



AUGUST 4, 2015

# JOINT COMPREHENSIVE PLAN OF ACTION (JCPOA) AND THE MILITARY BALANCE IN THE MIDDLE EAST

U.S. SENATE, COMMITTEE ON ARMED SERVICES

ONE HUNDRED FOURTEENTH CONGRESS, FIRST SESSION

---

## HEARING CONTENTS:

### *MEMBER STATEMENTS*

Chairman John McCain R (AZ) [\[View pdf\]](#)

Ranking Member Jack Reed D (RI) [\[View pdf\]](#)

### *WITNESS TESTIMONY*

General Michael V. Hayden, USAF (ret.) [pdf unavailable]  
Principal, The Chertoff Group  
Former Director, Central Intelligence Agency

Ambassador R. Nicholas Burns [\[View pdf\]](#)  
Goodman Professor of Diplomacy and International Relations  
Harvard Kennedy School

Ambassador Eric S. Edelman [\[View pdf\]](#)  
Distinguished Fellow, Center for Strategic and Budgetary Assessments  
Former Under Secretary of Defense for Policy

Dr. Richard N. Haass [\[View pdf\]](#)  
President, Council on Foreign Relations  
Former Director of Policy Planning, U.S. Department of State

### *AVAILABLE WEBCAST(S)\*:*

[\[Full Hearing\]](#)

*COMPILED FROM:*

- <http://www.armed-services.senate.gov/hearings/15-08-04-the-joint-comprehensive-plan-of-action-jcpoa-and-the-military-balance-in-the-middle-east>

*\* Please note: Any external links included in this compilation were functional at its creation but are not maintained thereafter.*

**Chairman John McCain**  
**Opening Statement on JCPOA and the Military Balance in the Middle East**

The Committee meets today for our second oversight hearing on the Joint Comprehensive Plan of Action, which the United States and other major powers have signed with Iran. We welcome our distinguished witnesses and thank them for joining us today:

- General Michael Hayden, Principal at The Chertoff Group and former Director of the Central Intelligence Agency;
- Ambassador Nicholas Burns, Goodman Professor of Diplomacy and International Relations at the Harvard Kennedy School, and former Under Secretary of State for Political Affairs;
- Ambassador Eric Edelman, Distinguished Fellow at the Center for Strategic and Budgetary Assessments and former Under Secretary of Defense for Policy; and
- Dr. Richard Haass, President of the Council on Foreign Relations and former Director of Policy Planning at the State Department.

This Committee's oversight is primarily focused on the strategic and military implications of the agreement. Among other things, we want to know how this agreement will affect regional security, proliferation, and the balance of power in the Middle East; what impact it may have on Iran's malign activities and hegemonic ambitions in the region; what it means for perceptions of American credibility and resolve among our allies and partners; and what the consequences are for U.S. defense policy, military planning, and force posture.

From this broader strategic perspective, this bad deal only looks that much worse.

The Committee is eager to hear our witnesses' assessments of the vital details of this agreement, especially the verification and monitoring mechanisms, which include two side agreements between the IAEA and Iran – neither of which the Administration or the Congress have seen.

At the same time, what is even more troubling are the military implications of this agreement. Iran is not just an arms control challenge. It is a geopolitical challenge. For years, many of us have urged the Administration to adopt a regional strategy to

counter Iran's malign activities in the Middle East. Unfortunately, if such a strategy exists, there is no evidence of it. Instead, we have watched with alarm as Iran's military and intelligence operatives have stepped up their destabilizing activities in Iraq, Syria, Lebanon, Yemen, Bahrain, Gaza, and elsewhere.

Iran did all of this under the full pressure of sanctions. Now, Iran will receive a windfall of sanctions relief, estimated at roughly \$60 billion or possibly much more. It is only fair to assume that billions of additional dollars will soon flow to Iran's Revolutionary Guards Corps and Qods Force—money that will likely be used to boost arms supplies to Iran's terrorist proxies, to sew chaos and instability across the region, and to double down on Bashar Assad right when he needs it most. This will present a host of new challenges for the Department of Defense.

This agreement will not only strengthen Iran's malign activities in the region. It will also further Iran's emergence as a dominant military power in the Middle East. Despite repeated assurances that negotiations were strictly limited to the nuclear program, the Administration made major concessions related to conventional weapons and ballistic missiles – concessions that the Chairman of the Joint Chiefs of Staff warned before the agreement should occur “under no circumstances.”

In eight years, this agreement would lift restrictions on ballistic missiles, whose only conceivable military purpose would be to deliver nuclear weapons against the United States and its allies. In five years, this agreement would lift the international arms embargo against Iran, freeing up the regime to acquire advanced conventional military capabilities. With billions of dollars in sanctions relief, Iran is sure to find plenty of states that are eager to sell those weapons, especially Russia and China.

These concessions have direct and dangerous implications for the U.S. military. The Administration says that the military option will remain on the table if Iran violates the agreement, and that is true. Yet the agreement itself would enable Iran to construct the very kind of advanced military arsenal—the anti-access and area-denial capabilities—that could raise the cost of employing our military option. In short, if this agreement fails, and U.S. service members are called upon to take action against Iran, their lives could be at greater risk because of this agreement.

And that is perhaps most troubling of all about this agreement—what it means for America's credibility in the Middle East. For decades, the United States has sought to suppress security competition in the region between states with long histories of hostility toward one another and to prevent war. I fear this agreement could further undermine our ability and willingness to play that vital stabilizing role.

Our allies and partners in the Middle East have increasingly come to believe that America is withdrawing from the region, and doing so at a time when Iran is aggressively seeking to advance its hegemonic ambitions. Now we have reached an agreement that will not only legitimize the Islamic Republic as a threshold nuclear state with an industrial enrichment capability, but will also unshackle this regime in its long-held pursuit of conventional military power, and may actually consolidate the current regime's control in Iran for years to come.

The President and his advisors are fond of saying that the only alternative to this deal is war. This kind of false choice is all too familiar from this Administration. And these cheap scare tactics have no place in a national security debate of this magnitude. And our military leaders know better. The Chairman of the Joint Chiefs, General Dempsey, told this Committee last week, "We have a range of options." Likewise, the President's nominee to be the next Chief of Naval Operations testified that "there are other options besides going to war."

In addition to your analysis of the agreement and its consequences, all of us are eager to hear from each of you today what realistic alternatives there to this agreement, and what role the Congress should now play.

**Opening Statement of U.S. Senator Jack Reed**  
**Ranking Member, Senate Armed Services Committee**  
*(As prepared for delivery)*

**SD-G50**  
**Dirksen Senate Office Building**  
**Tuesday, August 4, 2015**

**Hearing on the Joint Comprehensive Plan of Action (JCPOA)**  
**and the Military Balance in the Middle East**

Good Morning. We are fortunate to have before us today witnesses that have served time in the military, diplomatic, and intelligence entities of our government and that have a range of knowledge and experience in issues relating to the Middle East, non-proliferation, asymmetric warfare, and matters of war and peace. This is our second hearing relating to the Joint Comprehensive Plan of Action, or JCPOA, and I want to thank Chairman McCain for his efforts to make sure the committee is presented with a range of views and opinions on the JCPOA.

In the weeks ahead, Congress has an obligation to review carefully the details of this agreement and to validate that the agreement will meet our common goal of stopping Iran from acquiring a nuclear weapon. This week's hearings are part of that effort.

Last week, the committee held a hearing with the Secretaries of Treasury, State, Defense and Energy, and the Chairman of the Joint Chiefs of Staff. That hearing was important as it provided the committee with the Administration's views on the agreement, plans for regional engagement in the months and years ahead, and an opportunity to better understand the details of the agreement – from Iran's enrichment capabilities under the JCPOA to how snapback sanctions would be imposed if the terms of the agreement were violated.

I hope our witnesses today will provide their assessment of whether the deal is the best available option to prevent the Iranians from obtaining a nuclear weapon – both in the near and long term. I specifically hope they will address a number of areas:

- (1) The terms of the agreement itself, particularly with respect to cutting-off the paths to a nuclear device, past military dimensions of their program, duration, and the breakout time necessary for Iran to acquire a nuclear weapon;
- (2) The alternatives, if any, to the JCPOA;

- (3) The inspections regime under the deal, including lessons-learned from past international inspections that have been incorporated into this deal;
- (4) The role and capacity of the International Atomic Energy Agency to implement this deal; and
- (5) The sanctions regime under the JCPOA and availability of those tools to be used against Iran in situations of terrorism, regional destabilizing activities and human rights abuses.

While the implementation of this agreement will not be performed by the Department of Defense, the DOD will have a critical role in implementing the regional engagement policies and programs laid out at Camp David with our Gulf Cooperation Council partners. Secretary Kerry is in the region this week and is working with our GCC partners on the next steps of this policy to enhance the ballistic missile defense capability of the GCC and to improve their interoperability and collective defense against asymmetric threats. These are important efforts that I look forward to hearing about today.

Israel rightly views Iran as a significant and ongoing threat to their national security interests. And, while Prime Minister Netanyahu is unlikely to ever endorse this agreement, the United States should make every effort to deepen further our cooperation on military and intelligence matters with Israel. I would be interested in hearing the assessment of the witnesses on how the United States might successfully move forward with the Netanyahu government under this agreement.

I want to make one final point. These negotiations focused on denying Iran a pathway to a nuclear weapon. A nuclear Iran would be a more formidable force in the region. And, as it has repeatedly demonstrated, not a force for peace and stability, but one that supports terror and seeks to impose its will throughout the Middle East. Moreover, a nuclear Iran would likely prompt a regional nuclear arms race that through accident or design could lead to catastrophe. None of us would condone or ignore Iran's support of terror, or other destabilizing activities in the region, but these negotiations were properly focused on nuclear weapons.

I look forward to the panel's responses as we continue to deepen our understanding this agreement.

Thank you.

Testimony of Ambassador (ret.) Nicholas Burns  
Goodman Professor of Diplomacy and  
International Relations  
Harvard Kennedy School  
Senate Committee on Armed Services  
August 4, 2015

Mr. Chairman, Ranking Member Reed and members of the committee, thank you for this opportunity to testify on the international agreement to prevent Iran from becoming a nuclear weapons power.

This is one of the most urgent and important challenges for our country, for our European allies as well as for Israel and our Arab partners in the Middle East. The United States must thwart Iran's nuclear weapons ambitions and its determination to become the dominant military power in the region.

This will be a long-term struggle requiring the focus and determination of the next two American

Presidents after President Obama to ensure Iran complies with the agreement. We should thus marshal our diplomatic, economic and military strength to block Iran now and to contain its power in the region in the years ahead.

With this in mind, I support the Iran nuclear agreement and urge the Congress to vote in favor of it in September.

This is, understandably, a difficult decision for many members of Congress. It is an agreement that includes clear benefits for our national security but risks, as well. It is also a painful agreement, involving trade-offs and compromises with a bitter adversary of our country-- the government of Iran.

I believe, however, that if it is implemented effectively, the agreement will restrict and weaken Iran's nuclear program for more than a decade and help to deny it a nuclear weapons capacity over the long term. That crucial advantage has convinced me that the Obama Administration is right to seek Congressional approval for this agreement.

I have followed the Iran nuclear issue closely for the last decade. From 2005 until 2008, I had lead responsibility in the State Department on Iran policy. During the second term of the George W. Bush Administration, we worked hard to blunt Iran's nuclear efforts. We created in 2005 the group that has since led the global effort against Iran—the U.S., the United Kingdom, France, Russia, China and Germany (the P-5 plus One). This group offered to negotiate with Iran in 2006 and again in 2007. We were rebuffed on both occasions by the Iranian regime.

When Iran accelerated its nuclear research program, we turned to sanctions. I helped to negotiate for the U.S. the first three United Nations Security Council Chapter VII sanctions resolutions to punish Iran for its actions. Led by the Treasury Department, we initiated U.S. financial sanctions and encouraged the European Union to do the same. We built a global coalition against Iran. While Iran became increasingly isolated, however, it chose to accelerate its nuclear research efforts in defiance of international law.

When President Obama came into office in 2009, Iran had made considerable progress in advancing

its uranium and plutonium programs. It made further progress in his first years in office and was on its way to become, in effect, a nuclear threshold state. In response, President Obama expanded the sanctions and coordinated an aggressive international campaign to punish and isolate the Iranian regime.

Congress made a vital contribution by strengthening American sanctions even further. This increasingly global and comprehensive sanctions campaign weakened the Iranian economy and ultimately convinced the Iranian government to agree to negotiate during the past eighteen months.

The Obama and Bush Administrations and the Congress acted over ten years to expand American leverage against Iran and to coerce it to accept negotiations. Despite these efforts, Iran was far along the nuclear continuum when negotiations began in earnest in 2013.

It made sense for the U.S. to commit to negotiations with Iran in 2013. We retained then, as we do now, the capacity and right to use military force to prevent Iran from achieving a

nuclear weapon should that be necessary. It is important to note that there were alternative negotiating frameworks available to the Obama Administration in 2013 that might have served our interest in containing Iran's nuclear program more effectively. But, the issue before the Congress now is the specific agreement that has been negotiated by the Obama team. That is thus the focus of my own testimony today.

In my judgment, the Joint Comprehensive Plan of Action (JCPOA) negotiated by Secretaries Kerry and Moniz is a solid and sensible agreement. It has many concrete advantages for the United States.

First, the agreement will arrest Iran's rapid forward movement on its nuclear research programs over the past decade since the inauguration of former President Mahmoud Ahmadinejad. It will essentially freeze that program. The restrictions the U.S. negotiated will effectively prevent Iran from producing fissile material for a nuclear weapon (either through uranium enrichment or the plutonium process) at its nuclear facilities for at least ten to fifteen years.

The number of centrifuges at the Natanz plant will be reduced by two thirds. Use of advanced centrifuges will not be permitted for a decade. Iran's store of enriched uranium will be restricted to levels below those needed for a nuclear device. In addition, there will be no enrichment at all at the Fordow plant for fifteen years.

The Administration also succeeded in blocking Iran's plutonium program. The core of the Arak Heavy Water Reactor will be dismantled. The reactor will be transformed to make it impossible to produce sufficient quantities of plutonium for a nuclear device. Spent fuel will be transported out of Iran. There will be no reprocessing of fuel for at least fifteen years.

The most important advantage for the U.S is that Iran's current breakout time to a nuclear weapon will be lengthened from two to three months now to roughly one year once the agreement is implemented. This is a substantial benefit for our security and those of our friends in the Middle East. It sets back the Iranian nuclear program by a significant margin and was a major concession by the Iranian government in this negotiation.

Significantly strengthened inspections of Iran's nuclear supply chain for the next twenty-five years is a second advantage of the nuclear agreement. Iran has also agreed to be subjected to permanent and enhanced IAEA verification and monitoring under the Additional Protocol. This will give the IAEA much greater insights into Iran's nuclear program and will increase substantially the probability of the U.S. detecting any Iranian deviations from the agreement.

Third, sanctions will not be lifted until Iran implements the agreement in every respect. This could take up to three to six months. The U.S. and other countries should demand full and unambiguous Iranian implementation to deconstruct and modify its nuclear program according to the letter of the agreement. And, after sanctions are lifted, we must be ready and willing to re-impose them should Iran seek to cut corners, cheat or test the integrity of the agreement in any way.

A final advantage, Mr. Chairman, is that this agreement gives us a chance to prevent an Iranian nuclear weapon through diplomacy and negotiations, rather than through war. While the

U.S. should be ready to use force against Iran if it approaches our red line of acquisition of a nuclear weapon, the more effective strategy at this point is to coerce them through negotiations. And, it will be more advantageous for the U.S. to contain a non-nuclear Iran in the Middle East for the next decade than to contend with a country on the threshold of a nuclear weapon. In this respect, I admire the commitment, energy and the achievements of Secretary Kerry, Secretary Moniz and their team.

While the benefits of this agreement for the U.S. are substantial, there are also risks in moving ahead. The most significant, in my judgment, is that while Iran's program will be frozen for a decade, the superstructure of its nuclear apparatus will remain intact, much of it in mothballs. Iran could choose to rebuild a civil nuclear program after the restrictions begin to end ten to fifteen years from now. This could give Tehran a base from which to attempt to build a covert nuclear weapons program at some point in the future.

Here is where considerable challenges may arise for the U.S. and its allies. While we can be

confident Iran's program will be effectively stymied for the first ten to fifteen years of the agreement, many of those restrictions will loosen and disappear altogether in the decade after. We will need to put in place a series of mitigating measures to deter Iran from diverting any part of its revived civil nuclear program to military activities.

President Obama and his team will need to reassure Congress about the effectiveness and credibility of these initiatives to keep Iran away from a nuclear weapon after the first decade of this agreement. This should include a direct, public and unambiguous American commitment to use military force to deter Iran should it ever get close to construction of a nuclear weapon. In addition, the U.S. should assemble a coalition of strong partners willing to re-impose sanctions should Iran deviate from the agreement. The U.S. and its partners should also bolster the capacity of the IAEA and our own governments to be fully capable of detecting Iranian cheating. In sum, we will have to construct a long-term strategic deterrent to convince the Iranian government that it is not in its interest to pursue a nuclear weapons program a decade from now.

Containing Iran will be a difficult challenge for American diplomacy. I differ with those critics, however, who believe that the expiration of the agreement will make Iranian acquisition of a nuclear weapon all but certain a decade or two from now. Much will depend on the Iranian leadership at that time. Will they want to risk another generation of international isolation and sanctions if they drive toward a nuclear weapon? Will they risk the possibility of an American or Israeli use of military force in response? A decision by Iran to turn back to a nuclear weapons ambition is a possibility, but by no means a certainty. The actions and resolve of the United States will have a major impact on Iran's calculations. It will be up to the President and Congress at that time to make clear to Iran that we will be ready to use any option available to us, including the use of military force, to prevent Iran from becoming a nuclear weapons power.

The overall effectiveness of the agreement will thus require the Obama Administration and its successors to maintain a very tough inspections regime and to be ready to re-impose sanctions if

Iran seeks an illicit nuclear weapons program in the future.

Congress is right to focus on these concerns and to require concrete assurances from the Administration that they can be overcome. Specifically, the Administration will need to focus hard on the possibility that Iran will cheat, as it has done so often in the past and attempt to construct covert facilities. Should this occur, the U.S. would need to ensure that the “managed inspections” set out in the agreement would work effectively. If Iran were to violate the agreement, American sanctions should be re-imposed. Gaining broader international agreement for sanctions would be a more effective way to intimidate the Iranian authorities. This would be a priority, but also a challenging hurdle, for American diplomacy.

A final risk is the agreement that the prohibitions on Iran’s conventional arms sales and purchases and ballistic missiles will end in five and eight years, respectively, after the agreement is in force. I remain opposed to this compromise. In my view, it could embolden Iran and strengthen its conventional capacity in ways detrimental to our

own interest. The next U.S. Administration will need to construct a new coalition to attempt to restrict and sanction Iran in these two areas.

On balance, however, I believe the nuclear deal will deliver more advantages than disadvantages to the U.S. There are greater risks, in my judgment, in turning down the agreement and freeing Iran from the considerable set of restrictions it has now accepted for the next decade and beyond.

Most importantly, I do not see a more effective, credible or realistic alternative that would give the U.S. a greater probability at this point of preventing an Iranian nuclear weapon. That is the key question members of Congress should ask before you vote. Is there a more effective way forward than the one negotiated by the Obama Administration?

The most common criticism of the nuclear deal is that the U.S. should have walked away from the talks during the last year, sanctioned Iran further and attempted to negotiate a better and stronger agreement. Some experts have recommended that Congress vote to disapprove the President's

policies or to pass a bill that would alter the deal in such a way that a fundamental renegotiation of the agreement would be necessary.

If I thought it was realistic to renegotiate the agreement to make it stronger, I would support that option. But, I don't believe it would be possible to do so and, at the same time, to maintain the integrity of our coalition against Iran.

While this "No Deal" scenario could play out in many, different ways, I think it is probable that it would leave the U.S. weaker, rather than stronger, in confronting Iran's nuclear program. If the U.S. left the negotiations unilaterally, I don't believe it is likely that Russia and China and even possibly the European allies and other key international economic powers would follow us out the door. These countries are all strong supporters of the nuclear deal before the Congress today. The global coalition and the sanctions regime we spent the last ten years building would likely fray and weaken over time. We would lose the strong leverage that brought Iran to the negotiating table. While American sanctions were very important in convincing Iran to negotiate, it was the global nature of the sanctions with buy-in from nearly

every major economy in the world, that also made a critical difference in cutting off Iran from the international banking and financial system during the past few years. All of these benefits would be at risk after a U.S. walkout.

Most importantly, the strong restrictions that have effectively frozen Iran's nuclear program since January 2014 would all be lifted if the negotiations are ended. The negotiated agreement would cease to be in force. Iran would be free to resume its advanced uranium enrichment and plutonium programs. We would lose the IAEA's insights into Iran's program as the inspections regime would weaken. Iran would not be one year away from a bomb under the Obama agreement but on the threshold of a nuclear weapons capability.

While I don't agree that this 'No Deal' scenario would lead inevitably to war, it would leave the U.S. worse off. On balance, this alternative is not preferable to the concrete restrictions on Iran's program ensured by the nuclear deal.

If it seeks to disapprove the President's policy, Congress should offer a realistic and effective alternative. But, I am unaware of any credible

alternative that would serve our interests more effectively at this point than the agreement proposed by the Obama Administration and the other major countries of the world.

Rather than vote to disapprove the President's policy, I hope members of both parties will work with the Administration to strengthen the ability of the U.S. to implement the agreement successfully and to contain simultaneously Iranian power in the Middle East.

We should create, in effect, a two-track American policy towards Iran in the future. On the one hand, we should work to ensure Iran implements the nuclear deal. On the other hand, we will need to construct a renewed effort with Israel, Turkey and our friends in the Arab world to contain Iran's growing power in the region.

Now that we are talking to Iran again after thirty-five years of minimal contact, there may be issues on which contact with Tehran will be in our interest. Protecting the Afghan government from Taliban assaults is one such possibility. Convincing Iran to withdraw its support for President Assad in Syria is another.

But, I do not believe we will experience anything approaching a normal relationship with the Iranian government as some in our own country have suggested. This is not the time to restore full diplomatic relations with its government. There is too much that still separates us to justify such a decision. In fact, our larger interests in the Middle East require the creation of a coalition of countries to oppose Iran as it makes an assertive push for power into the heart of the Sunni world in Iraq, Syria, Lebanon and Yemen. The U.S. will have greater success, however, in confronting a non-nuclear Iran over the next decade rather than an Iran with nuclear weapons. This is another advantage of the nuclear deal.

With this in mind, there is more the Obama Administration can do to ensure effective implementation of the nuclear deal and to push back against a more assertive Iranian policy in the region. Here are some concrete suggestions toward that end.

--A first-order diplomatic priority should be for the U.S. to do everything in its power to maintain the ability to re-impose sanctions on Iran, if

necessary. Russia and, especially, China will likely be weak and undependable partners in this regard. The U.S. should thus focus on securing commitments from the European allies that they will work with us to re-impose sanctions in the future, if necessary. The Administration should also convince Japan, South Korea, India and other major economies to be ready to curtail commercial links to Iran should it violate the nuclear agreement;

--The U.S. should set a very high bar for Iran on implementation of the agreement. Specifically, the U.S. should call attention to even the most minor Iranian transgressions from the start of the implementation process. If we don't set an exacting standard, Iran may well diminish the integrity of the inspections regime by cutting corners and testing its limits. Establishing a tough-minded policy now is the right way to convince Iran there will be immediate penalties should it not implement the deal fully and completely;

--The U.S. should reaffirm publicly that we have vital national interests in the Persian Gulf and that we will use military force, if necessary, to defend

them. That was the essence of the Carter Doctrine of the late 1970s and has been the policy of Republican and Democratic Administrations since. President Obama should continue the campaign he has already begun to assemble a strong coalition of Gulf States to contain Iranian power in the region. This will require accelerated military assistance to our Arab partners and a strong, visible and continuous American military presence in the region;

--The U.S. should also try to close ranks with Israel and to strengthen even further our long-standing military partnership. The U.S.-Israel ten-year military assistance agreement that I led in negotiating in 2007 expires in two years. The Obama Administration could reaffirm our ongoing commitment to Israel's Qualitative Military Edge (QME) over any potential aggressor in the Middle East region. The Administration should accelerate military technology transfers to Israel to head off any potential challenge to Israel from Iran or, as is more likely, from its proxies, Hezbollah and Hamas.

The U.S. and Israel should also make a renewed effort to diminish their public divisions.

President Obama should take steps to work more effectively with Prime Minister Netanyahu. But, repairing such a wide public dispute requires both leaders to make it work. Prime Minister Netanyahu would be well advised to diminish his excessive public criticism of the U.S. government. I found in my diplomatic career that allies work best when they work out their differences privately rather than publicly.

--President Obama should reaffirm publicly and in the most unmistakable terms, his readiness to deploy military force to strike Iran should it violate the agreement and seek to race toward a nuclear weapon. This would help to create a more durable American strategic deterrence to convince Iran that abiding by the nuclear agreement is in its best interest.

--Finally, the U.S. should also press Iran to meet the grievances of American families who lost their loved ones in Iranian- inspired attacks on American citizens in past decades. This includes, of course, the bombings of the U.S. Embassy in Beirut and the U.S. Marine Barracks in 1983. It also includes the assassination of Dr. Malcolm Kerr, President of the American University of

Beirut, in January 1984. His family has brought suit against Iran in U.S. Federal Court as they believe Iran authorized his murder through its proxies in Lebanon. There are many other such civilian cases against Iran. Implementation of the nuclear deal should not be made conditional on resolution of these cases, in my judgment. But, we should not agree to resume full diplomatic relations until Iran has agreed to settle them. By raising them now, we would send Iran an unmistakable signal that we expect these cases to be adjudicated fairly and with justice for the American families in the future.

--At the same time, the Administration must continue to press as an urgent priority for the release of those Americans imprisoned or missing in Iran.

These steps would help to strengthen our ability to implement the Iran nuclear agreement and to put Iran on notice that it has a long way to go before it can resume a normal relationship with the United States.

Successful implementation of the nuclear deal will require strong, self confident and determined

American leadership. We are the indispensable center of the P-5 plus One group that negotiated the agreement. We have to insist on full Iranian implementation of the agreement. We must assemble an Arab coalition to contain Iran in the region. And we have to remain Israel's strong and faithful partner in a violent, turbulent, revolutionary era in Middle East history.

Mr. Chairman, I urge members of Congress to support this agreement. A vote of disapproval in the absence of a credible alternative, would, after ten years of effort, be self-defeating for our country.

If Congress votes to disapprove and manages to override the President's veto, it would very likely dismantle the agreement, lead to the gradual disintegration of the global sanctions regime and remove all current restrictions on Iran's nuclear efforts. Such a result would leave Iran closer to a nuclear weapon. That is not a sensible course for our country.

I also fear a vote of disapproval would weaken the effectiveness and credibility of the United States in the Middle East and around the world.

There is another path open to Congress. Work with the President to strengthen America's position in the Middle East. Move forward with the nuclear deal. Push back against Iranian power in the region. A Congress that sought greater unity with President Obama would help to strengthen our country for the struggles that are inevitably ahead with Iran in the years to come.



Center for Strategic and Budgetary Assessments

## TESTIMONY

### HEARING BEFORE THE UNITED STATES SENATE COMMITTEE ON ARMED SERVICES TO EXAMINE THE JOINT COMPREHENSIVE PLAN OF ACTION (JCPOA) AND THE MILITARY BALANCE IN THE MIDDLE EAST

August 4, 2015

Room SD-G50, Dirksen Senate Office Building

**Statement of the Hon. Eric Edelman**  
Distinguished Fellow, Center for Strategic and Budgetary Assessments  
Co-Chair, Iran Task Force at JINSA Gemunder Center

#### INTRODUCTION

Mr. Chairman, Ranking Member Reed, Members of the Committee, thank you for giving me the opportunity to appear before you today to discuss the full range of issues connected with the Joint Comprehensive Plan of Action (JCPOA) to resolve the Iranian nuclear issue, including regional security and U.S. defense policy in the Middle East. I have followed this issue for more than a decade as the U.S. Ambassador to Turkey and then as Under Secretary of Defense for Policy. Since retiring from government service in 2009, I have continued to track the progress of Iran's nuclear program and the negotiating effort to prevent Iran from developing a nuclear weapons capability. I have worked with several of my colleagues at the Center for Strategic and Budgetary Assessments on the broader threat that the program presents to the nuclear non-proliferation regime and regional security in the Middle East. I am also the co-chair with Ambassador Dennis Ross of a bipartisan Iran Task Force sponsored by the Gemunder Center for Defense and Strategy that has produced a series of detailed appraisals of the negotiations and now the JCPOA, but I want to stress that my comments today reflect only my personal views.

First, let me say that I appreciate the care and deliberation that you and your colleagues are taking in examining this agreement. Major arms control agreements that bind the nation in matters vital to the national interest should rest on a broad public consensus and not purely on the preferences and actions of one individual. That is why the Founders required treaties to be ratified by a two-thirds majority of the Senate. As Constitutional scholar George Anastaplo observed many years ago,

The arrangements in Section 2 with respect to treaties and appointments take it for granted that the Senate can be depended upon to be as well equipped as the President to know, or at least to be told, what is needed by the Country from time to time. The Senate shares the Executive power here, however convenient it may be to vest in a single man the negotiation of treaties. . . . The President is not assumed to know things the Senate does not know or that the Senate cannot be told in appropriate circumstances.

Although this agreement is not a treaty, I believe the general proposition remains sound.<sup>1</sup>

As I wrote with my colleague and Iran Task Force member Ray Takeyh in *The Washington Post* last month, a careful examination of the JCPOA reveals that it is deeply flawed because “It concedes an enrichment capacity that is too large; sunset clauses that are too short; a verification regime that is too leaky; and enforcement mechanisms that are too suspect.”<sup>2</sup> The Institute for Science and International Security, one of the most respected non-partisan authorities on non-proliferation in general and Iran’s nuclear program in particular, was straightforward in its assessment:

After year 10, and particularly after year 15, as limits on its nuclear program end, Iran could reemerge as a major nuclear threat. Even if the deal succeeds during the first ten years, it is unknowable whether the agreement will continue to accomplish its fundamental goal of preventing Iran from getting nuclear weapons in the long term.<sup>3</sup>

Given these serious concerns, among many others, I believe the most judicious course is for Congress to disapprove the agreement, which would then allow for a more stringent deal to be renegotiated. As a career Foreign Service Officer for nearly 30 years, with a strong belief in the role of executive authority in foreign affairs, I have come to this recommendation extremely reluctantly. A multilateral agreement, negotiated over many years, should not be rejected for light or transient causes. The only legitimate grounds for doing so is when one believes that an agreement is so manifestly deleterious to the national security that it warrants rejection and renegotiation. In this case, I believe this agreement will

---

<sup>1</sup> George Anastaplo, *The Constitution of 1787: A Commentary* (Baltimore, MD: Johns Hopkins University Press, 1989), p. 112.

<sup>2</sup> Eric Edelman and Ray Takeyh, “On Iran, Congress Should Just Say No,” *Washington Post*, July 17, 2015.

<sup>3</sup> Institute for Science and International Security (ISIS), *The Joint Comprehensive Plan of Action “Kicks the Can Down the Road”: How to Prepare for the Day When the Can Finally Lands* (Washington, DC: ISIS, July, 22, 2015).

put the imprimatur of the international community and the United States of America on an industrial-scale enrichment program that will leave Iran—even if the negotiated limits on enrichment are adhered to scrupulously—as a threshold nuclear state when the various provisions expire. President Obama conceded as much in an interview with NPR in April, when he observed, “In year 13, 14, 15, they have advanced centrifuges that enrich uranium fairly rapidly, and at that point the breakout times would have shrunk almost down to zero.” The Institute for Science and International Security analysis cited above confirms the President’s judgment, noting that after 15 years, “Iran’s breakout timelines could shrink to just days.”<sup>4</sup>

This agreement reverses almost 50 years of U.S. non-proliferation policy. As my colleague at Johns Hopkins SAIS, Michael Mandelbaum, has noted, the agreement abandons the “policy of prohibiting the spread of enrichment technology even to friendly democratic governments . . . as a result, it will henceforth be extremely difficult to prevent other countries, at first in the Middle East but ultimately elsewhere, particularly in East Asia, from equipping themselves with the capacity for enrichment.”<sup>5</sup>

It is likely, in my view, that the prospect of Iranian nuclear latency will, in turn, put the Middle East on the path to a catastrophic arms race. Five to ten or twelve years down the road, such an arms race is likely to result in a more proliferated region, with multiple adversaries, each armed with small and vulnerable nuclear arsenals struggling to co-exist in an inherently unstable strategic environment. The flight times between the competitors will be mere minutes, and hence the decision-making space will be considerably constrained. This would present an unprecedented challenge for the region, the United States, and the world at large with every possibility that the ultimate weapons will be used by accident or miscalculation for the first time since 1945.

## **JCPOA SHORTCOMINGS**

Last week, the Task Force I co-chair issued a detailed assessment of the problems and questions posed by the JCPOA. This is a deal that would essentially legitimize Iran’s nuclear program, require the international community to provide it with assistance, and leave it as a threshold nuclear state, with no clear

---

<sup>4</sup> “Transcript: President Obama’s Full NPR Interview on Iran Nuclear Deal,” *NPR*, April 7, 2015; and ISIS, *The Joint Comprehensive Plan of Action “Kicks the Can Down the Road.”*

<sup>5</sup> Michael Mandelbaum, “The Iran Deal: It’s The Deterrence, Stupid,” *The American Interest*, July 30, 2015.

mechanisms that would remain after the provisions sunset to ensure that Iran will adhere to its Non-Proliferation Treaty (NPT) obligations.<sup>6</sup>

Indeed, though Iran's breakout time would be rolled back over the next decade and beyond, all major restrictions on its nuclear and conventional military programs would be removed over 5–15 years, including the prohibition on new nuclear-related facilities. Furthermore, the sanctions regime that originally weakened Iran and brought it to the negotiating table to begin with would be rolled back quickly with Iran getting an early windfall when its frozen assets are released. The sanctions regime, despite the efforts to create a “snap-back” mechanism, could not be easily reconstituted. Tellingly, Foreign Minister Zarif has noted that sanctions could be “re-imposed on Iran only in case of serious violation of its obligations and not in case of small-scale violations.” In other words, Iran doesn't need to worry about being held to account for incremental violation of the agreement.<sup>7</sup>

While Iran's nuclear activities would be made more transparent by some of the requirements of the JCPOA, these measures would still be insufficient to detect or deter every possible attempt at a breakout or sneak out. The failure to secure the much bruted “anytime/anywhere” inspections standard is a case in point. As a recent Institute for Science and International Security study notes, under the cumbersome procedures for requesting access to undeclared sites:

Iran could likely move and disguise many small scale nuclear and nuclear-weapon-related activities. These include:

- High explosive testing related to nuclear weapons;
- Small centrifuge manufacturing plant;
- Small centrifuge plant that uses advanced centrifuges (in this case, we assume a facility of tens of, or at most a few hundred, centrifuges organized in specially designed facilities suitable for rapid removal and with a containment system).<sup>8</sup>

---

<sup>6</sup> JINSA Gemunder Center Iran Task Force, *Scorecard for the Final Deal with Iran* (Washington, DC: JINSA, July 29, 2015); Jonathan Ruhe, the associate director at the Gemunder Center has provided me with invaluable assistance in preparing this statement. The report is available at [www.jinsa.org/publications/scorecard-final-deal-iran](http://www.jinsa.org/publications/scorecard-final-deal-iran).

<sup>7</sup> “Foreign Investments in Iran to Serve as Barrier for Sanctions Snapback—FM,” *Voice of the Islamic Republic of Iran, Radio Farhang*, July 21, 2015, available via BBC Monitoring Trans Caucasus Unit. I am indebted to my colleague Ray Takeyh for drawing my attention to these statements by Foreign Minister Zarif.

<sup>8</sup> ISIS, *Verification of the Joint Comprehensive Plan of Action* (Washington DC: ISIS, July 28, 2015), p. 7.

I have focused here on the question of verification, as opposed to other deficiencies, because the history of arms control arrangements is replete with instances of cheating—Versailles, the Strategic Arms Limitation Treaties, and INF Treaties offer just a few examples—and because Iran’s record of serial violation of earlier NPT obligations creates a particular burden on defenders of this arrangement.

Whether or not Iran complies fully—and there are diverse reasons to believe it would not—the net result would be a regime in a much stronger position than it is today. The termination of U.S.-led sanctions against Iran’s energy, financial, and industrial sectors would repatriate as much as \$150 billion in frozen funds while allowing Iran to rebuild its straitened economy through rejuvenated oil exports and foreign investment. Moreover, the Iranian leadership is counting on a surge of business activity, unleashed by the ending of sanctions, to immunize them against future efforts to re-impose sanctions in the event that Iran violates the agreement. As Foreign Minister Zarif recently noted, “Once the structure of the sanctions collapses, it will be impossible to reconstruct it.”<sup>9</sup>

Combined with lifting the U.N. arms embargo and sanctions against Iran’s ballistic missile program within eight years and possibly less, these increased revenues would enable the country to modernize and expand its military capabilities across the board and to boost its support for terrorist and other proxy forces across the Middle East. At the same time, the JCPOA’s sunset provisions would transform Iran from a near-pariah to being treated “in the same manner as that of any other non-nuclear weapon state party to the NPT.” The “deal” itself will legitimize years of illegitimate conduct and will enhance its drive for hegemony, and through sanctions relief, it will provide the means and mechanisms to accomplish this end. Therefore, rather than being isolated and restrained, Iran would be unleashed by the sunset of the agreement to continue its struggle for mastery in the Middle East. Iran’s Supreme Leader has said as much in the days and weeks since the JCPOA was signed in Vienna (amidst a number of large public rallies marked by the continuing mantra of “Death to America,” which seems to be a core ideological principle of the current regime).<sup>10</sup>

---

<sup>9</sup> “Foreign Investments in Iran to Serve as Barrier for Sanctions Snapback—FM,” *Voice of the Islamic Republic of Iran, Radio Farhang*.

<sup>10</sup> Aresu Egbali and Asa Fitch, “Iran’s Ayatollah Ali Khamenei Says Nuclear Deal Won’t Change U.S. Ties,” *Wall Street Journal*, July 18, 2015.

## **REGIONAL IMPACT**

With a latent nuclear deterrent, enhanced military capabilities, and bolstered revenues, Iran would attempt to push its influence further around the Middle East through proxies and subversion. Even under the weight of crippling sanctions, Tehran has backed Bashar al-Assad to the hilt in the Syrian Civil War, spending billions of dollars and inserting the forces of the Islamic Revolutionary Guard Corps (IRGC) and its proxies in Hezbollah ever more deeply in major combat operations to keep the regime on life support. An influx of cash from sanctions relief could encourage Iran to try to shift the strategic balance back in the regime's favor once and for all. Subsequently Hezbollah, which has been forced to direct much of its energy to defending the Syrian regime, could re-prioritize the "resistance" struggle and increase the already significant threat to Israel on both the Lebanese and Syrian fronts. Undoubtedly it would enjoy even greater support from Iran after the agreement. This is no small consideration, since Hezbollah already possesses roughly 100,000 rockets and missiles, including many long-range surface-to-surface and sophisticated anti-tank and anti-ship missiles.

Tehran's military assistance and political control in Baghdad (and possibly Erbil) would increase as well, allowing it to further consolidate its grip over Shia-majority swathes of the country while doing nothing to soften the sharp sectarian divisions that foster instability within and beyond Iraq. This would play a role in driving the radicalization of Iraqi Sunnis, in effect, recruiting new foot soldiers for ISIL. Similarly in Yemen, Iran's support for the Shia-affiliated Houthi insurrection has already helped unravel that country's tenuous efforts at constitutional reform, while simultaneously hindering U.S. counterterrorism cooperation and creating a potential quagmire for Saudi Arabia and other U.S. regional allies. The larger strategic problem is that Iranian hegemony in Yemen could be matched by additional Iranian moves in Saudi's Eastern Province as well as in Bahrain (both majority Shia), and thus put Riyadh in an east-west strategic vice. An increase in Iran's influence there could create myriad challenges, including: the growth of a proxy force on Riyadh's doorstep and greater instability astride a global energy chokepoint in Bab el-Mandeb. Even an Iranian policy that did not achieve its maximal aims would result in deepening the security vacuum within Yemen, which has proven to be a boon to the growth of Al Qaeda in the Arabian Peninsula.

Many of these problems potentially could be mitigated or addressed by the United States in cooperation with its allies. U.S. policy, however, has been self-defeating in this regard. Our closest regional partners, namely Israel and the Gulf Arab states, have been disconcerted by the Iran nuclear deal. The serial

concessions that moved U.S. redlines in the nuclear negotiations from prevention of an Iranian nuclear capability to limiting the time for breakout to one year, as well as the failure to enforce the red line on Syrian CW use two years ago, have called into question the credibility of U.S. promises to defend our allies against a reinvigorated and resurgent Iran. Finally, and most importantly, the actual terms of the JCPOA confront our allies with the prospect of a nuclear-capable Iran that is better situated to realize its hegemonic aspirations in the Middle East.

With our allies dismayed and increasingly concerned about the value of U.S. guarantees, they will become more inclined to pursue policies of self-help. For Israel, this means trying to manage an intrinsically unstable virtual nuclear balance with Iran. Given the geographic, demographic, and military asymmetries between Iran and Israel (and the high potential penalty for not shooting first in a crisis), both countries will assume extremely high alert postures and be certain to pursue pre-emptive strategies that will lead to chronic crisis instability.

For Saudi Arabia and our other Sunni Arab allies, the result will be further efforts to seek new security partners, perhaps bringing China into the Gulf arena as a major security player, and increased pursuit of conventional arms as well as seeking a latent nuclear capability of their own to offset Iran's relatively short breakout timeline. Unfortunately, it seems likely that the interaction among three or more nuclear-armed powers in the region would be more prone to miscalculation and escalation than a bipolar competition.<sup>11</sup>

In the Cold War the spread of nuclear weapons among U.S. allies was a collective good, since Britain, France, and the United States were members of the same formal security alliance, with a nuclear planning group to coordinate deterrence efforts and official policy declaring nuclear weapons integral to Western Europe's collective defense. A similar process in the Middle East would be a zero-sum phenomenon, since an unstable Iran-Israel nuclear dyad would be replicated between both countries and Saudi Arabia, were Riyadh to pursue an arsenal, and so on with Turkey, Egypt, or others. As Henry Kissinger and George Shultz commented recently, "Traditional theories of deterrence assumed a series of bilateral equations. Do we now envision an interlocking series of rivalries, with each new nuclear program counterbalancing others in the region?"<sup>12</sup>

---

<sup>11</sup> Eric Edelman, Andrew Krepinevich, and Evan Braden Montgomery, "The Dangers of a Nuclear Iran," *Foreign Affairs*, January/February 2011.

<sup>12</sup> Henry Kissinger and George P. Shultz, "The Iran Deal and Its Consequences," *Wall Street Journal*, April 7, 2015.

## **MILITARY EFFECTS**

These regional impacts would be daunting enough for U.S. defense planners who already face serious difficulties maintaining credible conventional deterrence in the region, given the prevailing trends and budgetary constraints. The aforementioned shortcomings of the JCPOA, however, will have knock-on military effects across the Middle East.

U.S. conventional deterrence, in the forms of carrier strike groups, expeditionary strike capability, long-range strategic airpower, and (when needed) boots on the ground, will become increasingly difficult to maintain as Iran's own military power grows and improves. In fact, they are already under stress due to budgetary and other constraints, as Admiral Richardson admitted last week during his confirmation hearing.<sup>13</sup>

Because Tehran knows it cannot compete head-to-head with the United States in conventional capabilities, it has long pursued its own asymmetric anti-access/area-denial (A2/AD) capabilities in the Gulf, including: mobile missile launchers, anti-ship cruise missiles, advanced air-defense systems, new deeply-buried and hardened nuclear facilities, increasingly effective torpedoes, smart mines, and possibly anti-ship ballistic missiles akin to those deployed by China in the Pacific Ocean to hold U.S. carriers at greater risk, albeit on a smaller scale.

As the JCPOA sunsets, Iran will be able to access the materiel and technology to bolster these forces. Russia and China, not to mention Iran, pushed for the lifting of the arms embargo and ballistic missile restrictions not because they believed the windfall in unfrozen assets would ameliorate the condition of the long-suffering Iranian people, but because Iran wished to secure, and Russia and China hoped to sell, precisely these capabilities.<sup>14</sup> Foreign Minister Zarif recently underscored to the Majlis that Iran's pursuit of ballistic missile and other enhancements of its defense capabilities, while violating existing UNSCRs, is not a violation of the JCPOA.<sup>15</sup>

---

<sup>13</sup> Travis J. Tritten and Chris Church, "Admiral: Carrier Gap in Persian Gulf hinders War effort," *Stars and Stripes*, July 30, 2015.

<sup>14</sup> David Lerman and Anthony Capaccio, "How Iran Arms Embargo Became Key Sticking Point in Vienna Talks," *Bloomberg*, July 10, 2015.

<sup>15</sup> For a more detailed background on Iran's pursuit of anti-access/area-denial capabilities in past years, see Andrew Krepinevich, *Why AirSea Battle?* (Washington, DC: Center for Strategic and Budgetary Assessments, 2010), pp. 27–36; for Zarif's comment see "Iran Can Deny Access to Nuclear, Military Sites Under Deal—FM," *Voice of the Islamic Republic of Iran, Radio Farhang*, July 21, 2015, available via BBC Monitoring Trans Caucasus Unit. I am grateful to Ray Takeyh for providing this reference.

As a result, the United States will not be able to rely, as it has for the past 30 years, on an assumption that it will have unimpeded access and control in all the domains of warfare in the Persian Gulf. In the wake of this deal, the United States will likely have to expand its regional military presence to reassure Israel and the Gulf States and to deter Iran. The Iranians, however, would now have an additional \$150 billion dollars to beef up its A2/AD capabilities, the IRGC Quds Force, and the ability to project power regionally through subversion and proxies. The United States will need to upgrade both its own and allied capabilities to counter this growing threat from Iran and will likely have to “reassess the validity of its legacy planning assumptions, operational concepts, and forward military posture for the Persian Gulf.” In particular this means developing concepts that enable the United States to fight both within range of Iranian missile forces as well as from extended range.<sup>16</sup>

The potential acquisition by Iran of an upgraded S-300 air defense systems from Russia—which appears already to be in the works—as well as upgrades for its outdated air fleet and potential expansion of its nuclear infrastructure, would pose a severe challenge to the air supremacy currently enjoyed by U.S. forces in and around the Persian Gulf.<sup>17</sup> Thus far, Tehran’s attempts to challenge the status quo in the Strait have been met with firm demonstrations from the U.S. Navy that underscore Iran’s inability to mount any realistic opposition—most notably sending additional U.S. carrier battle groups into the Gulf. As time goes on these steps may carry greater risk for U.S. forces than we assume today.

As Iran’s A2/AD capabilities mature, the United States must make concerted efforts to maintain or achieve superiority in a range of areas, including: long-range U.S. strike and stealth capabilities; advanced bunker buster munitions like the Massive Ordnance Penetrator (MOP); sustainable unmanned intelligence, surveillance and reconnaissance strike platforms; and advanced, integrated, and layered air and missile defense systems for its in-theater forces and for its allies. We will need to develop greater capability for undersea precision strike and the ability, perhaps relying on close-in weapon systems and directed energy weapons, to defend our fielded forces in the theatre against cruise missile and swarming fast boat attacks. All of this will be extremely difficult, especially in an

---

<sup>16</sup> An excellent preliminary examination of future requirements to counter Iran’s emerging A2/AD complex is Mark Gunzinger with Chris Dougherty, *Outside-In: Operating from Range to Defeat Iran’s Anti-Access and Area-Denial Threats* (Washington, DC: Center for Strategic and Budgetary Assessments, 2011), quotation on p. 19.

<sup>17</sup> “Russia modernizing S-300 missile system for Iran: RIA, citing Putin aide,” *Reuters*, July 30, 2015.

environment where defense spending is constrained under caps imposed by the Budget Control Act of 2011 and the continuing threat of sequestration.<sup>18</sup>

## **JCPOA ALTERNATIVES**

The Administration's constant refrain has been that no other agreement would have been possible; that this is the best deal that could have been achieved, and that the only alternative is war. I reject these propositions. As the historian E. H. Carr once suggested, "In politics, the belief that certain facts are unalterable or certain trends irresistible commonly reflects a lack of desire or lack of interest to change or resist them."<sup>19</sup>

A better deal—an acceptable deal that ensures basic U.S. national security interests—is possible and absolutely necessary. The many deficiencies of the agreement need to be addressed now, as they will not be susceptible to remediation after Iran has received the upfront benefits of sanctions relief. Our Iran Task Force has maintained throughout the negotiations that Iranian concessions will come only if Tehran believes it has more to lose than its counterparts. Fortunately, the United States still has options short of war that it could exercise to secure an acceptable agreement. Iran is in violation of multiple legally binding U.N. Security Council resolutions. Its regime relies heavily on energy export revenues and remains vulnerable both to sanctions and to oil prices that will likely remain low for the next year or more. It is footing the bill, and providing manpower, to keep its proxies on the frontlines in Syria and Iraq, even as those proxies face rising pressures at home to keep morale high and continue the fight.

For all these and other reasons, Iran needs an agreement more than the United States. Rejecting the current deal will create discomfort for the Administration, and will require it or its successor to embark on a new round of diplomacy. This will undoubtedly be a messy, vexing task for whoever takes it on, but the United States retains powerful tools in the form of sanctions to discourage others from undertaking a headlong embrace of Iran—a fact which some of our P5+1 partners have recently acknowledged, much to their discomfort.<sup>20</sup>

---

<sup>18</sup> See Mark Gunzinger with Chris Dougherty, *Outside-In: Operating from Range to Defeat Iran's Anti-Access and Area-Denial Threats*.

<sup>19</sup> Edward Hallett Carr, *The Twenty Years' Crisis, 1919–1939* (London: Macmillan and Company, 1939), p. 89.

<sup>20</sup> Josh Rogin, "Top French Official Contradicts Kerry on Iran Deal," *Bloomberg View*, July 30, 2015; French officials have denied that Monsieur Audibert made these comments, but other members of the congressional delegation who heard him say these things have corroborated the initial account. Furthermore, Audibert in his denial to *Le Monde* has reinforced the potential

The Administration has suggested that, in the event the agreement is blocked by Congress, Iran might sprint to a bomb (although this contradicts both the Administration position that the Supreme Leader has issued a fatwa against pursuit of nuclear weapons, and the intelligence community's consistent assessment that Iran is pursuing the means to build weapons, but has not made a decision to proceed with weaponization). The reality is that Iran could undertake such an effort, but only at great potential peril to itself. Congress might consider raising the potential costs by coupling its disapproval of the deal with authorization for the use of force to prevent Iran from acquiring a nuclear weapons capability.

To succeed, a new round of negotiations must use increasing pressure, including additional authorities beyond the tools that Congress has already provided. This is crucial if we hope to redress the manifest inadequacies of the existing agreement. Otherwise, we will put ourselves on a path that leads to a catastrophic war in the Middle East.

I thank you, Mr. Chairman, for my time, and I look forward to the Committee's questions.

#### **About the Center for Strategic and Budgetary Assessments**

The Center for Strategic and Budgetary Assessments (CSBA) is an independent, nonpartisan policy research institute established to promote innovative thinking and debate about national security strategy and investment options. CSBA's analysis focuses on key questions related to existing and emerging threats to U.S. national security, and its goal is to enable policymakers to make informed decisions on matters of strategy, security policy, and resource allocation.

---

power of the U.S. sanctions. The original story is found at <http://www.bloombergview.com/articles/2015-07-30/top-french-official-contradicts-kerry-on-iran-deal>. For the denial and follow-up see <http://freebeacon.com/national-security/lawmakers-confirm-french-diplomat-supports-congress-rejecting-iran-deal/>; and <http://tempsreel.nouvelobs.com/monde/20150731.OBS3527/info-obs-le-conseiller-diplomatique-de-hollande-au-centre-d-une-polemique-a-washington.html#>.

# On the Iran Nuclear Agreement and Its Consequences

Prepared statement by

**Richard N. Haass**

*President*

*Council on Foreign Relations*

Before the

**Committee on Armed Services**

*United States Senate*

*1<sup>st</sup> Session, 114th Congress*

Mr. Chairman: Thank you for this opportunity to speak about the "Joint Comprehensive Plan of Action" (JCPOA) signed on July 14 by representatives of the five permanent members of the UN Security Council, Germany, and Iran. I want to make it clear that what you are about to hear are my personal views and should not be interpreted as representing the Council on Foreign Relations, which takes no institutional positions.

The agreement with Iran, like any agreement, is a compromise, filled with elements that are attractive from the vantage point of US national security as well as elements that are anything but. A simple way of summarizing the pact and its consequences is that at its core the accord represents a strategic tradeoff. On one hand, the agreement places significant limits on what Iran is permitted to do in the nuclear realm for the next ten to fifteen years. But these limits, even if respected in full, come at a steep price. The agreement almost certainly facilitates Iran's efforts to promote its national security objectives throughout the region (many of which are inconsistent with our own) over that same period. And second, the agreement does not resolve the problems posed by Iran's actual and potential nuclear capabilities. Many of these problems will become greater as we approach the ten year point (when restrictions on the quantity and quality of centrifuges come to an end) and its fifteen year point (when restrictions pertaining to the quality and quantity of enriched uranium also end).

I was not a participant in the negotiations; nor was I privy to its secrets. My view is that a better agreement could and should have materialized. But this debate is better left to historians. I will as a result address the agreement that exists. I would say at the outset it should be judged on its merits rather than on hopes it might lead (to borrow a term used by George Kennan in another context) to a mellowing of Iran. This is of course possible, but the agreement also could have just the opposite effect. We cannot know whether Iran will be transformed, much less how or how much. So the only things that makes sense to do now is to assess the agreement as a transaction and to predict as carefully as possible what effects it will likely have on Iran's capabilities as opposed to its intentions.

I want to focus on three areas: on the nuclear dimension as detailed in the agreement; on the regional; and on nuclear issues over the longer term.

There is understandable concern as to whether Iran will comply with the letter and spirit of the agreement. Compliance cannot be assumed given Iran's history of misleading the IAEA, the lack of sufficient data provided as to Iran's nuclear past, the time permitted Iran to delay access to inspectors after site-specific concerns are raised, and the difficulty likely to be experienced in reintroducing sanctions. My own prediction is that Iran may be tempted to cut corners and engage in retail but not wholesale non-compliance lest it risk the reintroduction of sanctions and/or military attack. I should add that I come to this prediction in part because I believe that Iran benefits significantly from the accord and will likely see it in its own interest to mostly comply. But this cannot be assumed and may be wrong, meaning the United States, with as many other governments as it can persuade to go along, should both make Iran aware of the penalties for non-compliance and position itself to implement them if need be. I am assuming that the response to sustained non-compliance would be renewed sanctions and that any military action on our part would be reserved to an Iranian attempt at breaking out and fielding one or more nuclear weapons.

The regional dimension is more complex and more certain to be problem. Iran is an imperial power that seeks a major and possibly dominant role in the region. Sanctions relief will give it much greater means to pursue its goals, including helping minority and majority Shi'ite populations in neighboring countries, arming and funding proxies such as Hezbollah and Hamas, propping up the government in Damascus, and adding to sectarianism in Iraq by its unconditional support of the government and Shia militias. The agreement could well extend the Syrian civil war, as Iran will have new resources with which to back the Assad government. I hope that Iran will see that Assad's continuation in power only fuels a conflict that provides recruiting opportunities for the Islamic State, which Iranian officials rightly see as a threat to themselves and the region. Unfortunately, such a change in thinking and policy is a long shot at best.

The United States needs to develop a policy for the region that can deal with a more capable, aggressive Iran. To be more precise, though, it is unrealistic to envision a single or comprehensive US policy for a part of the world that is and will continue to be afflicted by multiple challenges. As I have written elsewhere, the Middle East is in the early throes of what appears to be a modern day 30 Years War in which politics and religion will fuel conflict within and across boundaries for decades, resulting in a Middle East that looks very different from the one the world has grown familiar with over the past century.

I will put forward approaches for a few of these challenges. In Iraq, I would suggest the United States expand its intelligence, military, economic, and political ties with both the Kurds and Sunni tribes in the West. Over time, this has the potential to result in gradual progress in the struggle against the Islamic State.

Prospects for progress in Syria are poorer. The effort to build a viable opposition to both the government and various groups including but not limited to the Islamic State promises to be slow, difficult, anything but assured of success. A diplomatic push designed to produce a viable successor government to the Assad regime is worth exploring and, if possible, implementing. European governments likely would be supportive; the first test will be to determine Russian receptivity. If this is forthcoming, then a joint approach to Iran would be called for.

I want to make two points here. First, as important as it would be to see the Assad regime ousted, there must be high confidence in the viability of its successor. Not only would Russia and Iran insist on it, but the United States should as well. Only with a viable successor can there be confidence the situation would not be exploited by the Islamic State and result in the establishment of a caliphate headquartered in Damascus and a massacre of Alawites and Christians. Some sort of a multinational force may well be essential.

Second, such a scenario assumes a diplomatic approach to Iran. This should cause no problems here or elsewhere. Differences with Iran in the nuclear and other realms should not preclude diplomatic explorations and cooperation where it can materialize because interests are aligned. Syria is one such possibility, as is Afghanistan. But such diplomatic overtures should not stop the United States acting, be it to interdict arms shipments from Iran to governments or non-state actors; nor should diplomatic outreach in any way constrain the United States from speaking out in reaction to internal political developments within Iran. New sanctions should also be considered when Iran takes steps outside the nuclear realms but still judged to be detrimental to other US interests.

Close consultations will be required with Saudi Arabia over any number of policies, including Syria. But three subjects in particular should figure in US-Saudi talks. First, the United States needs to work to discourage Saudi Arabia and others developing a nuclear option to hedge against what Iran might do down the road. A Middle East with nuclear materials in the hands of warring, potentially unstable regimes would

be a nightmare. This could involve assurances as to what will not be tolerated (say, enrichment above a specified level) when it comes to Iran as well as calibrated security guarantees to Saudi Arabia and others. Second, the Saudis should be encouraged to reconsider their current ambitious policy in Yemen, which seems destined to be a costly and unsuccessful distraction. The Saudi government would be wiser to concentrate on contending with internal threats to its security. And thirdly, Washington and Riyadh should maintain a close dialogue on energy issues as lower oil prices offer one way of limiting Iran's capacity to pursue programs and policies detrimental to US and Saudi interests.

The agreement with Iran does not alter the reality that Egypt is pursuing a political trajectory unlikely to result in sustained stability or that Jordan will need help in coping with a massive refugee burden. Re-establishing strategic trust with Israel is a must, as is making sure it as well as other friends in the region have what they need to deal with threats to their security. (It matters not whether the threats come from Iran, the Islamic State, or elsewhere.) The United States should also step up its criticism of Turkey for both attacking the Kurds and for allowing its territory to be used as a pipeline for recruits to reach Syria and join the Islamic State.

The third area of concern linked to the nuclear pact with Iran stems from its medium and long-term capabilities in the nuclear realm. It is necessary but not sufficient that Iran not be permitted to assemble one or more nuclear bombs. It is also necessary that it not be allowed to develop the ability to field a large arsenal of weapons with little or no warning. This calls for consultations with European and regional governments to begin sooner rather than later on a follow-on agreement to the current JCPOA. The use of sanctions, covert action, and military force should also be addressed in this context.

I am aware that members of Congress have the responsibility to vote on the Iran agreement. As I have said, it is a flawed agreement. But the issue before the Congress is not whether the agreement is good or bad but whether from this point on the United States is better or worse off with it. It needs to be recognized that passage of a resolution of disapproval (presumably overriding a presidential veto) entails several major drawbacks. First, it would allow Iran to resume nuclear activity in an unconstrained manner, increasing the odds the United States would be faced with a decision – possibly as soon as this year or next – as to whether to tolerate the emergence of a threshold or actual nuclear weapons state or use military force against it. Second, by acting unilaterally at this point, the United States would make itself rather than Iran the issue. In this vein, imposing unilateral sanctions would hurt Iran but not enough to make it alter the basics of its nuclear program. Third, voting the agreement down and calling for a reopening of negotiations with the aim of producing a better agreement is not a real option as there would be insufficient international support for so doing. Here, again, the United States would likely isolate itself, not Iran. And fourth, voting down the agreement would reinforce questions and doubts around the world as to American political divisions and

dysfunction. Reliability and predictability are essential attributes for a great power that must at one and the same time both reassure and deter.

The alternative to voting against the agreement is obviously to vote for it. The problem with a simple vote that defeats a resolution of disapproval and that expresses unconditional support of the JCPOA is that it does not address the serious problems the agreement either exacerbated or failed to resolve.

So let me suggest a third path. What I would encourage members to explore is whether a vote for the pact (against a resolution of disapproval) could be associated or linked with policies designed to address and compensate for the weaknesses and likely adverse consequences of the agreement. I can imagine such assurances in the form of legislation voted on by the Congress and signed by the president or a communication from the president to the Congress, possibly followed up by a joint resolution. Whatever the form, it would have to deal with either what the United States would not tolerate or what the United States would do in the face of Iranian non-compliance with the recent agreement, Iran's long-term nuclear growth, and Iranian regional activities.

Mr. Chairman, thank you again for asking me to meet with you and your colleagues here today. I of course look forward to any questions or comments you may have.