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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-1405

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<http://susanwbrooks.house.gov/>

September 21, 2015

The Honorable John Kerry  
Secretary  
U.S. Department of State  
2201 C Street, NW  
Washington, D.C. 20250

Dear Secretary Kerry:

In reviewing the Joint Comprehensive Plan of Action (JCPOA) nuclear agreement between Iran and six negotiating parties, finalized on July 14, 2015, we have become specifically concerned about measure #25 regarding individual state sanctions. This provision stipulates that “[i]f a law at the state or local level in the United States is preventing the implementation of the sanctions lifting as specified in this JCPOA the United States will take appropriate steps, taking into account all available authorities, with a view to achieving such implementation.”

Thirty states have passed pension fund divestment measures, and eleven have also enacted restrictions on government contracting. These statutes were passed with the explicit permission of both Congress and the executive through the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, P.L. 111-195 (CISADA). The law specifically acknowledges that states requiring divestment from companies doing certain types of business in Iran or prohibiting procurement contracts with such companies are “not preempted by any Federal law or regulation.”

While you and others within the administration have acknowledged in testimony before Congress that this deal will not prevent states from carrying out existing sanctions, no official has yet to outline what specific steps or authorities the Administration plans to use to coerce states into JCPOA conformity. As Members of Congress representing states who either currently have or potentially may enact Iranian sanctions, we are concerned that any attempt by the administration to persuade states to lift their individual sanctions regime(s) would constitute a violation of both state sovereignty and the text of CISADA. As you know, a September 8<sup>th</sup> letter from 15 Governors to President Obama also expressed concern about what steps your Administration may take to attempt to implement measure 25.

With that in mind, we respectfully ask that you provide clarity to both congress and affected states by providing answers to the following questions:

- 1) What specific steps will you use to actively encourage officials at the state or local level to lift sanctions and to refrain from actions inconsistent with the JCPOA?

- 2) Does the Administration plan to levy punitive actions against states that choose either to not lift sanctions or enact new divestment or contracting measures?
- 3) What "available authorities" is the Administration referring to in measure #25, and does this infer that the federal government will interpret individual state sanctions as infringing on the federal foreign affairs power or violating the Foreign Commerce Clause?
- 4) Will states still be able to freely enforce all existing sanctions and implement new ones as long as they are in conformity with CISADA?

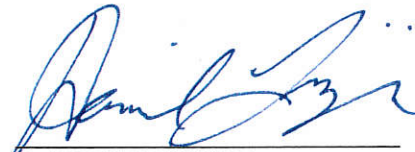
Iran's intransigence is not limited to nuclear affairs alone, and our constituents have a right to demand that their state pension funds do not inadvertently fund terrorism and that their taxes won't be awarded to companies that support a regime culpable in gross human-rights violations. The people of our nation have the legal right to stand up for American values by refusing to do business with Iran until they change their behavior on these important issues.

Thank you for your attention to this matter, and we look forward to your prompt response.

Sincerely,



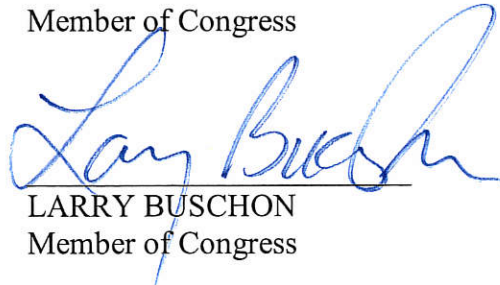
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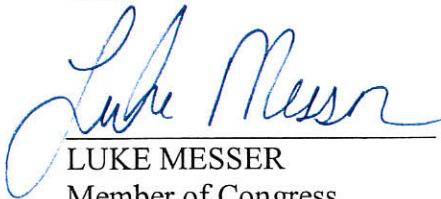
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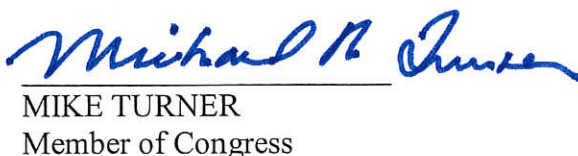
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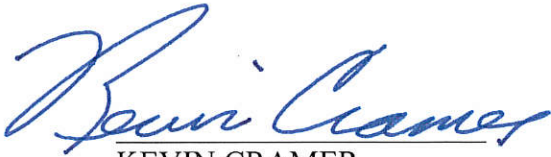
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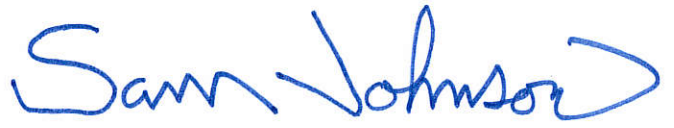
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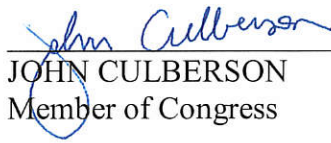
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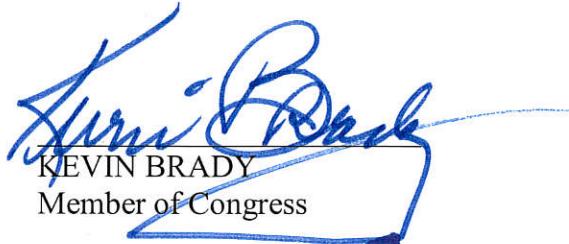
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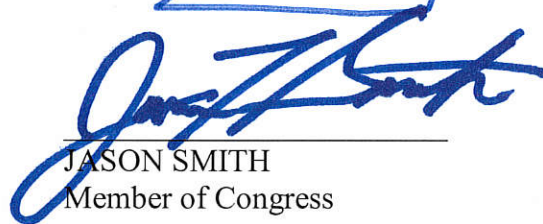
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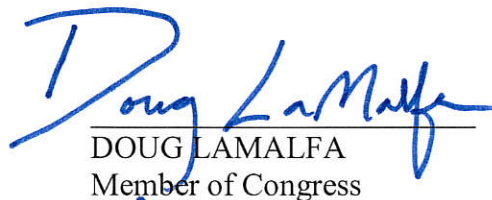
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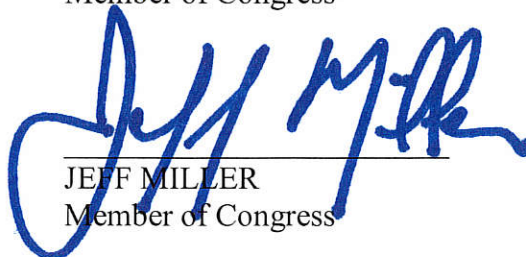
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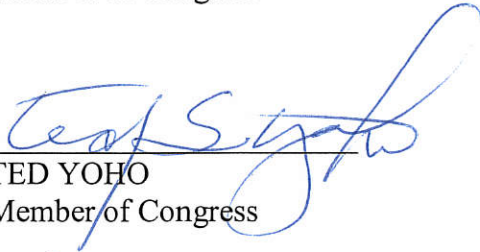
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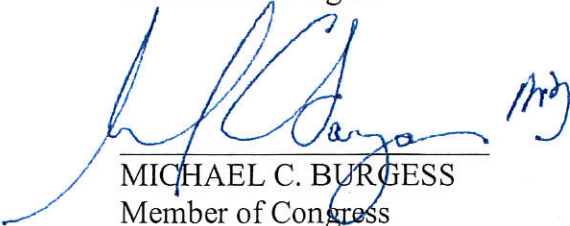
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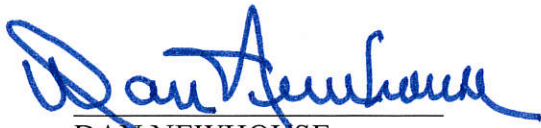
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