

United States Senate

WASHINGTON, DC 20510-0908

October 11, 2023

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20522

Dear Secretary Blinken:

We respectfully request that the U.S. Department of State provide information regarding the status of the International Atomic Energy Agency's (IAEA) investigation into Iran following the recent IAEA's Board of Governors meeting. The Iranian regime is intent on fomenting terror across the region, as evidenced by its proxies, Hamas and Hezbollah's, brutal attacks this weekend on our ally, Israel. Now more than ever, you must ensure that you hold the regime accountable for its failure to comply with obligations under the Nuclear Non-Proliferation Treaty (NPT). Further, we were disappointed that the administration did not call for a formal censure of Tehran given its continued non-compliance with the IAEA.

It is regrettable that the September 11-15, 2023, IAEA Board of Governors meeting achieved no progress in resolving key questions related to the Iranian regime's nuclear program. Once again, Iran was able to escape any shred of accountability. As you know, since 2018, the IAEA has been investigating Iran's undeclared nuclear material and activities related to a secret 2003 effort to produce atomic weapons, called the Amad Plan. Despite the IAEA's repeated requests to access several Iranian sites, it has not been able to determine whether Tehran retains covert nuclear weapons activities, nor has it investigated all sites, personnel, and documentation related to the Amad Plan and its successor entities, such as Organization of Defensive Innovation and Research (SPND).

In 2019 and 2020, the IAEA requested access to three Iranian sites and information about a fourth site where it believed Iran had carried out past undeclared nuclear work. This includes Lavisian-Shian, Marivan, Varamin, and Turquz-Abad. The agency detected man-made uranium particles at three of these sites despite Iranian stonewalling and sanitization efforts. Iran did not declare its nuclear activities or use of nuclear material as required under nonproliferation safeguards agreements associated with the NPT. The IAEA asked Tehran for additional information about its activities at the sites, but Tehran has not cooperated.

In March 2022, the IAEA determined that Iran had violated its safeguards agreement at Lavisian-Shian. The IAEA reported that Iran used "at least one natural uranium metal disc, out of ten such discs available (totaling approximately 10 kg)" to carry out "drilling to produce metallic flakes." The IAEA continued, "these flakes were subsequently subjected to chemical processing on at least two occasions at the same location." The IAEA concluded, "[t]hese activities and the

nuclear material used therein at Location 2 [Lavisian-Shian] were not declared by Iran to the Agency as required under the Safeguards Agreement.”

Additionally, in May 2023, the IAEA determined that Iran had violated its safeguards agreement at one part of the Marivan site. Tehran also provided explanations that the IAEA found to be “not technically credible” regarding activities at a second part of the site. The IAEA reported the first part of the site, a suspected high explosive test site, that “based on its analysis of all safeguards-relevant information available to it...Iran conducted explosive experiments with protective shielding in preparation for the use of neutron detectors and nuclear material.”

Many questions remain with regard to Iran’s nuclear activities. The May 2023 IAEA report additionally highlighted Tehran had yet to provide technically credible explanations for the presence of undeclared uranium particles it found at the Turqez-Abad open-air warehouse and at Varamin, a suspected former uranium conversion facility, nor had it informed the IAEA of the current location of nuclear material and/or of contaminated equipment related to the sites. At the Board of Governors meeting, Ambassador Laura S.H. Holgate, U.S. Permanent Representative to the IAEA, stated, “Iran’s level of cooperation remains significantly lacking overall, and far short of the expectations outlined by the Board last November and the Director General in the March 4 Joint Statement.”

The Biden Administration has failed to press for concrete action against Iran in Vienna. We are especially disturbed by reports that the United States led efforts to oppose a censure of Iran. As Iran violates its commitments and refuses to comply with the IAEA, your business-as-usual approach to resolving the situation is tantamount to an endorsement of the Iranian regime’s activities. Further, your failure to pursue a censure of Iran, likely in conjunction with ongoing nuclear negotiations with Iran that you continue to conceal from Congress, is simply unconscionable. We also note that concealing the details of such nuclear negotiations from Congress is illegal under the Iran Nuclear Agreement Review Act. Accordingly, we respectfully request the following:

1. An explanation as to why the State Department did not seek a censure of Iran during the September 11-15, 2023 Board of Governors meeting and the extent to which this decision was due to ongoing nuclear negotiations;
2. All documents related to the United States decision to oppose a censure of Iran at the September 11-15, 2023 Board of Governors meeting;
3. A determination as to whether Iran is in compliance with the NPT;
4. If the State Department finds that Iran is in compliance with the NPT, an explanation of how Iran is in compliance with the treaty given the IAEA’s findings of safeguards violations at two sites involving undeclared nuclear material and activities;
5. An explanation of what the State Department plans to do about Iran’s failure to cooperate with the IAEA regarding the two outstanding sites of concern, which amounts to violations of Tehran’s legal obligation to cooperate with the agency; and
6. Whether the State Department will provide financial incentives or concessions for Iran while Tehran fails to comply with the IAEA’s requests.

We thank you in advance for your attention to this matter, and look forward to receiving your response.

Sincerely,



Marco Rubio
U.S. Senator



Bill Cassidy, M.D.
U.S. Senator



Rick Scott
U.S. Senator



Marsha Blackburn
U.S. Senator



Joni K. Ernst
U.S. Senator



Kevin Cramer
U.S. Senator



Bill Hagerty
U.S. Senator



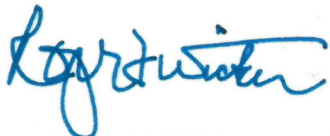
Jerry Moran
U.S. Senator



Pete Ricketts
U.S. Senator



Thom Tillis
U.S. Senator



Roger F. Wicker
U.S. Senator



Katie Boyd Britt
U.S. Senator



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Mike Braun
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