



One Hundred Fourteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

April 18, 2016

The Honorable Ernest J. Moniz
Secretary
U.S. Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

Dear Secretary Moniz:

In order to advance the Committee's ongoing oversight of the Administration's nuclear agreement with Iran, I am writing to request information regarding the potential purchase by the United States of heavy water from Tehran.

As you know, while this material plays a key role in the production of plutonium for use in nuclear weapons, the nuclear agreement does not limit the amount of heavy water that Iran can produce. Instead, the agreement requires Iran to redesign its heavy water reactor and limits the reactor's use to "peaceful nuclear research." It also allows Iran to use heavy water in its zero power reactor and for several other medical and scientific activities. Beyond that, the agreement is clear that "There will be no additional heavy water reactors or *accumulation* of heavy water in Iran for 15 years." This means that Iran can continue to produce an unlimited amount of heavy water but must ship any not needed for permitted activities out of the country.

If Iran complies with this requirement, the agreement envisions it doing so by selling its excess heavy water on the international market—where the regime can receive additional hard currency that it desperately needs after years of economic sanctions. Experts assess that Iran currently produces far more heavy water than it needs for activities permitted under the agreement. It is my understanding that the Administration is negotiating to purchase this excess from Iran.

This potential sale raises a number of serious questions. I would appreciate your detailed answers to the following questions before any agreement is reached.

1. Is Iran producing more heavy water than it can use for activities permitted by the nuclear agreement? If so, why?
2. What quantity of heavy water will be purchased by the United States, and what is the estimated purchase price?

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3. Does the United States have a pressing need for this heavy water, with no other available source, or is this planned purchase *required* by the Iran nuclear agreement?
4. Will this purchase be a one-time event, or do you anticipate that this will be the first in a series of transactions through which the United States periodically purchases Iran's excess heavy water to assist Iran in complying with the nuclear agreement?
5. What assurances can you provide that U.S. taxpayer funds that Iran receives through this purchase will not be used to fund Iran's nuclear program, ballistic missile program, support for terrorism, or Tehran's destabilizing activities in Iraq, Syria, Lebanon, and elsewhere?
6. Given the U.S. ban on virtually all business with Iran, including transactions involving the U.S. dollar, how would this purchase be processed?
7. Do you have any understanding with Iran that it will not expand its infrastructure for the production of heavy water, using the revenue generated from heavy water sales to the United States?

Thank you for your attention to this important matter.

Sincerely,



EDWARD R. ROYCE
Chairman

CC: The Honorable John F. Kerry, The Secretary of State