THE WHITE HOUSE

WASHINGTON

August 19, 2015

The Honorable Jerrold Nadler
United States House
Washington, D.C. 20515

Dear Congressman Nadler:

I am writing to follow up on the many conversations I have had with you and other Members of Congress regarding the Joint Comprehensive Plan of Action (JCPOA) and address some of the important issues you have raised, in particular regarding our ability to deter Iran from ever obtaining a nuclear weapon, our enhanced support for Israel, our continued efforts to counter Iran's destabilizing activities in the region, and how we would respond to violations of the JCPOA by Iran.

To begin, it is my steadfast conviction that a nuclear-armed Iran would present a profound security threat to us and to our partners, particularly Israel. That is why I have pursued a policy of prevention since I first came into office. It is why I made clear to our P5+1 negotiating partners that the only acceptable nuclear deal with Iran was one that achieved the clear objective of verifiably preventing Iran from obtaining a nuclear weapon. And that is why I believe the JCPOA, which cuts off every pathway Iran could have to a nuclear weapon and creates the most robust verification regime ever negotiated to monitor a nuclear program, is a very good deal for the United States, for the State of Israel, and for the region as a whole.

The JCPOA, moreover, does not remove any of our options when it comes to preventing Iran from acquiring a nuclear weapon. As I have repeatedly emphasized, my Administration will take whatever means are necessary to achieve that goal, including military means. Should Iran seek to dash toward a nuclear weapon, all of the options available to the United States – including the military option – will remain available through the life of the deal and beyond.

Our support for Israel is also an important element in deterring Iran from ever seeking a nuclear weapon. Throughout my time in office I have consistently viewed Israel's security as sacrosanct. This is a message I have conveyed to Prime Minister Netanyahu and to the Israeli people on numerous occasions, and one that I have ensured has been backed by concrete action. My Administration has pursued an unprecedented level of military, intelligence, and security cooperation with Israel to address new and complex security threats and ensure Israel's Qualitative Military Edge (QME). This commitment to Israel's QME lies at the heart of our bilateral security cooperation relationship. The Departments of State and Defense continue on a regular basis to engage in sensitive high-level discussions with Israeli defense officials on this

subject as part of our robust defense partnership and we will continue to consult with our Israeli partners on how to strengthen Israel's defensive capabilities in light of our shared concerns vis-à-vis Iran.

Since 2009 alone, the United States has provided over $20.5 billion in foreign military financing (FMF) to Israel, more than half of total U.S. FMF worldwide. Next year, I am confident that Congress will provide the next $3.1 billion installment of FMF for Israel and will continue to boost vital funding for Israel's life-saving missile defense systems, including the Iron Dome system. Above and beyond our FMF assistance, we have invested an additional $3 billion in the Iron Dome system and other missile defense programs and systems for Israel. At my direction, we have provided Israel with unparalleled access to some of the most advanced military equipment in the world, including the F-35 Joint Strike Fighter, which will be delivered in 2016. Indeed, Israel is the only nation in the Middle East to which the United States has sold this fifth-generation aircraft. More recently, I authorized an unprecedented $1.879 billion multi-year munitions resupply package that will provide Israel continued access to state-of-the-art precision-guided munitions, including penetrating munitions (the BLU-113 super penetrator), Joint Direct Attack Munitions (JDAM) tail kits, and air-to-air missiles, all of which will give the Israeli government access to the most sophisticated arsenal for years to come. I also have offered Israel the V-22 Osprey – a hallmark U.S. air platform – which the Israeli government has chosen not to procure at this time.

These examples only skim the surface of our bilateral security relationship and cooperation, and underscore that no administration has done more for Israel's security than mine. I am prepared to further strengthen this relationship. First, we will continue talks with Israel on concluding a new 10-year Memorandum of Understanding on FMF that would cement for the next decade our unprecedented levels of military assistance. Second, my Administration is prepared to enhance the already intensive joint efforts underway to identify and counter the range of shared threats we face in the region, as well as to increase missile defense funding so that Israel and the United States can accelerate the co-development of the Arrow-3 and David's Sling missile defense systems. Third, our governments should identify ways to accelerate the ongoing collaborative research and development for tunnel detection and mapping technologies to provide Israel new capabilities to detect and destroy tunnels before they could be used to threaten Israeli civilians. Fourth, I have proposed to Prime Minister Netanyahu that we begin a process aimed at further strengthening our efforts to confront conventional and asymmetric threats. I firmly believe that we have an important opportunity now to build on and fortify the United States' historic and enduring commitment to Israel's security.

As I have underscored repeatedly, it is imperative that, even as we effectively cut off Iran's pathways to a nuclear weapon through implementation of the JCPOA, we take steps to ensure we and our allies and partners are more capable than ever to deal with Iran's destabilizing activities and support for terrorism. This involves deepened cooperation and information sharing with Israel and our Gulf Cooperation Council partners; it also involves continued enforcement of international and U.S. law, including sanctions related to Iran's non-nuclear activities. With very limited exceptions, Iran will continue to be denied access to our market – the world's largest – and we will maintain powerful sanctions targeting Iran's support for groups such as Hizballah, its destabilizing role in Yemen, its backing of the Assad regime, its missile program, and its

human rights abuses at home. Critically, I made sure that the United States reserved its right to maintain and enforce existing sanctions and even to deploy new sanctions to address those continuing concerns, which we fully intend to do when circumstances warrant. To be clear, while we fully intend to uphold our commitment to provide phased nuclear-related sanctions relief under the JCPOA once Iran has verifiably completed its key nuclear steps, no entities or individuals engaged in terrorism-related activity or the violation of human rights are immune from existing terrorism or human rights sanctions. This is a point we have made clear to our partners, and to Iran.

Questions have been raised about whether we have sufficient options for dealing with Iranian violations of the deal. In fact, we have a wide range of unilateral and multilateral responses that we can employ should Iran fail to meet its commitments. First and foremost, as you are aware, the snap back provision we secured in the UN Security Council is unprecedented. If at any time the United States believes Iran has failed to meet its commitments, no other state can block our ability to snap back those multilateral sanctions. Second, we and our European partners can snap our own sanctions back into place at any time should Iran fail to meet its commitments. This gives us, as well as our European partners, enormous leverage in holding Iran to its commitments under the JCPOA. Third, we also enjoy a range of other, more incremental options. These include re-imposing certain U.S. sanctions, and working with our European partners to do the same, as we have done in the past. Fourth, we can employ our leverage in the mechanisms agreed to with our P5+1 negotiating partners, such as through the Joint Commission's role in the procurement channel established in the JCPOA – this is a mechanism Iran must use under the deal for the procurement of any materials designed for its peaceful nuclear program and in which we have the ability to block approval. Ultimately, it is essential that we retain the flexibility to decide what responsive measures we and our allies deem appropriate for any non-compliance. Telegraphing in advance to Iran the expected response for any potential infractions would be counterproductive, potentially lessening the deterrent effect.

Of course, Congress will be kept fully informed of all aspects of Iranian compliance with the JCPOA throughout the life of the deal. Every 90 days after the current congressional review period, a certification will be made regarding Iran's compliance with the JCPOA under the Iran Nuclear Agreement Review Act (INARA) and every 180 days, a report will be provided to the appropriate committees and leadership, including information on a range of issues related not only to JCPOA implementation, but also Iranian terrorism, human rights, ballistic missiles, and money laundering activities, among others. I have also instructed the Department of State to establish a JCPOA implementation office, headed by a senior official with Ambassadorial rank, to coordinate our oversight efforts and regularly brief Congress. The INARA reporting and oversight requirements, along with regular briefings by my Administration, will ensure that Congress has tremendous insight into JCPOA implementation – and they provide a built-in mechanism to respond to significant non-compliance.

I know that you and your colleagues have taken considerable time to think about these critical issues in the context of the JCPOA, and I thank you for taking the time to so thoughtfully and comprehensively engage with me and members of my Administration on these matters of grave importance to U.S. national security. My team is fully prepared to continue this conversation in greater depth, and I look forward to our future discussions and thank you again

for the support of the United States Congress in ensuring that our regional relationships are stronger than ever as we peacefully prevent Iran from obtaining a nuclear weapon.

Again, we look forward to working with you on a range of issues where, as you suggest, together we can achieve positive results for all Americans.

Sincerely,