

## United States Senate

October 26, 2017

Ambassador Nikki Haley  
United States Ambassador to the United Nations  
United States Mission to the United Nations  
799 United Nations Plaza  
New York, NY 10017

Dear Ambassador Haley,

We write to you to express concern regarding shortcomings in the inspection and verification regime of the United Nations nuclear watchdog, the International Atomic Energy Agency, regarding the Joint Comprehensive Plan of Action (JCPOA).

When unveiling the JCPOA, President Obama promised that "inspectors will also be able to access any suspicious location. Put simply, the organization responsible for the inspections, the IAEA, will have access where necessary, when necessary."<sup>1</sup> He stressed that Iran's nuclear program "faces strict limitations and is subject to the most intrusive inspection and verification program ever negotiated to monitor a nuclear program."<sup>2</sup> In practice, it appears that this is not the case.

Most notably, disputes over the meaning of Section T of the JCPOA, as well as a deterioration in the amount and quality of information provided by IAEA inspections, have prevented the inspection and verification regime of the JCPOA from being as thorough and transparent as possible. It is vital to ensure that the IAEA inspection coverage of Iran is comprehensive enough to ensure that estimates on breakout times remain legitimate and to detect early if Iran makes any efforts to leave the JCPOA abruptly or gradually.

Uncertainty over the boundaries of Section T, regarding "activities which could contribute to the design and development of a nuclear explosive device," still exist between the signatories of the nuclear deal. IAEA Director Yukiya Amano has stated that "more clarification would be helpful" regarding mandate of the IAEA for verifying Section T.<sup>3</sup> As you have astutely noted, "The JCPOA made no distinction between military and non-military sites. There are also numerous undeclared sites that have not been inspected. That is a problem."<sup>4</sup> We believe that without visits to military sites, the IAEA cannot make a credible conclusion that Iran is meeting its section T obligations. We encourage you to continue to stress this point of view to the signatories of the deal, as well as to the IAEA.

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<sup>1</sup> <http://time.com/3957036/obama-iran-nuclear-deal-transcript/>

<sup>2</sup> <http://thehill.com/policy/international/314450-obama-marks-one-year-anniversary-of-iran-nuclear-deal-implementation>

<sup>3</sup> <https://www.reuters.com/article/us-iran-nuclear-iaea/iaea-chief-calls-for-clarity-on-disputed-section-of-iran-nuclear-deal-idUSKCNIC12AN>

<sup>4</sup> <https://www.reuters.com/article/us-iran-nuclear-usa-haley/nuclear-inspectors-should-have-access-to-iran-military-bases-haley-idUSKCNIB524I>

Additionally, shortcomings have been identified regarding IAEA reports that have been issued since Implementation Day of the JCPOA. We respectfully submit a list of items for you to raise with the IAEA in order to obtain more thorough vetting of Iranian compliance with the deal:

1. *Improved verification and monitoring of uranium mining and ore concentration plants:* IAEA reports should include, for example, the number of visits to mines and ore concentration plants; if access was provided in a timely fashion; and the amounts of ore concentrates (yellow cake) produced.
2. *Better reporting on uranium conversion (to UF<sub>6</sub> and UO<sub>2</sub>) activities:* IAEA reports should include information on the stocks of uranium ore concentrates; stocks of UF<sub>6</sub> (feed material for uranium enrichment); stocks of UO<sub>2</sub>; and the status of the conversion facilities (are they operating?).
3. *More specific information in reports on uranium enrichment activities:* IAEA reports should include information on the type and amount of uranium fed into cascades at each facility; the type and number of centrifuges installed at the Natanz Fuel Enrichment and Pilot Fuel Enrichment Plants; the number and types of centrifuge rotors stored under the IAEA surveillance at Natanz; an assessment on if the IAEA surveillance measures are conclusive; and if complementary access and unannounced inspection access was provided in a timely fashion.

We are confident that together we can bolster the inspection and verification regime of the JCPOA to ensure that the deal is fully and verifiably enforced. With these improvements to inspection and reporting practices, we can better deny Iran's access to a nuclear weapons capability. We thank you for your efforts thus far, and look forward to working with you on this critical issue.

Sincerely,

David A. Perdue  
United States Senator

Luther Strange  
United States Senator

Mike Lee  
United States Senator

Jim Risch  
United States Senator

Jim Inhofe  
United States Senator

Ted Cruz  
United States Senator

Marco Rubio  
United States Senator

John Barrasso  
United States Senator

Mike Rounds  
United States Senator

Johnny Isakson  
United States Senator

Cory Gardner  
United States Senator

Dan Sullivan  
United States Senator

John Boozman  
United States Senator