

Congress of the United States
House of Representatives
Washington, DC 20515-1604

September 18, 2015

The Honorable John Kerry
Secretary of State
United States Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Kerry:

I have reviewed the Joint Comprehensive Plan of Action (JCPOA) between the P5+1 and Islamic Republic of Iran – or at least the parts of the agreement that were provided to Congress by the administration. As you know, pursuant to H. Res. 411, the House of Representatives considers the documents transmitted on July 19, 2015 incomplete in light of the fact that the secret side deals between the International Atomic Energy Agency (IAEA) and the Islamic Republic of Iran were not provided to Congress. I look forward to seeing the entire agreement – including the two secret side deals that are part of the JCPOA – so that Congress may continue to evaluate the JCPOA and, depending on the outcome of the vote under the relevant provisions of the Iran Nuclear Agreement Review Act, potentially end the current and continuing prohibition of the lifting of sanctions on Iran.

During that review, I found that the copies provided to Congress of the JCPOA are not signed by any of the P5+1 members nor by Iran. Having never seen an international agreement of this magnitude not signed by the parties or an agent of the parties, I assume this is simply an oversight or an administrative error. That is, Congress must not have the final version of the agreement that would necessarily be signed. I request that you provide us with copies of a final, executed copy of the JCPOA. In the event that the JCPOA has not yet been signed by the parties, please inform us (a) when signatures will be placed on the agreement, (b) what parties will be signing, and (c) which person you anticipate will sign on behalf of each of those parties, including on behalf of the United States.

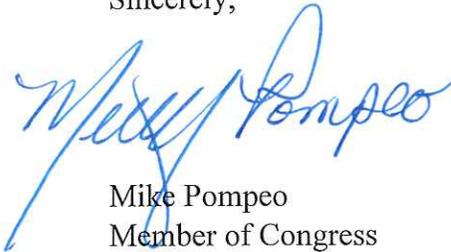
I am confident that you intended for the JCPOA to be signed by each of the P5+1 participants. I can find no international agreement of this “historic” nature that was not signed by the parties. Each of the past five major nuclear agreements to which the U.S. is a party – SALT I, SALT II, START I, START II and the 1994 Agreed Framework between the United States and the Democratic People’s Republic of Korea – were signed by representatives of each nation that was party to the agreement. This is not a mere formality. Those signatures represent the commitment of the signatory and the country on whose behalf he or she is signing.

A signature also serves to make clear precisely who the parties to the agreement are and the authority under which that nation entered into the agreement. In short, just as with any legal instrument, signing matters.

This is particularly important with respect to JCPOA. Iranian President Hassan Rouhani has made clear that he does not believe that JCPOA is legally binding on his nation, saying, "If the Joint Comprehensive Plan of Action is sent to (and passed by) parliament, it will create an obligation for the government. It will mean the president, who has not signed it so far, will have to sign it. Why should we place an unnecessary legal restriction on the Iranian people?"

Given the many benefits that will accrue to the ayatollahs, the Iranian Revolutionary Guard Corps, and other unsavory elements of the Iranian regime, I believe that Iran should, at the very least, bind itself to the few requirements placed on it under the JCPOA by signing the agreement. I also believe that the United States and its P5+1 partners on the JCPOA should execute the agreement on behalf of their countries. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Mike Pompeo". The signature is fluid and cursive, with the first name "Mike" and last name "Pompeo" clearly legible.

Mike Pompeo
Member of Congress