

114TH CONGRESS
2D SESSION

S. 3329

To ensure transparent enforcement of the Joint Comprehensive Plan of
Action.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2016

Mr. PERDUE (for himself and Mr. LANKFORD) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To ensure transparent enforcement of the Joint
Comprehensive Plan of Action.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “JCPOA Enforcement
5 Transparency Act of 2016”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The United States entered into the Joint
9 Comprehensive Plan of Action (JCPOA) on July 14,
10 2015, without the approval of Congress.

1 (2) The JCPOA established the Joint Commis-
2 sion in Annex IV of the agreement.

3 (3) The JCPOA placed detailed limitations on
4 components of Iran’s nuclear agreement, and re-
5 quired those limitations to be met by Implementa-
6 tion Day, which took place on January 16, 2016.

7 (4) The Joint Commission provided alternate
8 arrangements regarding some Iranian nuclear stocks
9 and facilities prior to January 16, 2016.

10 (5) The JCPOA capped Iran’s stockpile of low
11 enriched uranium (LEU) at 300 kilograms (kg).

12 (6) Iran was granted an exemption to retain
13 more than 300 kg of LEU by the Joint Commission.

14 (7) The JCPOA required all Iranian uranium
15 oxide enriched to between 5 percent and 20 percent
16 to be fabricated into fuel plates for the Tehran Re-
17 search Reactor or transferred outside of Iran or di-
18 luted to an enrichment level of 3.67 percent or less.

19 (8) The Joint Commission found near 20 per-
20 cent LEU in “lab contaminant” that was judged as
21 unrecoverable.

22 (9) Under the JCPOA, Iran committed to only
23 develop, acquire, build, or operate hot cells, shielded
24 cells, or shielded glove boxes with dimensions less
25 than 6 cubic meters for 15 years.

1 (10) Prior to Implementation Day, the Joint
2 Commission agreed to allow Iran to continue oper-
3 ating 19 large hot cells in three Tehran locations
4 and one Karaj location which are in excess of the 6
5 cubic meter limitation.

6 (11) In July 2016, the Joint Commission estab-
7 lished a Technical Working Group to evaluate stocks
8 of Iranian 3.67 percent LEU and other stocks.

9 (12) Ensuring Iranian compliance with the
10 JCPOA is tantamount to restricting breakout times
11 for the development of a nuclear weapon.

12 (13) The current Administration's policy to
13 maintain secrecy on the decisions of the Joint Com-
14 mission and its Technical Working Group interferes
15 in the process of establishing adequate congressional
16 and public oversight of the JCPOA.

17 **SEC. 3. NOTIFICATION AND JUSTIFICATION REQUIREMENT**

18 **FOR DECISIONS ISSUED BY THE JOINT COM-**

19 **MISSION AND TECHNICAL WORKING GROUP.**

20 (a) IN GENERAL.—The President, in consultation
21 with the Secretary of State, the Secretary of Energy, and
22 the heads of other relevant agencies, shall—

23 (1) not later than 30 days after the date of the
24 enactment of this Act, notify the appropriate con-
25 gressional committees of all past decisions made by

1 the Joint Commission or the Technical Working
2 Group; and

3 (2) not later than 30 days after each subse-
4 quent decision made by the Joint Commission, the
5 Technical Working Group, or any subsequent work-
6 ing group established by the JCPOA, notify the ap-
7 propriate congressional committees of such decision.

8 (b) ELEMENTS.—The notification required under
9 subsection (a) shall include the following elements:

10 (1) A description of the decision.

11 (2) A justification for the decision.

12 (3) An unclassified summary of the decision,
13 with a classified annex if necessary.

14 **SEC. 4. PUBLICATION OF DECISIONS.**

15 The Secretary of State shall publish on a publicly
16 available Internet website a description of the decision-
17 making process and a summary of all decisions granted
18 by the Joint Commission, the Technical Working Group,
19 or any subsequent working group established under the
20 auspices of the JCPOA.

21 **SEC. 5. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) the United States representative to the
24 Joint Commission, the Technical Working Group, or
25 any subsequent working group established under the

1 auspices of the JCPOA should oppose any exemp-
2 tions or modifications to requirements for Iran
3 under the JCPOA; and

4 (2) the workings of the Joint Commission, the
5 Technical Working Group, and any subsequent
6 working group established under the auspices of the
7 JCPOA to evaluate Iranian compliance to JCPOA
8 requirements should proceed in an open and trans-
9 parent manner.

10 **SEC. 6. DEFINITIONS.**

11 In this Act:

12 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
13 **TEES.**—The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on Foreign Relations,
16 the Committee on Armed Services, the Select
17 Committee on Intelligence, and the Committee
18 on Appropriations of the Senate; and

19 (B) the Committee on Foreign Affairs, the
20 Committee on Armed Services, the Permanent
21 Select Committee on Intelligence, and the Com-
22 mittee on Appropriations of the House of Rep-
23 resentatives.

24 (2) **JOINT COMMISSION.**—The term “Joint
25 Commission” means the group comprised of rep-

1 representatives of Iran and the E3/EU+3, as defined
2 in Annex IV of the JCPOA.

3 (3) JOINT COMPREHENSIVE PLAN OF ACTION
4 AND JCPOA.—The terms “Joint Comprehensive Plan
5 of Action” and “JCPOA” mean the Joint Com-
6 prehensive Plan of Action signed at Vienna on July
7 14, 2015, by Iran and by France, Germany, the
8 Russian Federation, the People’s Republic of China,
9 the United Kingdom, and the United States, all im-
10 plementing materials and agreements related to the
11 Joint Comprehensive Plan of Action, and any other
12 subsequent agreement with Iran that addresses the
13 Iran nuclear issue.

14 (4) TECHNICAL WORKING GROUP.—The term
15 “Technical Working Group” means the Technical
16 Working Group established by the Joint Commission
17 in July 2016 to consider further exemptions under
18 the JCPOA relating to Iran’s stock of 3.5 percent
19 low enriched uranium.

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