that lift sanctions should be treated like treaties and approved by Congress, so the other side can trust that they will last. Is he right? This is my answer. It draws on government reports, court rulings, statutes and news coverage. The numbered notes at the end show where each fact comes from.

The durability problem

When the United States wants something from a sanctioned country, sanctions relief is usually what it offers in return. The trouble is that relief granted by one President can be withdrawn by the next.

The Iran nuclear deal is the clearest example. The Joint Comprehensive Plan of Action (JCPOA) traded limits on Iran's nuclear program for sanctions relief in 2015. Three years later, President Trump ended U.S. participation by reimposing sanctions and adding new ones.[1] The pattern isn't limited to sanctions. The United States joined the Paris climate agreement in 2016, left in 2020, rejoined in 2021 and began withdrawing again in 2025, each time on a President's say-so.[2]

Foreign governments have noticed. When talks to revive the Iran deal began in Vienna in 2021, Tehran demanded a guarantee that a future President would not walk away again. The Biden administration replied that it could not constitutionally give one.[3] Iran's foreign minister then took an unusual step. He asked Congress itself for a statement that the United States would stand by a new deal.[3]

The same debate came back in June 2026, after the administration reached a memorandum of understanding with Iran. Senator Bill Cassidy argued the agreement should go through the Senate as a treaty. Without that, he warned, "it's only good for two and a half years."[4] Others disagreed. Senator Josh Hawley said he knew of no precedent for Congress voting on such a memorandum.[4]

Four ways to make a deal

The Constitution describes only one way to make an international agreement. The President makes a treaty, and two-thirds of the Senators present must consent.[5] In practice, the Congressional Research Service (CRS), Congress's nonpartisan research arm, notes that the United States makes few of its commitments this way. Presidents mostly rely on executive agreements and nonbinding arrangements that the Constitution never mentions.[6]

CRS sorts binding executive agreements into three groups. Congressional-executive agreements are approved by a law passed by both chambers. Some agreements rest on authority in an earlier treaty. Sole executive agreements rest on the President's own constitutional powers.[6] Below all of these sit political commitments, which bind no one legally.

How the forms of international commitment compare

Form	Who approves it	Example
Treaty	President, plus two-thirds of the Senators present	Anti-Ballistic Missile Treaty (1972)
Congressional-executive agreement	President, plus a simple majority of both chambers	North American Free Trade Agreement; SALT I Interim Agreement (1972)
Agreement under an existing treaty	President, using authority the Senate already approved	Agreements implementing earlier treaties
Sole executive agreement or political commitment	President alone	The JCPOA (2015)

Two entries in that list deserve a closer look. Congressional-executive agreements are the standard tool for trade. The North American Free Trade Agreement (NAFTA) and the Uruguay Round agreements that created the World Trade Organization were all approved this way rather than as treaties.[7] The route has also been used with an adversary. In 1972, Congress approved the Interim Agreement from the Strategic Arms Limitation Talks (SALT I) with the Soviet Union by joint resolution. The agreement froze each side's long-range missile forces while talks continued.[8]

At the other end sits the JCPOA. In November 2015, the State Department told Congress in writing that the deal was "not a treaty or an executive agreement, and is not a signed document." It described the deal as a set of political commitments.[9] Eight months earlier, 47 Republican senators had sent an open letter warning Iran's leaders that the next President could revoke any deal made with President Obama.[10] They turned out to be right.

The case for a vote

Eric's argument is strong, and it rests on a simple point. What a President does alone, the next President can undo alone. What Congress writes into law takes another law to reverse.

A vote in Congress also sends a signal that no presidential promise can match. It tells the other side that support for the deal reaches beyond one administration and one party. That is precisely the assurance Iran asked for in Vienna and could not get.[3]

Durability matters to businesses as well. Sanctions relief that may vanish in two or three years is relief that few banks or investors will act on. Compliance teams face the same problem in reverse. Every swing in policy means rewriting licenses, screening rules and procedures.

Congress already plays a partial role in some deals. The Iran Nuclear Agreement Review Act of 2015 (INARA) requires the President to send any Iran nuclear agreement to Congress. During a 30-day review, he may not ease statutory sanctions. Congress can pass a resolution approving the deal or one disapproving it. If it does neither, the President may go ahead with relief once the review ends.[11] Congress also built a review into the Lindsey O. Graham Sanctioning Russia and Iran Act of 2026. Ending its Russia sanctions for good requires a certification that Russia has signed a peace agreement accepted by Ukraine's government, followed by a congressional review period.[12]

Both laws, though, give Congress a chance to block a deal rather than a duty to approve it. That difference matters more than it seems. When the JCPOA came up for review in 2015, a Senate effort to disapprove it stalled at 58 votes, short of the 60 needed to move forward.[13] The deal survived, but Congress never said yes to it. Because a President can veto a disapproval resolution, a deal can survive review with the backing of just over a third of one chamber. That tells the other side very little about whether the deal will last.

The limits of a vote

Even a treaty is not a lifetime guarantee. Presidents have ended treaties on their own, and the courts have mostly stayed out of it. In 1979, President Carter ended the U.S. defense treaty with Taiwan. When members of Congress sued, a plurality of the Supreme Court in *Goldwater v. Carter* called the dispute a political question for the other branches to settle.[14] In 2002, President George W. Bush withdrew from the Anti-Ballistic Missile Treaty, and a federal court dismissed a challenge from 32 members of the House.[15] In 2020, the Justice Department's Office of Legal Counsel (OLC) went further. It concluded that the President has exclusive power to withdraw from treaties and that Congress cannot restrict it.[14]

Congressional-executive agreements have a similar weak spot. OLC has concluded that a President may use the termination clause in an agreement Congress approved, such as NAFTA, unless Congress limited that clause.[16]

A further gap applies to sanctions in particular. A law that lifts certain sanctions doesn't, by itself, stop a future President from imposing new ones. The International Emergency Economic Powers Act (IEEPA) lets a President impose sanctions after declaring a national emergency. Unless the approving law says otherwise, those powers would still be available. This is my own reading of how the pieces fit together, not a conclusion from any of the sources.

The costs of a vote

Eric's proposal also carries real costs, and the critics have fair points.

The bar for a treaty is very high. Two-thirds of the Senate is hard to reach on any contested foreign policy question. Requiring it for every deal that lifts sanctions would give a determined minority a veto over diplomacy. Some deals that serve U.S. interests would simply never happen.

Adversaries also read American politics. If they believe Congress will balk, some may wait out the process, or hold out for more from a President who needs a vote.

Speed matters too. Many deals start as short, interim arrangements, like the 60-day framework in the June 2026 memorandum with Iran.[4] Putting each stage to a vote would slow diplomacy that often depends on quick, reversible steps. In the 2026 case, the question was never settled. The Vice President said the administration was confident, based on an OLC opinion, that it could temporarily lift sanctions without Congress.[17] The memorandum later fell apart.[18]

A better design

The goal should be durability without a minority veto. In my view, four changes would get most of the way there.

First, deals that permanently lift statutory sanctions should be approved as congressional-executive agreements. A simple majority of both chambers is a realistic bar, unlike two-thirds of the Senate. SALT I shows the route can work even for a deal with an adversary.[8]

Second, the approving law should write the relief into statute. Undoing it would then take another law, rather than a stroke of a pen.

Third, the law should limit withdrawal. Congress has a model. Section 1250A of the 2024 National Defense Authorization Act (NDAA) bars the President from withdrawing from the North Atlantic Treaty without either two-thirds of the Senators present or an act of Congress.[19] CRS describes it as apparently the first statute to forbid a President from leaving a treaty on his own. It also notes that the provision conflicts with OLC's 2020 view. No court has ruled on it, and CRS considers the outcome of any challenge uncertain.[14] A similar clause attached to a sanctions deal would face the same open question. Still, it would send the strongest signal of commitment available under current law.

Fourth, temporary and reversible steps should stay with the President. Short waivers, licenses and interim arrangements are the tools that let negotiations move. Congress's approval should be reserved for the permanent bargain.

My verdict

Eric is mostly right. A deal approved by Congress is much more durable than one made by a President alone, and the other side knows it. Iran's demands in Vienna, and its request to Congress, show that the United States paid a real price for the JCPOA's weak legal form.

Where I part company is the treaty route itself. Two-thirds of the Senate is too high a bar, and even treaties can be exited. A majority-vote approval that writes relief into law, paired with a limit on withdrawal, is the better tool. It wouldn't make a deal permanent. Nothing in the American system does. It would, however, make walking away costly, slow and public.

For compliance teams, the practical lesson is to read the legal form of any sanctions relief before acting on it. Relief written into statute is sturdier than relief granted by waiver, and both are sturdier than a political commitment. The form tells you how long the relief is likely to last.

Several developments are worth watching. Will a Russia-Ukraine peace agreement trigger the Graham Act's review process? Will any future Iran deal go to Congress for a vote? And will a court ever rule on whether Congress can bar a President from walking away from an international commitment?

Notes

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This article reflects analysis by Claude, an AI model made by Anthropic, prepared at the request of mrsanctions.com. It is not legal advice. Facts are current as of November 17, 2026, unless otherwise noted.