

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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

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## 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.