February 16, 2022

The Honorable Joseph R. Biden  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500-0005

Dear President Biden:

In recent days, news out of Vienna suggests the Iranian regime is demanding a “guarantee” that U.S. sanctions will never be reimposed so long as they comply with the terms of an agreement regarding their illicit nuclear program. As duly elected representatives of American citizens across the United States, sent to Washington to check and balance the executive branch as established by the separation of powers in our Constitution, we feel compelled to remind you that you do not have the power to provide any such “guarantee.” Indeed, if you forge an agreement with the Supreme Leader of Iran without formal Congressional approval, it will be temporary and non-binding and will meet the same fate as the Joint Comprehensive Plan of Action (JCPOA).

If you continue to ignore Congress, thereby repeating the mistakes of the Obama Administration with the JCPOA, we can guarantee the following:

1) We will oppose any agreement that lifts U.S. sanctions on the Iranian regime without first verifying they have fully accounted for all past and present undeclared nuclear activities, fully dismantled their enrichment and reprocessing-related infrastructure and capabilities, verifiably ended all research and development on nuclear-capable missiles and fully dismantled all existing nuclear-capable missiles, verifiably halted all sponsorship of terrorism, released all American hostages and paid U.S. federal court judgements owed to the American victims of terrorism sponsored by the Iranian regime.

2) We will view any agreement reached in Vienna which is not submitted to the U.S. Senate for ratification as a treaty—including any and all secret agreements made with Iran directly or on the sidelines of official talks—as non-binding.

3) We will demand that any such agreement be submitted to Congress pursuant to the Iran Nuclear Agreement Review Act of 2015, and we will use the law’s 30-day review period to warn our colleagues, the American public and the private sector about any dangers and flaws of such an agreement.

4) We will work tirelessly to reimpose and strengthen any terrorism, missile or human rights sanctions lifted, suspended or otherwise weakened by such an agreement—including terrorism sanctions imposed on the Central Bank of Iran and the National Iranian Oil Company.
5) We will oppose any attempt to rescind the designation of the Islamic Revolutionary Guard Corps as a foreign terrorist organization and will work to expand U.S. sanctions on all government entities, banks, companies and individuals connected to the IRGC.

6) We will work to invoke the snapback provision of UN Security Council Resolution 2231, including the enactment of sanctions targeting the supply of arms or missiles to Iran, any enrichment-related activity by Iran and any research and development on ballistic missiles capable of carrying nuclear weapons.

7) As part of our legislative oversight responsibility, we will investigate any connections between the negotiations in Vienna over Iran’s illicit nuclear program—in which we are relying upon the Russians as our intermediary because the Iranians refuse to negotiate with us directly—and the negotiations with the Russians regarding their invasion of Ukraine. If your dependency on the Russians to revive the JCPOA is weakening our deterrent posture with the Russians in other areas of the world, the American people deserve to know.

The Iranian regime brutally represses, persecutes, tortures, and murders its own people. It wastes the Iranian people’s resources on terrorism, foreign aggression, missiles and nuclear weapons capabilities. We hope to see the day where all U.S. sanctions on Iran can be lifted, when the U.S. and Iran can enjoy normalized relations, and when the people of Iran have a government that respects human dignity. But that day will not come if you provide sanctions relief that will fuel the regime’s corruption and incompetence at the expense of the Iranian people.

We urge you to change course, learn from the first JCPOA’s failures, and work with Congress to impose maximum pressure on the Iranian regime.

Sincerely,

Mike Gallagher  
Member of Congress

Michael Waltz  
Member of Congress

Kevin McCarthy  
Member of Congress

Steve Scalise  
Member of Congress
Elise M. Stefanik
Member of Congress

Michael T. McCaul
Ranking Member
House Foreign Affairs Committee

Mike Rogers
Member of Congress

Michael R. Turner
Member of Congress

John Katko
Member of Congress

Patrick T. McHenry
Member of Congress

Jim Jordan
Member of Congress

Sam Graves
Member of Congress

Cathy McMorris Rodgers
Member of Congress

Jason Smith
Member of Congress
Mike Bost
Member of Congress

Virginia Foxx
Member of Congress

Rodney Davis
Member of Congress

Jackie Walorski
Member of Congress

Glenn "GT" Thompson
Member of Congress

Blaine Luetkemeyer
Member of Congress

Scott DesJarlais, M.D.
Member of Congress

Beth Van Duyne
Member of Congress

John Rose
Member of Congress

Thomas P. Tiffany
Member of Congress
Maria Elvira Salazar  
Member of Congress

Adrian Smith  
Member of Congress

Louie Gohmert  
Member of Congress

Tracey Mann  
Member of Congress

Robert E. Latta  
Member of Congress

Kat Cammack  
Member of Congress

Carlos A. Gimenez  
Member of Congress

John R. Curtis  
Member of Congress

Billy Long  
Member of Congress

Dan Crenshaw  
Member of Congress
David Kustoff
Member of Congress

Jim Banks
Member of Congress

Vern Buchanan
Member of Congress

James R. Baird
Member of Congress

Blake D. Moore
Member of Congress

Tim Walberg
Member of Congress

Scott Perry
Member of Congress

Barry Moore
Member of Congress

Fred Keller
Member of Congress

Scott Fitzgerald
Member of Congress
Brett Guthrie  
Member of Congress

Kevin Hern  
Member of Congress

Brian J. Mast  
Member of Congress

Young Kim  
Member of Congress

Troy Balderson  
Member of Congress

Tom Emmer  
Member of Congress

David B. McKinley, P.E.  
Member of Congress

Steve Chabot  
Member of Congress

Stephanie Bice  
Member of Congress

Brad R. Wenstrup, D.P.M.  
Member of Congress
Michael C. Burgess, M.D.
Member of Congress

Jeff Duncan
Member of Congress

Brian Fitzpatrick
Member of Congress

Charles J. "Chuck" Fleischmann
Member of Congress

Bob Good
Member of Congress

Earl L. "Buddy" Carter
Member of Congress

French Hill
Member of Congress

Cliff Bentz
Member of Congress

Pete Sessions
Member of Congress

Ronny L. Jackson
Member of Congress
Chris Stewart
Member of Congress

Randy Feenstra
Member of Congress

Dan Newhouse
Member of Congress

Chip Roy
Member of Congress

Byron Donalds
Member of Congress

Chris Jacobs
Member of Congress

Mo Brooks
Member of Congress

Mark E. Amodei
Member of Congress

Gary J. Palmer
Member of Congress

Larry Bucshon, M.D.
Member of Congress
Michael Cloud
Member of Congress