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Expressing the sense of the Senate on the actions, including the reapplication of waived nuclear-related sanctions, that the United States should undertake in the event of an Iranian violation of the Joint Comprehensive Plan of Action.

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2016

Mr. LANKFORD submitted the following resolution; which was referred to the
Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate on the actions, including the reapplication of waived nuclear-related sanctions, that the United States should undertake in the event of an Iranian violation of the Joint Comprehensive Plan of Action.

Whereas national security is a fundamental and primary responsibility of both Congress and the President;

Whereas, on July 14, 2015, President Barack Obama reached an agreement with Iran known as the Joint Comprehensive Plan of Action, a political agreement among the United States, France, the Russian Federation, the People's Republic of China, the United Kingdom, and Germany (commonly referred to as the "P5+1

countries”) and Iran that does not carry the force or effect of United States law;

Whereas President Obama lifted nuclear-related sanctions imposed by the United States with respect to Iran on January 16, 2016;

Whereas, on July 14, 2015, President Obama stated, “If Iran violates the deal, all of these sanctions will snap back into place.”;

Whereas Congress intends to work with the President to ensure that the President’s commitment to snapping back sanctions in response to any violation by Iran of the Joint Comprehensive Plan of Action is fully enforced;

Whereas Iran has been the beneficiary of financial assets and international engagement while its commitment to fulfilling its obligations under the Joint Comprehensive Plan of Action has yet to be proven; and

Whereas, given the historic and dramatic shift in longstanding United States foreign policy represented by the Joint Comprehensive Plan of Action, the obligations and commitments Iran agreed to as part of the Joint Comprehensive Plan of Action must be clarified by the Senate: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SENSE OF THE SENATE ON IRANIAN VIOLA-**
 3 **TIONS OF THE JOINT COMPREHENSIVE PLAN**
 4 **OF ACTION.**

5 (a) IN GENERAL.—It is the sense of the Senate—

6 (1) that the United States should take the ac-
 7 tions specified in subsection (b) if—

1 (A) Iran ever seeks, develops, manufac-
2 tures, or acquires nuclear weapons;

3 (B) Iran ever engages in plutonium repro-
4 cessing or plutonium-related research and devel-
5 opment;

6 (C) Iran violates—

7 (i) the Treaty on the Non-Prolifera-
8 tion of Nuclear Weapons, done at Wash-
9 ington, London, and Moscow July 1, 1968
10 (21 UST 483) (commonly referred to as
11 the “Nuclear Nonproliferation Treaty” or
12 the “NPT”);

13 (ii) the Agreement between Iran and
14 the International Atomic Energy Agency
15 for the Application of Safeguards in Con-
16 nection with the Treaty on the Non-Pro-
17 liferation of Nuclear Weapons, done at Vi-
18 enna June 19, 1973 (commonly referred to
19 as the “Comprehensive Safeguards Agree-
20 ment”);

21 (iii) its commitment to ratify by Octo-
22 ber 18, 2023, the Additional Protocol to
23 the Comprehensive Safeguards Agreement;
24 or

1 (iv) the Iranian-ratified Additional
2 Protocol to the Comprehensive Safeguards
3 Agreement and modified Code 3.1 of the
4 Subsidiary Arrangements to the Com-
5 prehensive Safeguards Agreement;

6 (D) Iran installs a new natural uranium
7 core or the original core in the Arak reactor;

8 (E) the power of Iran's redesigned heavy
9 water reactor exceeds 20 MWth;

10 (F) Iran produces any amount of weapons
11 grade uranium or plutonium;

12 (G) Iran pursues construction at the exist-
13 ing unfinished Arak heavy water reactor based
14 on its original design;

15 (H) Iran produces or tests natural ura-
16 nium pellets, fuel pins, or fuel assemblies that
17 are specifically designed for the support of the
18 originally designed Arak heavy water reactor,
19 designated by the International Atomic Energy
20 Agency as IR-40;

21 (I) Iran does not store all existing natural
22 uranium pellets and IR-40 fuel assemblies
23 under the continuous monitoring of the Inter-
24 national Atomic Energy Agency until the mod-
25 ernized Arak reactor becomes operable;

1 (J) once the Arak reactor becomes oper-
2 able, Iran does not take the IR-40 fuel assem-
3 blies and natural uranium pellets and convert
4 them to uranyl nitrate or exchange them with
5 an equivalent quantity of natural uranium;

6 (K) Iran does not make the necessary
7 technical modifications to the natural uranium
8 fuel production process line that was intended
9 to supply fuel for the IR-40 reactor design,
10 such that it can be used for the fabrication of
11 the fuel reloads for the modernized Arak reac-
12 tor;

13 (L) all spent fuel from the redesigned Arak
14 reactor, regardless of its origin, for the lifetime
15 of the reactor, is not shipped out of Iran;

16 (M) Iran operates the Fuel Manufacturing
17 Plant to produce anything other than fuel as-
18 semblies for light water reactors or reloads for
19 the modernized Arak reactor;

20 (N) Iran does not inform the International
21 Atomic Energy Agency about the inventory and
22 production of the Heavy Water Production
23 Plant or does not allow the International Atom-
24 ic Energy Agency to monitor the quantities of
25 the heavy water stocks and the amount of heavy

1 water produced, including through visits by the
2 International Atomic Energy Agency, as re-
3 quested, to the Heavy Water Production Plant;

4 (O) Iran does not ship out all spent fuel
5 for all future and present nuclear power and re-
6 search reactors;

7 (P) Iran does not remove and keep stored
8 at Natanz in Hall B of the fuel enrichment
9 plant under continuous monitoring by the Inter-
10 national Atomic Energy Agency—

11 (i) all excess centrifuge machines, in-
12 cluding IR-2m centrifuges (during the 10-
13 year prohibition period under the Joint
14 Comprehensive Plan of Action); and

15 (ii) UF6 pipework including sub head-
16 ers, valves and pressure transducers at
17 cascade level, and frequency inverters, and
18 UF6 withdrawal equipment from one of
19 the withdrawal stations, which is currently
20 not in service, including its vacuum pumps
21 and chemical traps (during the 10-year
22 prohibition period under the Joint Com-
23 prehensive Plan of Action);

24 (Q) the 164-machine IR-2m cascade does
25 not remain stored at Natanz in Hall B of the

1 fuel enrichment plan under the continuous mon-
2 itoring of the International Atomic Energy
3 Agency;

4 (R) the 164-machine IR-4 cascade does
5 not remain stored at Natanz in Hall B of the
6 fuel enrichment plan under the continuous mon-
7 itoring of the International Atomic Energy
8 Agency;

9 (S) Iran enriches, obtains, or otherwise
10 stockpiles any uranium, including in oxide form,
11 enriched to greater than 3.67 percent;

12 (T) all future uranium oxide, scrap oxide,
13 or other material not in fuel plates enriched to
14 between 5 and 20 percent is not transferred out
15 of Iran or diluted to a level of 3.67 percent or
16 less within 6 months of production;

17 (U) Iran does not abide by its voluntary
18 commitments as expressed in its own long-term
19 enrichment and enrichment research and devel-
20 opment plan submitted as part of the initial
21 declaration described in Article 2 of the Addi-
22 tional Protocol to the Comprehensive Safe-
23 guards Agreement;

24 (V) Iran engages in production of cen-
25 trifuges, including centrifuge rotors suitable for

1 isotope separation or any other centrifuge com-
2 ponents, which exceeds the enrichment and en-
3 richment research and development require-
4 ments outlined in Annex I of the Joint Com-
5 prehensive Plan of Action;

6 (W) Iran does not permit the International
7 Atomic Energy Agency the use of online enrich-
8 ment measurement and electronic seals, as well
9 as other International Atomic Energy Agency-
10 approved and certified modern technologies in
11 line with internationally accepted practices of
12 the International Atomic Energy Agency;

13 (X) Iran does not facilitate automated col-
14 lection of International Atomic Energy Agency
15 measurement recordings registered by installed
16 measurement devices and sent to the Inter-
17 national Atomic Energy Agency working space
18 at individual nuclear sites;

19 (Y) Iran does not make the necessary ar-
20 rangements to allow for a long-term presence of
21 the International Atomic Energy Agency, in-
22 cluding issuing long-term visas, as well as pro-
23 viding proper working space at nuclear sites
24 and, to the best of its effort, at locations near
25 nuclear sites in Iran for the designated Inter-

1 national Atomic Energy Agency inspectors for
2 working and keeping necessary equipment;

3 (Z) Iran does not increase the number of
4 designated International Atomic Energy Agency
5 inspectors to at least 130 by October 16, 2016,
6 which is the date that is 9 months after imple-
7 mentation day, or does not allow the designa-
8 tion of inspectors from countries that have dip-
9 lomatic relations with Iran;

10 (AA) Iran does not apply nuclear export
11 policies and practices in line with the inter-
12 nationally established standards for the export
13 of nuclear material, equipment, and technology;

14 (BB) Iran does not permit the Inter-
15 national Atomic Energy Agency access to verify
16 that uranium isotope separation production and
17 research and development activities are con-
18 sistent with Annex I of the Joint Comprehen-
19 sive Plan of Action;

20 (CC) Iran engages in—

21 (i) designing, developing, acquiring, or
22 using computer models to simulate nuclear
23 explosive devices;

24 (ii) designing, developing, fabricating,
25 acquiring, or using multi-point explosive

detonation systems suitable for a nuclear explosive device, unless approved by the Joint Commission for non-nuclear purposes and subject to monitoring;

(iii) designing, developing, fabricating, acquiring, or using explosive diagnostic systems (streak cameras, framing cameras and flash x-ray cameras) suitable for the development of a nuclear explosive device, unless approved by the Joint Commission for non-nuclear purposes and subject to monitoring; or

(iv) designing, developing, fabricating, acquiring, or using explosively driven neutron sources or specialized materials for explosively driven neutron sources;

(DD) during the 10-year period beginning on implementation day and ending on January 16, 2026—

(i) Iran operates, for the purpose of enriching uranium, more than 5,060 IR-1 centrifuges;

(ii) Iran's enrichment capacity exceeds 5,060 IR-1 centrifuge machines in 30 cascades in their current configurations in

1 currently operating units at the Natanz
2 Fuel Enrichment Plant;

3 (iii) consistent with Iran's enrichment
4 research and development plan, Iran's en-
5 richment research and development with
6 uranium includes any centrifuges other
7 than IR-4, IR-5, IR-6, and IR-8 cen-
8 trifuges;

9 (iv) Iran conducts testing of more
10 than a single IR-4 centrifuge machine and
11 IR-4 centrifuge cascade of up to 10 cen-
12 trifuge machines;

13 (v) Iran tests more than a single IR-
14 5 centrifuge machine;

15 (vi) Iran does not recombine the en-
16 riched and depleted streams from the IR-
17 6 and IR-8 cascades through the use of
18 welded pipework on withdrawal main head-
19 ers in a manner that precludes the with-
20 drawal of enriched and depleted uranium
21 materials and verified by the International
22 Atomic Energy Agency;

23 (vii) research and development with
24 uranium is not strictly limited to IR-4,
25 IR-5, IR-6, and IR-8 centrifuges;

1 (viii) Iran's uranium isotope separa-
2 tion-related research and development or
3 production activities are not exclusively
4 based on gaseous centrifuge technology;

5 (ix) Iran engages in nuclear direct-use
6 or nuclear dual-use procurements of com-
7 modities without using the procurement
8 channel mandated by the United Nations
9 under United Nations Security Council
10 Resolution 2231 (2015);

11 (x) research and development is car-
12 ried out in the IR-4, IR-5, IR-6, or IR-
13 8 centrifuges in a manner that accumu-
14 lates enriched uranium, or Iran installs or
15 tests those centrifuges beyond the enrich-
16 ment and enrichment research and devel-
17 opment requirements outlined in Annex I
18 of the Joint Comprehensive Plan of Action;

19 (xi) except as otherwise provided in
20 subparagraph (LL), mechanical testing on
21 up to 2 single centrifuges for each type is
22 carried out on any centrifuge other than
23 the IR-2m, IR-4, IR-5, IR-6, IR-6s, IR-
24 7, or IR-8; or

1 (xii) Iran builds or tests any new cen-
2 trifuqe without approval of the Joint Com-
3 mission;

4 (EE) during the 15-year period beginning
5 on implementation day and ending on January
6 16, 2031—

7 (i) Iran conducts uranium enrich-
8 ment-related activities at Fordow;

9 (ii) Iran’s stockpile of enriched ura-
10 nium hexafluoride, or the equivalent in
11 other chemical forms, exceeds 300 kg en-
12 riched to 3.67 percent;

13 (iii) Iran reprocesses spent fuel except
14 for irradiated enriched uranium targets for
15 production of radioisotopes for medical and
16 peaceful industrial purposes;

17 (iv) Iran develops, acquires, or builds
18 facilities capable of separation of pluto-
19 nium, uranium, or neptunium from spent
20 fuel or from fertile targets, other than for
21 production of radioisotopes for medical and
22 peaceful industrial purposes;

23 (v) Iran develops, acquires, builds, or
24 operates hot cells (containing a cell or
25 interconnected cells), shielded cells, or

1 shielded glove boxes with dimensions not
2 less than 6 cubic meters in volume compat-
3 ible with the specifications set out in
4 Annex I of the Additional Protocol to the
5 Comprehensive Safeguards Agreement, un-
6 less approved by the Joint Commission es-
7 tablished by the Joint Comprehensive Plan
8 of Action;

9 (vi) Iran undertakes destructive post
10 irradiation examination of fuel pins, fuel
11 assembly prototypes, and structural mate-
12 rials, unless the P5+1 countries make
13 available their facilities to conduct destruc-
14 tive testing with Iranian specialists, as
15 agreed pursuant to the Joint Comprehen-
16 sive Plan of Action;

17 (vii) Iran engages in producing or ac-
18 quiring plutonium or uranium metals or
19 their alloys, or conducts research and de-
20 velopment on plutonium or uranium (or
21 their alloys) metallurgy, or casting, form-
22 ing, or machining plutonium or uranium
23 metal;

24 (viii) Iran produces, seeks, or acquires
25 separated plutonium, highly enriched ura-

1 nium, uranium-233, or neptunium-237 (ex-
2 cept for use for laboratory standards or in
3 instruments using neptunium-237);

4 (ix) Iran installs gas centrifuge ma-
5 chines, or enrichment-related infrastruc-
6 ture, whether suitable for uranium enrich-
7 ment, research and development, or stable
8 isotope enrichment, at any location other
9 than a location exclusively specified under
10 the Joint Comprehensive Plan of Action;

11 (x) Iran conducts all testing of cen-
12 trifuges with uranium anywhere other than
13 at the Pilot Fuel Enrichment Plant or Iran
14 conducts mechanical testing of centrifuges
15 anywhere other than at the Pilot Fuel En-
16 richment Plant and the Tehran Research
17 Centre;

18 (xi) Iran maintains more than 1044
19 IR-1 centrifuge machines at one wing of
20 the Fordow Fuel Enrichment Plant;

21 (xii) Iran does not limit its stable iso-
22 tope production activities with gas cen-
23 trifuges to the Fordow Fuel Enrichment
24 Plant or uses more than 348 IR-1 cen-
25 trifuges for such activities;

1 (xiii) Iran exceeds the limitations on
2 its activities at the Fordow Fuel Enrich-
3 ment Plant as described in Annex I of the
4 Joint Comprehensive Plan of Action;

5 (xiv) Iran does not permit the Inter-
6 national Atomic Energy Agency regular ac-
7 cess, including daily as requested by the
8 International Atomic Energy Agency, ac-
9 cess to the Fordow Fuel Enrichment
10 Plant;

11 (xv) Iran builds or has a heavy water
12 reactor;

13 (xvi) Iran does not permit the Inter-
14 national Atomic Energy Agency to imple-
15 ment continuous monitoring, including
16 through containment and surveillance
17 measures, as necessary, to verify that
18 stored centrifuges and infrastructure re-
19 main in storage;

20 (xvii) Iran does not permit the Inter-
21 national Atomic Energy Agency regular ac-
22 cess, including daily access as requested by
23 the International Atomic Energy Agency,
24 to relevant buildings at Natanz, including

1 parts of the fuel enrichment plan and the
2 Pilot Fuel Enrichment Plant;

3 (xviii) any uranium enrichment activ-
4 ity in Iran, including safeguarded research
5 and development, occurs anywhere but the
6 Natanz enrichment site;

7 (xix) Iran engages, including through
8 export of any enrichment or enrichment re-
9 lated equipment and technology, with any
10 other country, or with any foreign entity in
11 enrichment or enrichment related activi-
12 ties, including related research and devel-
13 opment activities, without approval by the
14 Joint Commission;

15 (xx) the Fordow Fuel Enrichment
16 Plant does not remain strictly a research
17 facility, Iran conducts enrichment or re-
18 search and development-related activities,
19 or Iran holds nuclear material at that
20 Plant;

21 (xxi) excess heavy water that is be-
22 yond Iran's needs for the modernized Arak
23 research reactor or the zero power heavy
24 water reactor, quantities needed for med-
25 ical research and production of the

deuterated solutions, and chemical compounds including, where appropriate, contingency stocks, is not made available for export to the international market based on international prices and delivered to an international buyer;

(xxii) all enriched uranium hexafluoride in excess of 300 kg of up to 3.57 percent enriched UF₆ (or the equivalent in different chemical forms) is not immediately down-blended to natural uranium level or sold on the international market and delivered to an international buyer;

(xxiii) Iran does not rely on only light water for its future nuclear power and research reactors;

(xxiv) Iran conducts enrichment research and development in a manner that accumulates enriched uranium; or

(xxv) Iran enriches uranium to a level exceeding 3.67 percent;

(FF) during the 25-year period beginning on implementation day and ending on January 16, 2041—

1 (i) Iran does not permit the Inter-
 2 national Atomic Energy Agency to monitor
 3 that all uranium ore concentrate produced
 4 in Iran or obtained from any other source
 5 is transferred to the uranium conversion
 6 facility in Esfahan or to any other future
 7 uranium conversion facility that Iran
 8 might decide to build in Iran within this
 9 period; or

10 (ii) Iran does not provide the Inter-
 11 national Atomic Energy Agency with all
 12 necessary information so that the Inter-
 13 national Atomic Energy Agency will be
 14 able to verify the production of the ura-
 15 nium ore concentrate and the inventory of
 16 uranium ore concentrate produced in Iran
 17 or obtained from any other source;

18 (GG) on or after January 16, 2024, which
 19 is the date that is 8 years after implementation
 20 day, Iran commences manufacturing IR-6 and
 21 IR-8 centrifuges with rotors, or commences
 22 manufacturing IR-6 and IR-8 centrifuges with-
 23 out rotors at a rate of more than 200 cen-
 24 trifuges per year for each type;

(HH) on or after January 16, 2026, which is the date that is 10 years after implementation day, Iran commences manufacturing on more than 200 complete centrifuges per year for each type;

(II) Iran does not present its plan to, and seek approval by, the Joint Commission if Iran seeks to initiate research and development on a uranium metal-based fuel for the Tehran Research Reactor in small agreed quantities after January 16, 2026, and before January 15, 2031, which are 10 and 15 years after implementation day, respectively; or

(JJ) during the 8½ year period beginning on implementation day and ending on July 16, 2024—

(i) Iran conducts testing on more than a single IR-6 centrifuge machine and intermediate cascades for such machines and commences testing on more than 30 centrifuge machines; or

(ii) Iran conducts testing on more than a single IR-8 centrifuge machine and intermediate cascades for such machines or

1 commences testing on more than 30 cen-
2 trifuge machines; and

3 (2) that—

4 (A) Iran’s uranium enrichment and re-
5 search and development plans should be made
6 public;

7 (B) the reports of the Joint Commission
8 and procurement requests made to the United
9 Nations Security Council and to the Joint Com-
10 mission, and whether or not such requests were
11 approved, should be made available to the pub-
12 lic; and

13 (C) countries should verify the end-use of
14 items, materials, equipment, goods, and tech-
15 nologies that require import authorization by
16 the Joint Commission but are not verified by
17 the International Atomic Energy Agency.

18 (b) ACTIONS SPECIFIED.—The actions specified in
19 this subsection are the following:

20 (1) Seeking immediate reinstitution and appli-
21 cation of United Nations Security Council Resolu-
22 tions 1696 (2006), 1737 (2006), 1747 (2007), 1803
23 (2008), 1835 (2008), 1929 (2010), and 2224
24 (2015).

1 (2) Seeking the immediate adoption of a United
 2 Nations Security Council resolution that directs all
 3 United Nations member states to prevent the direct
 4 or indirect supply, sale, or transfer to Iran of all
 5 items listed in subsection (a)(i) of United Nations
 6 Security Council Resolution 1718 (2006) in order to
 7 prevent Iran from arming itself while its commit-
 8 ment to international law is still in question.

9 (3) Working with international partners of the
 10 United States to seek the immediate reapplication of
 11 the regulations of the Council of the European
 12 Union concerning restrictive measures against Iran,
 13 as in effect on October 17, 2015.

14 (4) The immediate reapplication of the nuclear-
 15 related sanctions waived by the United States.

16 (5) Seeking the imposition of additional puni-
 17 tive sanctions with respect to Iran.

18 (c) DEFINITIONS.—In this section:

19 (1) HIGHLY ENRICHED URANIUM.—The term
 20 “highly enriched uranium” means uranium with a
 21 20 percent or higher concentration of the isotope
 22 uranium-235.

23 (2) IMPLEMENTATION DAY.—The term “imple-
 24 mentation day” means January 16, 2016.

1 (3) JOINT COMPREHENSIVE PLAN OF ACTION.—

2 The term “Joint Comprehensive Plan of Action”
3 means the Joint Comprehensive Plan of Action,
4 agreed to at Vienna on July 14, 2015, by Iran and
5 by the People’s Republic of China, France, Ger-
6 many, the Russian Federation, the United Kingdom,
7 and the United States, with the High Representative
8 of the European Union for Foreign Affairs and Se-
9 curity Policy, and all implementing materials and
10 agreements related to the Joint Comprehensive Plan
11 of Action.

12 (4) P5+1 COUNTRIES.—The term “P5+1
13 countries” means the United States, France, the
14 Russian Federation, the People’s Republic of China,
15 the United Kingdom, and Germany.

16 (5) SPENT FUEL.—The term “spent fuel” in-
17 cludes all types of irradiated fuel.

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