

**JUN 8 2016**

**The Honorable  
Mike Pompeo  
House of Representatives  
Washington, DC 20515**

**Dear Mr. Pompeo:**

**Thank you for your letter of April 29 regarding the U.S. Department of Energy's (DOE) purchase of heavy water from Iran. The Joint Comprehensive Plan of Action (JCPOA) ensures that Iran's nuclear program is and will remain exclusively peaceful. To reach Implementation Day, the JCPOA required Iran to take a number of nuclear-related steps that cut off Iran's pathways to acquire enough fissile material for a nuclear weapon—including the plutonium pathway—such as removing the core of the Arak heavy water research reactor and filling it with concrete, rendering it permanently inoperable. Moreover, Iran reduced its stockpile of nuclear-grade heavy water to less than 130 metric tons (MT), which is the current cap under the JCPOA. Specifically, Iran exported its excess heavy water to Oman, where it is under IAEA monitoring and verification in anticipation of a sale on the international market.**

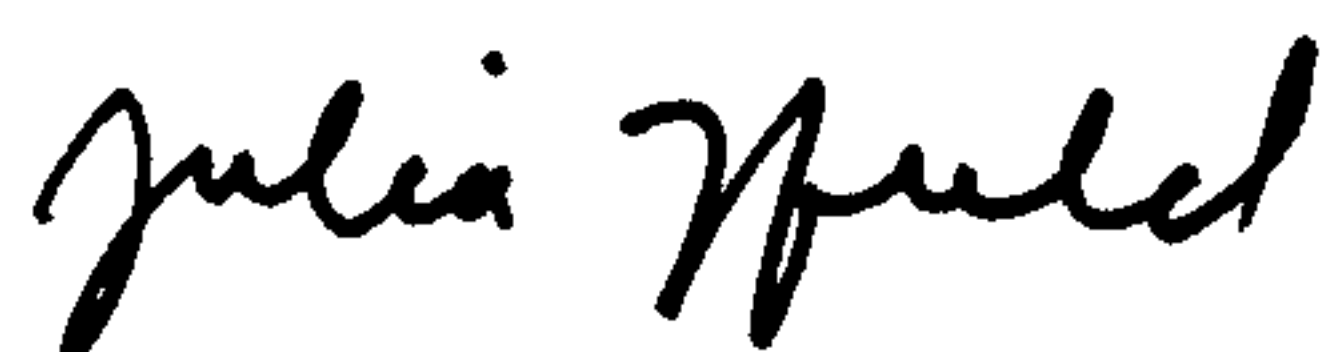
**There is no domestic source for heavy water, and the purchase of 32 MT of this heavy water by the U.S. Department of Energy's (DOE) Isotope Program will fulfill a significant amount of the domestic need for heavy water for research and industrial applications this year. DOE expects to resell the purchased heavy water at commercially reasonable prices to domestic commercial and research buyers. One recipient of the heavy water will be the Oak Ridge National Laboratory to use in its Spallation Neutron Source (SNS), which is a facility used in materials research and macromolecular and biological systems. SNS will use the heavy water to increase the intensity of its beam and therefore the efficiency of the facility.**

The DOE Isotope Program plans to pay approximately \$8.6 million for the heavy water, a price that reflects the realities of the current market, and takes into account the need for additional testing and processing, handling and storage. While Iran can choose how to use these funds, the United States will continue to vigorously enforce the numerous sanctions authorities to counter Iran's support for terrorism, ballistic missile activities, destabilizing activities in the region, and human rights abuses. Moreover, since Implementation Day under the JCPOA, Iran has used funds that it now has access to that are located outside of the United States primarily to pay debts, begin to shore up its currency, and otherwise improve its domestic economy.

This purchase provides U.S. industry with a critical product, while also providing a final disposition for excess heavy water that was exported from Iran prior to Implementation Day as contemplated in the JCPOA. The United States was under no commitment to purchase heavy water from Iran, nor is it committed to do so in the future. It is possible that other countries with a need for heavy water may choose to purchase excess Iranian heavy water as well, and we understand certain countries have already expressed interest in doing so.

We hope this information is useful and appreciate your shared interest in the goal of the JCPOA to ensure the exclusively peaceful nature of Iran's nuclear program. We remain committed to continuing our close consultations with Congress on implementation of the JCPOA. Please do not hesitate to contact us if we can be of further assistance on this or any other matter.

Sincerely,



Julia Frifield  
Assistant Secretary  
Legislative Affairs  
U.S. Department of State



Brad Crowell  
Assistant Secretary  
Congressional and Intergovernmental Affairs  
U.S. Department of Energy