

THE WHITE HOUSE

WASHINGTON

September 7, 2015

The Honorable Ron Wyden  
United States Senate  
Washington, D.C. 20510

Dear Senator Wyden:

I am writing to follow up on the many conversations I have had with you and other Senators regarding the Joint Comprehensive Plan of Action (JCPOA) in order to address several important issues raised. To begin, as we have discussed, it is my steadfast conviction that a nuclear-armed Iran would present a profound security threat to the United States and to our partners. That is why, even before taking office, I made clear that Iran would not be allowed to acquire a nuclear weapon on my watch. The JCPOA verifiably accomplishes that goal by cutting off all of Iran's potential pathways to a bomb. That is why I strongly believe that implementing the JCPOA is in the national security interests of the United States, the State of Israel, and the region as a whole.

Furthermore, I remain clear-eyed about Iran's previous covert nuclear efforts. That is why we secured the most comprehensive inspection and verification regime ever negotiated to monitor a nuclear program in the JCPOA. Because of this deal, we will be in a position to verify that Iran lives up to all of its nuclear commitments. This deal is not built on trust; it is built on verification. And as such, we will hold Iran to its commitments under the JCPOA.

During the course of the debate and the congressional review period, questions have been raised about whether we have sufficient options for dealing with potential Iranian violations of the deal. Let me assure you that there are a wide range of unilateral and multilateral responses that we and our partners can employ should Iran fail to meet its JCPOA commitments. We will take seriously any effort by Iran to test whether or not it can avoid consequences for violating the JCPOA.

First, it is important to recognize the unprecedented nature of the snap-back provision that we have secured in this deal. It ensures that the United Nations (UN) Security Council will re-impose UN sanctions if the United States believes Iran has failed to meet its JCPOA commitments, and no state can block the snap-back of those multilateral sanctions. If we believe that there has been a violation related to any commitment in the JCPOA, we can refer the issue to the Joint Commission. If our concerns are not resolved to our satisfaction, we can unilaterally reinstate these sanctions. In the event of a full snap-back of sanctions, European businesses – like all others – would need to wind down contracts or be subject to sanctions. Because this

gives us enormous leverage, we expect the Joint Commission to resolve a range of compliance issues that could arise. In the event it cannot, no state can block our ability to snap those sanctions back into place.

Precisely because of the diplomacy that we have pursued in building the sanctions regime and negotiating the JCPOA, I am confident that we can impose consequences for Iranian violations without having to do so alone. In addition to the multilateral snap-back provision, the United States and our European partners can snap our own sanctions back into place at any time should Iran fail to meet its commitments. Our European allies have made clear that they would join us in re-imposing unilateral sanctions and have conveyed to us that they stand ready to re-impose European Union sanctions in a calibrated manner as appropriate in the event Iran violates the JCPOA incrementally, ensuring that we can deter such non-compliance as well. Given how closely we've worked with our European allies throughout this process and given the enormously negative implications for Europe of a nuclear-armed Iran, I have no doubt that our European allies will stand with us if Iran fails to meet its JCPOA commitments. Every element of this arrangement was negotiated with our closest European allies, who all have made clear subsequently – in public and private settings – their assurance to fulfill their commitments under the JCPOA, and to ensure that Iran lives up to its end of the deal. This includes working with us to ensure that the JCPOA's unprecedented inspections, monitoring, and transparency regime that we negotiated together is effectively implemented.

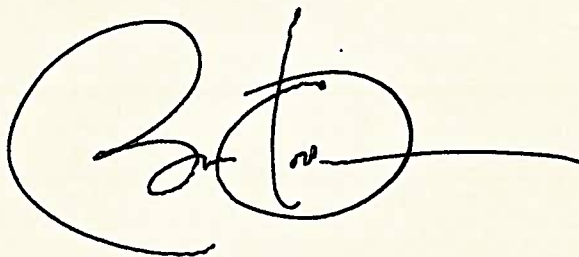
The United States also has a range of other, more incremental options by which we can apply calibrated pressure in the event of non-compliance issues by Iran. For example, we can re-impose certain U.S. sanctions or seek certain designations related to Iran's non-compliance with the JCPOA. Alternatively, we could also withhold approval of sensitive nuclear-related transfers for Iran's peaceful program under the procurement channel established pursuant to the JCPOA. Ultimately, however, it is essential that we retain the flexibility to decide what responsive measures we and our allies deem appropriate for any non-compliance.

Of course, the Congress will be kept fully informed of all aspects of Iranian compliance with the JCPOA throughout the life of the deal. Every 90 days after the current congressional review period, a certification will be made regarding Iran's compliance with the JCPOA under the Iran Nuclear Agreement Review Act (INARA) and every 180 days, a report will be provided to the appropriate committees and leadership, including information on a range of issues related not only to JCPOA implementation, but also Iranian terrorism, human rights, ballistic missiles, and money laundering activities, among others. I have also instructed the Department of State to establish a JCPOA implementation office, headed by a senior official with Ambassadorial rank, to coordinate our oversight efforts and regularly brief the Congress. The INARA reporting and oversight requirements, along with regular briefings by my Administration, will ensure that the Congress has tremendous insight into JCPOA implementation – and they provide a built-in mechanism to respond to significant non-compliance.

Finally, I have pursued a policy of prevention since I first came into office. The JCPOA does not remove any of our options when it comes to preventing Iran from acquiring a nuclear weapon. As I have repeatedly emphasized, my Administration will take whatever means are necessary to achieve that goal, including military means. Should Iran seek to dash toward a nuclear weapon, all of the options available to the United States – including the military option – will remain available through the life of the deal and beyond.

I know that you and your colleagues have taken considerable time to think about these critical issues in the context of the JCPOA. I thank you for your thoughtful and comprehensive engagement with me and members of my Administration on these matters of grave importance to U.S. national security. I look forward to continuing to work with the United States Congress to ensure that we peacefully prevent Iran from obtaining a nuclear weapon.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a circular flourish and a horizontal line extending to the right.