



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](http://www.foreignaffairs.house.gov)

August 3, 2015

The Honorable John F. Kerry  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, DC 20520

Dear Mr. Secretary:

I am writing to express my deep concern with the “separate arrangements” established between Iran and the International Atomic Energy Agency (IAEA) regarding Tehran’s past bomb work and access to the Iranian military base at Parchin. As the Committee continues its review under the *Iran Nuclear Agreement Review Act*, Members of Congress should have access to these documents in order to fully assess the agreement. This is especially important since Iran will almost certainly treat these arrangements as setting a standard for future IAEA requests to access suspicious sites—particularly those on military bases. We all agree that sound verification must be the bedrock of any viable agreement.

Physical access by the IAEA to Parchin is critical to understanding Iran’s past bomb work. This is where “Iran constructed a large explosives containment vessel” to conduct experiments related to the development of nuclear weapons, according to the IAEA. Iran has blocked IAEA access to Parchin for years while working to bulldoze and pave over the site. If the IAEA cannot attain a clear understanding of the experimentation that took place there, the United States will have trouble adequately assessing how long it would take Iran to rush towards a nuclear weapon.

As you know, I was recently briefed by Undersecretary of State for Political Affairs Wendy Sherman, a lead negotiator of the Iran agreement. It is clear to me that this issue deserves more scrutiny by the Committee. Indeed, all Members of Congress should have access to the separate arrangements negotiated between Iran and the IAEA.

In recent Congressional testimony, you and other Administration officials emphasized the verification aspects of the Iran nuclear agreement and expressed confidence in the access to suspicious sites that the agreement provides the IAEA. Yet these “separate arrangements” have the potential to seriously weaken our ability to verify the agreement as a whole. This is because

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paragraph 77 of Annex I of the Iran nuclear agreement, which deals with the inspection of suspect sites, states:

*Iran may propose to the IAEA alternative means of resolving the IAEA's concerns that enable the IAEA to verify the absence of undeclared nuclear materials and activities or activities inconsistent with the JCPOA at the location in question, which should be given due and prompt consideration. [emphasis added]*

This troubling provision indicates that these “alternative means” would be negotiated between Iran and the IAEA, without the input of the United States or its negotiating partners. As you well know, the history of Iranian negotiating behavior is to “pocket” past concessions and push for more. The “separate arrangement” agreed to between the IAEA and Iran regarding inspection of the facilities at Parchin will almost certainly be regarded by Tehran as a precedent for IAEA access to future suspicious sites in Iran. I have little doubt that “side deals” of today will become central to the agreement’s verification provisions tomorrow. This makes it imperative that these arrangements are made available to Congress to be fully considered during the Congressional review period. While this may not be typical IAEA practice, there is nothing typical about the Iranian threat or this nuclear agreement.

Mr. Secretary, as over 350 Members of Congress wrote you last fall, Iran’s willingness to resolve concerns over its past bomb work “is a fundamental test of Iran’s intention to uphold a comprehensive agreement.” Reviewing these side agreements is critical to Congress understanding whether Iran intends to pass that test.

Thank you for your prompt attention to this matter.

Sincerely,



EDWARD R. ROYCE  
Chairman