

Congress of the United States
House of Representatives
Washington, DC 20515-4304

Committee on Armed Services

Military Personnel

Cyber, Innovative Technologies and
Information Systems

Committee on Oversight and Reform

Environment

November 29, 2021

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

Dear President Biden:

We write to express our concerns that you are attempting again to revive the failed Iran nuclear agreement through indirect talks with the Iranian regime and may be seeking an even worse so-called “less for less” deal to provide sanctions relief and reverse President Trump’s successful maximum pressure campaign.

President Trump’s successful maximum pressure campaign brought Iran to the brink of economic collapse. Only \$4 billion in accessible foreign exchange reserves remained in Iran’s possession at the end of 2020, down from over \$120 billion it held prior to President Trump’s decision to exit the JCPOA.¹ However, since your administration relaxed pressure in a bid for renewed negotiations, Iran’s foreign currency reserves have reportedly increased by more than 750%.² During the past year, your campaign of maximum concession has resulted in renewed Iranian aggression, including escalating nuclear extortion, regional terror attacks, assassination plots, and an attempt to kidnap a U.S. citizen from her home in Brooklyn, New York.³

Although many of President Trump’s sanctions technically remain in place, your administration has willfully failed to enforce them on Iran and its proxies. In particular, Iran continues to engage in illicit oil exports to China.⁴ Special Envoy to Iran Rob Malley reportedly beseeched China to stop purchasing oil from Iran months ago, yet your Treasury Department has not sanctioned any additional Chinese companies, entities, or individuals for their involvement in oil trade with Iran, even though Executive Order 13846 explicitly prohibits it.⁵ Iran also continues to skirt sanctions

¹ [US Sanctions Pushed Iran to Brink of Bankruptcy \(freebeacon.com\)](https://freebeacon.com/us-sanctions-pushed-iran-to-brink-of-bankruptcy/)

² [Iran’s Cash Reserves Soar Under Biden \(freebeacon.com\)](https://freebeacon.com/iran-cash-reserves-soar-under-biden/)

³ “Iranian Intelligence Officials Indicted on Kidnapping Conspiracy Charges.” Department of Justice. 2021. Found here: <https://www.justice.gov/opa/pr/iranian-intelligence-officials-indicted-kidnapping-conspiracy-charges>.

⁴ Note the instance punished by your administration here: <https://home.treasury.gov/news/press-releases/jy0320>

⁵ [Federal Register :: Reimposing Certain Sanctions With Respect to Iran](https://www.federalregister.gov/documents/2021/11/29/2021-24441/reimposing-certain-sanctions-with-respect-to-iran)

on the high seas by engaging in ship-to-ship transfers, and your administration has failed to sanction vessels, captains, or the shipping and insurance companies that support them.⁶

Despite lax sanctions enforcement and even the removal of sanctions from a number of Iranian entities and regional proxies, such as the Houthis in Yemen and the Assad regime in Syria, the Iranian regime has not moderated its behavior, and its proxies have grown more aggressive. Tehran is enriching uranium to higher levels today and engaging in more irreversible nuclear violations than before. Furthermore, despite over a dozen letters by members of the Republican Study Committee (RSC) asking for information on Iran sanctions enforcement, your administration has continued to leave Congress in the dark regarding its plans to weaken sanctions enforcement and provide sanctions relief to Iran.

Despite the failures of your maximum concession policy, your administration is doubling down on negotiating with the clerical regime and remains committed to reviving the flawed Iran nuclear agreement. Maximum concessions have emboldened Iran and its proxies. In 2021, they escalated their campaign of regional mayhem to an unprecedented level. Just last week, militias backed by Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Forces engaged in an assassination attempt of the Prime Minister of Iraq.⁷ Houthi rebels in Yemen increased their missile attacks on civilian targets in Saudi Arabia and have expanded their territorial gains,⁸ besieging the city of Marib.⁹ In the wake of your administration's decision to cease pushing for Iran to withdraw from Syria,¹⁰ Iranian militias engaged in a drone attack at an American military outpost, Al-Tanf, in south-eastern Syria.¹¹ Iran has also continued taking tankers and their crews hostage,¹² and sanctioned Iranian cargo aircraft are reported to have been conducting illicit shipments, including shipment of arms, to the illegitimate Maduro regime in Venezuela.¹³

Resuming negotiations with Iran to restore the failed nuclear deal, or an even worse a "less for less" agreement, rewards such malign behavior. Reentering the JCPOA or a weaker framework agreement, would reward Iran with a pathway toward a nuclear weapon, regardless of its worthless assurances to the contrary. Iran's regime would also gain access to approximately \$90 billion in assets held abroad, which it would use to support terrorism and regional destabilization, missile program, and human rights abuses against the people of Iran.

⁶ <https://www.reuters.com/business/energy/shipping-industry-seeks-combat-dark-oil-transfers-sea-2021-07-13/>

⁷ "Iran-backed militia staged drone attack on Iraqi PM – officials." Reuters. 2021. Found here:

<https://www.reuters.com/world/middle-east/iran-backed-militia-behind-attack-iraqi-pm-sources-2021-11-08/>.

⁸ <https://www.reuters.com/world/middle-east/saudi-led-coalition-foils-missile-attack-oil-region-tv-2021-09-04/>

⁹ See: <https://www.state.gov/the-houthis-must-cease-the-assault-on-marib/> and <https://www.state.gov/condemning-the-houthis-disregard-for-civilian-protection-and-humanitarian-access-in-abdiya-yemen/>

¹⁰ [Washington's Priorities in Syria Don't Include Iran's Withdrawal | Asharq AL-awsat \(aawsat.com\)](https://www.aawsat.com/News/2021/10/26/iran-withdrawal-syria-priorities/)

¹¹ Sly, Liz. "Iran's role in attack on U.S. troops in Syria signals new escalation." The Washington Post. 2021. Found here: https://www.washingtonpost.com/world/iran-militias-tanf-us-forces/2021/10/26/8c75ad98-35c1-11ec-9662-399cfa75efee_story.html.

¹² Note the latest instance here: <https://news.usni.org/2021/11/10/iran-releases-tanker-sothys-after-offloading-oil-questions-remain-over-seizure> and <https://apnews.com/article/business-dubai-gulf-of-oman-iran-united-arab-emirates-cd153109127604c6a250f5dd1e75a3a1>

¹³ Oppenheimer, Andres. "Colombian man extradited to Miami may know secrets of Iran arms shipments to Venezuela." Miami Herald. 2021. Found here: <https://www.miamiherald.com/news/local/news-columns-blogs/andres-oppenheimer/article255155672.html>.

Earlier this year, the RSC, in an official position, made clear that we will fight to oppose and work to reverse any and all sanctions relief on Iran unless the Iranian regime meets the 12 conditions laid out by former Secretary of State Mike Pompeo during the maximum pressure campaign.¹⁴ We are writing to remind you that the power to regulate commerce with foreign nations, and hence the ability to enact economic sanctions, resides in Congress.¹⁵ When Republicans return to the majority soon, we look forward to reasserting Congress' authority over economic sanctions by passing the *Maximum Pressure Act* and circumscribing the ability of your administration, like the Obama administration before it, to lift sanctions and abuse waiver and license authorities to provide sanctions relief to Iran. We also look forward to using all legislative tools available, including the Iran Nuclear Agreement Review Act (INARA), to force a vote on the lifting of sanctions.

Sincerely,



Pat Fallon
Member of Congress



Jim Banks
Member of Congress



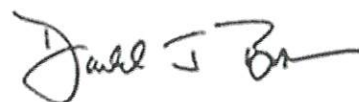
Joe Wilson
Member of Congress



Dan Crenshaw
Member of Congress



Ronny L. Jackson
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Don Bacon
Member of Congress

¹⁴ [117th Congress Official Positions | Republican Study Committee \(house.gov\)](#)

¹⁵ [Foreign Commerce Power | Constitution Annotated | Congress.gov | Library of Congress](#) and [Sanctions Are Congress's Path Back to Foreign Policy Relevance \(Lawfare\)](#)



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Kat Cammack
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Randy Weber
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Ralph Norman
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August Pfluger
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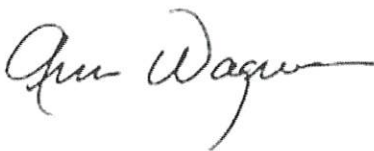
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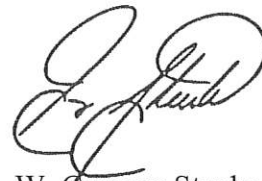
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