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View from Congress: U.S. Policy on Iran

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The View from Congress: U.S. Policy on Iran

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Testimony submitted to the Senate Foreign Relations Committee

March 28, 2017

Chairman Corker, Ranking Member Cardin, and Members of the Committee, thank you for this opportunity to appear before you today to discuss United States policy toward Iran.

Speculation regarding the new U.S. administration's policy toward Iran often begins with the question of whether it will keep or scrap the Joint Comprehensive Plan of Action (JCPOA), as the nuclear deal between Iran and the P5+1 countries—the United States, Britain, France, Russia, and China, plus Germany—is formally known. This, however, would be the wrong question with which to begin crafting a new Iran policy. To start from this premise would be to perpetuate a central mistake of the Obama administration: for eight years, the United States has viewed Iran policy through the lens of the nuclear negotiations; it should now instead see the nuclear issue through the lens of broader Iran policy. Iran's nuclear program is so concerning not simply—or even primarily—because of the general U.S. interest in nuclear nonproliferation but because of the broader threats Iran poses. Iran is the Middle East's leading revisionist state, determined to alter the regional balance of power in its own favor at the expense of the United States and its allies. Although Iran's policies are far from the only problem confronting America in the Middle East, they are arguably the most important, and contribute in material ways to many others: Iran's efforts to project power have destabilized Lebanon, prolonged the Syrian civil war, and fueled resentment among Arab Sunnis and the rise of jihadist groups like the Islamic State.

In response, the United States should pursue a strategy of deterrence—ensuring Iran's leadership understands the costs of challenging American interests and the benefits of accommodating itself to the prevailing international and regional order. Yet Washington must also recognize that Tehran is a difficult foe to deter: while it has proven itself to be a rational actor, weighing costs and benefits and choosing the course of action it deems best for regime interests, its anti-Americanism is not a mere indication of prejudice but rather an ideological pillar with which it will not easily part. This is why better relations with the United States do not entice Iran, although regime officials do appear to debate vigorously how best to manage ties with Washington in light of Iran's other interests. Nor is Iran's desire for regional dominance a recent flirtation: it has been one of the region's most influential states for millennia, and its clashes with the region's other ancient empires predate the rise of Islam. Any Iranian regime—revolutionary or democratic, pro- or anti-Western—would likely aim to play a leading role in the region. It is this mixture of anti-American revisionism and hegemonic ambition that makes the Iranian challenge so difficult.

A strategy of deterrence toward Iran should seek to advance three broad objectives:

1. Nuclear. Prevent Iran from building or acquiring a nuclear weapon, and from meaningfully advancing its nuclear weapons capabilities (fuel fabrication, weaponization, and delivery). In addition, prevent Iran from sharing nuclear weapons technology with other states or nonstate actors.
2. Regional. Counter and defeat Iranian efforts to challenge American interests in the Middle East and South/Central Asia or to undermine U.S. allies in these regions. In addition, limit Iranian malign influence and power-projection capabilities in these regions.
3. Global. Prevent Iran from mounting terrorist attacks or cyberattacks on the United States or U.S. interests, or from supporting states and nonstate actors that seek to challenge U.S. interests.

The following paragraphs lay out a strategy for achieving these objectives, the obstacles facing it, and concrete actions the new administration can take to advance such a strategy.

BACKGROUND

Former president Barack Obama's legacy on Iran is contentious, to say the least. His admirers consider not just the JCPOA but the establishment of routine U.S.-Iran engagement to be among his foremost foreign policy achievements. Detractors feel quite the opposite. Yet when President Obama took office in 2009, views on Iran were not nearly so polarized. Iran sanctions legislation enjoyed near-unanimous support in Congress, and the American public consistently ranked Iran's nuclear program as a top threat. Obama himself largely continued the approach toward Iran developed by his predecessor, President George W. Bush—unilateral and international sanctions and threats of military force paired with multilateral diplomacy via the P5+1. Obama, however, supplemented this strategy with a strenuous effort to establish direct bilateral talks with Iran (past administrations engaged directly with Iran, but direct U.S. contact on the nuclear issue had been predicated on Iran suspending its uranium-enrichment- and plutonium-reprocessing-related activities) and largely ended official U.S. questioning of the legitimacy of the Iranian regime.

These departures, though perhaps originally intended to support the preexisting strategy, eventually came to overtake it. Direct U.S.-Iran talks largely supplanted the P5+1 negotiating format, and the agreement that eventually emerged from these contacts fell well short of satisfying longstanding international demands of Iran. Meanwhile, the talks were pitched not only as a way to resolve the nuclear crisis but also as the opening chapter in a hoped-for U.S.-Iran rapprochement. Along the way, the United States largely refrained from challenging Iranian efforts to project power in the Middle East and elsewhere and even enjoined its traditional allies to “share” the region with Tehran.

As a result, the Trump administration faces a vastly different strategic landscape from that faced by the Obama administration in 2009. The most obvious difference is the JCPOA itself. Iran's nuclear program is larger today than it was in 2009, even as its previous rapid expansion has mostly been halted. Still, Iran continues to engage in centrifuge research and development and to advance its missile programs—the former being explicitly permitted by the JCPOA, the latter having been omitted from it entirely. Iran has largely adhered to the agreement, though a substantial reduction in International Atomic Energy Agency (IAEA) reporting on Iranian nuclear activities and various exemptions granted to Iran by the Joint Commission—a body established by the JCPOA to adjudicate problems and disputes under the deal—mean that such judgments must be made with caution. The United States and other P5+1 members have also kept their side of the bargain, despite Iranian complaints likely meant in part to extract additional concessions from Washington, in part to deflect blame for Iran's continuing economic problems, and in part simply reflecting the ambiguous wording of the JCPOA. The reality is

that while Iran's reintegration into the global economy has been far from smooth, the country has already reaped tremendous economic benefits from the JCPOA, which stand only to increase as time passes.

Meanwhile, Iran's regional activities have grown inexorably over the past eight years. The control exerted by Hezbollah, an Iranian proxy, and its allies over Lebanon has solidified. Iran's Islamic Revolutionary Guard Corps (IRGC) and its proxies—a mix of Hezbollah forces, Syrian paramilitaries, and Shiite militants from Iraq, Pakistan, and Afghanistan—are arguably the strongest force on the ground in Syria. Iran-directed or allied militias in Iraq have assumed a prominent role in the fight against the Islamic State, having gained the official sanction of the Iraqi state and the grudging acceptance of the U.S. military. In both places, Iran has embarked on a distinct strategic shift—from insurgency to counterinsurgency, and from maintaining plausible deniability to touting its role by acknowledging its support for Hezbollah and others, publishing details of funerals held for Shiite militants and IRGC fighters, and, most prominently, sponsoring well-publicized, on-the-spot visits by IRGC Qods Force commander Qasem Soleimani. Elsewhere, the Iran-supported Houthis in Yemen overthrew the country's internationally recognized government, have fought Saudi and UAE forces to a stalemate, and appear to be seeking control of the international Bab al-Mandab shipping channel. Iranian support for the Taliban in Afghanistan has reportedly expanded dramatically. And the IRGC has appeared to play a role in fomenting and sustaining anti-government violence in Bahrain.

This is not to say that Iran has been successful everywhere. Ties between Tehran and its Palestinian allies, especially Hamas, appear to have deteriorated in the wake of the 2011 Arab uprisings. The rise of the Islamic State has threatened Iranian interests in Syria and Iraq, despite indications of limited cooperation between IS and the Assad regime. Russia's intervention in Syria has been a mixed blessing, saving the Assad regime—upon which Tehran depends as a channel for projecting power in the Levant—but at the risk of reducing Iran to a junior partner in that conflict. And Iran's stepped-up aggression, combined with American disengagement, has spurred Gulf Cooperation Council unity and joint action, albeit with mixed results.

Internationally, the JCPOA has not provoked the same internal divisions among U.S. allies as it has in Washington. In Europe, the agreement is hailed on the right and left alike as a signal achievement, even by a French government that clashed with the Obama administration over the latter's readiness to offer concessions and keep its friends in the dark during talks. U.S. allies in Europe simply do not share the American threat perception with regard to Iran; there is almost no appetite in Europe for abandoning the JCPOA or taking concerted action in response to Iranian regional activities. This is the case even though Europe is arguably more threatened than the United States by Iran, given the proximity of Iranian missiles and spillover from the conflict in Syria, which is sustained by Iranian power. Russia and China, for their part, see Iran as an ally, both in the Middle East and internationally, as all three share a desire to see the U.S. international role diminished.

This is one of the starkest changes facing the new administration. Upon entering office, Presidents Bush and Obama each benefited from a general strategic convergence with Europe, and even Russia and China, given the priority each placed on nonproliferation as well as on heading off a U.S.-Iran conflict. Because these states largely agreed with U.S. goals, they could eventually overcome disputes over strategy and tactics (e.g., European objections to the use of extraterritorial sanctions). The Trump administration will face the opposite—a strategic divergence between itself and these states, which pay little heed to Iranian nonnuclear misbehavior and are keen to deepen their relations, commercial and otherwise, with Tehran.

In the Middle East, of course, the situation is far different. U.S. allies there—Israel, Turkey, and Sunni Arab countries alike—lacked enthusiasm for the JCPOA. Even so, none currently advocate its abrogation, given worries that the alternative—whether the resumption of Iranian nuclear activities or a U.S.-

Iran military conflict—would be worse. However, all want the United States and others to push back against what they see as Iran’s increasing boldness in the region, and none believe the JCPOA should be a brake on such a response. Among these allies, only Israel has proven equal to the task of countering Iran’s regional activities—Tehran is essentially unchallenged by other regional powers in Lebanon, Syria, and Iraq, and has managed in Yemen and Bahrain to effectively play a spoiler role without attracting direct retaliation. And just like U.S. allies elsewhere, some of these states will develop strong post-sanctions economic ties with Iran (e.g., transshipment via Dubai and energy links with Turkey) that may mitigate their support for any coercive measures contemplated in Washington.

As a result of such developments, any new U.S. strategy toward Iran will have to overcome the following obstacles:

1. Issues regarding the JCPOA
 - Should the United States choose to walk away from the JCPOA absent a clear Iranian violation, Washington will be diplomatically isolated and experience significant difficulty rallying allies around an alternative approach.
 - Adhering to the JCPOA—which only partially addressed U.S. concerns about Iran’s nuclear program and ignored entirely Iran’s nonnuclear challenges to U.S. interests—means forgoing its most effective sanctions instruments, such as blocking Iranian oil exports or severing Iran from the international financial system.
 - Even if the United States does continue to adhere to the JCPOA, its allies outside the Middle East will be reluctant to cooperate in any effort to counter Iran’s regional and global nonnuclear activities.
 - The JCPOA, if faithfully implemented by all sides, will permit the growth of Iran’s conventional and missile forces—on which UN sanctions lapse after five and eight years, respectively—and of its economy and international trading links, which taken together will improve Iran’s strategic position and erode U.S. leverage.
2. Increasing Russian or Chinese military links with Iran, together with Russia’s expanded military footprint in the region generally, will reduce U.S. freedom of action and undermine the credibility of military options against Iran.
3. Deterioration over the past eight years of U.S. strategic and perhaps operational links with regional allies.

A NEW IRAN POLICY

To advance the three pillars of its nuclear, regional, and global objectives with respect to Iran, the United States should adopt a strategy of deterrence. Such a strategy requires Iran to believe that challenging U.S. interests will be costly and, conversely, that playing by the “rules” of the regional and international order will be beneficial. But before turning to the specific policies that should constitute such a strategy, discussing some general principles will be useful:

- Foster U.S. capability, credibility, and clarity. Harvard’s Graham Allison has observed that deterrence requires capability, credibility, and clarity. Particularly vital to maintaining deterrence are continuing to maintain a robust forward-deployed military presence in the Middle East, exercising diplomatic leadership in the region, and continuing to cultivate expertise on Iran throughout the executive branch. The United States and our allies should also avoid responding

reflexively to Iran, instead acting patiently and methodically to address Iranian challenges to American interests.

- Strengthen capabilities of U.S. allies. The United States should aim to deter Iran not only through punitive action after, for instance, a missile test or naval provocation but also by strengthening allies' offensive and especially defensive capabilities so that Iran will judge potential challenges as having little chance of success.
- Wield policy tools in concert. In this case and others, the United States should wield policy tools in concert rather than sequentially and should take no tools off the table, whether military action or diplomatic engagement; historically, the most effective approach to Iran has been that of diplomacy backed by force or the credible threat of force.
- Preserve international unity. Whatever actions the United States takes, it should aim to preserve to the extent possible international unity, and should in turn count on Iran to try to split America from its allies.
- Understand policy trade-offs. While the United States will need to balance its efforts to deter Iran against other foreign policy goals, U.S. officials should ensure they properly understand those trade-offs. For example, pushing back against Iran does not contradict but rather complements an effort to counter the Islamic State, because Iran's activities, such as its support for the Assad regime, have fueled the rise of IS.
- Consolidate responsibility. Bureaucratically, the administration should ensure that a single official at the State Department oversees all aspects of Iran policy, with the aim of ensuring that JCPOA implementation, regional policy, and other matters are integrated into a single coordinated strategy rather than treated separately or competitively.

PILLAR 1: ENFORCING AND ENHANCING THE NUCLEAR DEAL

The JCPOA is a flawed agreement—it permits Iran too much nuclear activity, does not address Iran's past weaponization activities or missile development, and has insufficient provisions for guarding against clandestine Iranian nuclear work. Moreover, its provisions begin to expire within a decade. Nevertheless, it is part of the reality that confronts the new administration, and Iran and U.S. allies alike would resist its renegotiation. In walking away from the deal, Washington would face the difficult task of devising a new strategy to contain Iran's nuclear program and rallying allied support for such a strategy in the face of intense international skepticism.

The United States should therefore neither scrap the JCPOA nor make an absolute commitment to it, but rather make plain to Iran and to other diplomatic partners that the deal's survival will depend on the rigor with which it is enforced. Because those partners are eager to preserve the JCPOA, the prospect of continued U.S. adherence will provide leverage to insist on its enforcement and enhancement—not through reopening the P5+1 process, but through strict interpretation of the deal's terms and side understandings with European and other allies on related issues. Iran also appears eager to preserve the JCPOA, minimizing any risk that more rigorous enforcement alone would prompt Iran to walk away from the agreement.

In "rigorously enforcing" the JCPOA, the Trump administration should bear in mind that if Iran cheats on the deal, it will likely seek to do so clandestinely, using undeclared facilities rather than those under international monitoring. To guard against such an eventuality, the administration should consider taking steps in the following areas:

Boosting Transparency

- Insist that the IAEA provide greater detail in its public reporting on Iran's nuclear activities, akin to the reports it published prior to the implementation of the JCPOA. While Iran is likely to protest, such a step would help bolster public confidence that Iran is, in fact, complying with its obligations.
- Provide regular, unclassified reports to Congress on Iran's compliance with the JCPOA, the progress of its nuclear and dual-use procurement efforts, centrifuge R&D, and missile development, and other states' compliance with the JCPOA and remaining international sanctions.
- Insist that any decisions of the JCPOA Joint Commission be made public. According to the agreement, this requires consensus of the group, which includes Iran, Russia, and China. However, the United States and the EU3 (France, Germany, and the United Kingdom) can predicate their support for Joint Commission decisions on these states' agreement to transparency.

Intelligence Sharing

- Continue to prioritize the allocation of intelligence resources for monitoring Iran's nuclear activities, as well as possible related risks (e.g., nuclear procurement from abroad or the establishment of clandestine Iranian nuclear facilities in third countries).
- Establish a continuous intelligence-sharing mechanism with European, Asian, and Middle East allies, as well as analytical exchanges.
- Fully fund intelligence collection on Iran, despite the rising priority of other efforts such as the campaign to counter IS.

Inspections and Verification

- Insist that Iran provide initial baseline declarations for all materiel and components applicable to its nuclear program, such as uranium stocks and centrifuge components. This will help avert any discrepancy between, for example, centrifuge inventories and centrifuge component manufacturing that could point to an undeclared nuclear effort. Push the IAEA to use its inspection authorities to verify these baselines.
- Likewise, press the IAEA to be aggressive in using its inspection authorities under the Additional Protocol, which complements its Safeguards Agreement, and the JCPOA, especially with regard to possible undeclared nuclear activities and end-use verification for nuclear and dual-use procurement. A norm should be established according to which such inspections are not exceptional but rather part of the ordinary functioning of the JCPOA, and thus need not precipitate crises.
- Fully fund the IAEA to ensure no shortfall in its capacity to implement the JCPOA.

Procurement and Counterproliferation¹

- Work to ensure that UN member states and the international private sector understand their responsibilities with respect to nuclear and dual-use exports to Iran.
- Work to bolster the export-control capacity of all states, especially those with a history of involvement in illicit Iranian nuclear and missile procurement.

- Restrict use of the procurement channel by Iranian entities with a history of illicit procurement, or—in the case of nuclear procurement—for civilian end users at unmonitored facilities.
- Urge states to maintain a presumption of denial—rather than a presumption of approval—for procurement-channel requests that cannot be adequately vetted within the thirty-day period specified in the JCPOA.
- Urge states—including Iran itself—to make nuclear and dual-use exports to Iran outside the procurement channel a crime under domestic laws.
- Given the JCPOA’s reliance on suppliers to verify end use of dual-use items, press the IAEA to employ its inspection authorities to conduct end-use verifications in suspicious cases or when the supplier has shown signs of being remiss or unreliable.
- Reinstating the UN Panel of Experts—eliminated with the adoption of the JCPOA—or a similar body to independently assess Iran’s nuclear and dual-use procurement efforts.

Sanctions and Responding to Violations

- The United States should continue to strictly meet its obligations, but should resist any demand to exceed those obligations unless Iran is willing to add to its own obligations; the U.S. (and P5+1) commitment is to take certain actions, not to ensure certain outcomes for Iran.
- Make clear to other P5+1 members that Washington expects them to enforce not only the JCPOA but also the wider-reaching requirements of UN Security Council Resolution 2231 (e.g., its prohibitions against certain arms- and missile-related exports to Iran) and any other relevant UNSC resolutions.
- Urge states to enact domestic legislation, as the United States has done, that will allow them to quickly reimpose sanctions should Iran violate the JCPOA or should the deal otherwise unravel.
- Together with the EU3 and other allies, develop protocols for responding to violations of the JCPOA or UN resolutions, including a menu of penalties short of full snapback for minor infringements. Seek agreement with allies to no longer excuse violations such as exceeding agreed limits on low-enriched uranium stockpiles or skirting restrictions on heavy-water production by storing excess quantities in neighboring Oman.
- Emphasize that the military option remains on the table, and maintain a robust presence and schedule of exercises to lend credibility to that option.

Because the JCPOA does not address certain important aspects of Iran’s nuclear program—e.g., its missile program—simply enforcing the deal rigorously is not enough. Rather, the administration will need also to address critical flaws in the agreement that could permit Iran to advance its nuclear weapons efforts even while fully complying with the deal’s terms.

- **Access Delays:** The JCPOA essentially permits Iran to delay IAEA inspector access to suspected undeclared nuclear facilities for twenty-four days. While it would be difficult to fully eradicate evidence of work with radioactive materials in this timeframe, nuclear-weapons-related work does not always require the introduction of such materials; in these cases, twenty-four days would be sufficient to destroy evidence. Even in instances where radioactive materials had been introduced, Iran could use the time to eradicate other evidence critical to determining the purpose of the site in question. To address this problem, the United States should insist that

the relevant timeframe for IAEA access to such sites is the twenty-four-hour limit specified in the Additional Protocol and that delays beyond this limit merit penalties and could be grounds for reimposing sanctions.

- **Weaponization Efforts—or Possible Military Dimensions (PMDs):** The JCPOA does not require Iran to account for its past weaponization work or to give the IAEA access to the sites, personnel, and documents involved in this work. Rather, it simply closes the IAEA’s past PMD investigation in the interest of moving forward. While there is no reason at this stage to seek to penalize Iran for its past weaponization work, U.S. (and P5+1) officials must act to fill any knowledge gaps regarding how far that work progressed and to ensure that weaponization-related sites and personnel have not resumed their work. To that end, the IAEA should use its inspection authorities to request access to the relevant sites and personnel, not to reopen past investigations—which would be inconsistent with the JCPOA—but to ascertain their current activities.
- **Missiles:** Arguably the biggest omission in the JCPOA concerns Iran’s missile activities. The JCPOA does not address them at all, and UNSC Resolution 2231 scales back the previous ban on missile testing by Iran and extends the prohibition on other states assisting Iran with its missile development efforts only until 2023. Because Iran will likely require international assistance should it seek to develop an intercontinental ballistic missile, this provision represents a significant achievement for Tehran. The United States should seek allied support for a fourfold response: (1) stricter enforcement of existing sanctions targeting Iran’s missile activities and the adoption of new ones as needed; (2) a commitment to intercept or otherwise respond to any Iranian missile test that endangers the territory or forces of the United States and its allies; (3) stepped-up efforts to interdict missile-related shipments to and from Iran, as well as to gather and share the intelligence required to engage in such interdictions; and (4) strengthened and better-integrated missile defense in the Middle East and Europe to negate any advantages Iran seeks to gain by improving its missile capabilities.
- **Sunset:** Whatever the JCPOA’s strengths and weaknesses, it is a temporary accord. Its restrictions, and those added by UNSC Resolution 2231, begin to phase out as early as 2021 and will expire almost in full by 2026–31. Thus, while the deal arguably buys time for Iran’s adversaries, it also does so for Iran—affording the Islamic Republic a period to develop its centrifuge and missile capabilities while shielded from the harshest international sanctions. As a result, when Iran eventually resumes the expansion of its enrichment- and reprocessing-related activities, its “breakout time” could be dangerously low and its ability to field a usable nuclear missile could be dangerously advanced. To guard against this eventuality, the United States should seek allied support for a threefold response: (1) declaring as a matter of policy that the United States and others will not passively accept the further expansion of Iran’s nuclear activities when the JCPOA lapses; (2) seeking to negotiate the extension and expansion of the JCPOA’s restrictions on Iran’s nuclear activities; and (3) seeking to bolster the global nuclear nonproliferation regime to comprehensively restrict states’ fuel-cycle activities and limit Iran’s options when the JCPOA expires.

PILLAR 2: COUNTERING IRAN’S REGIONAL AND GLOBAL ACTIVITIES

While the United States has focused its Iran policy on the nuclear issue, American allies in the Middle East have been far more concerned about what they see as Tehran’s mounting efforts to project power in the region. While Iran continues to operate mainly through proxies such as Lebanese Hezbollah and Shiite militias in Iraq and elsewhere, its regional activities are increasingly direct and overt. Iranian officials, especially those affiliated with the IRGC, make no attempt to hide the purpose of these activities—to project Iranian power to the Mediterranean Sea, deter the United States, and weaken and otherwise

preoccupy its adversaries. Among Iran's goals is undercutting the monopoly of force and national loyalty in target states by creating alternate security, political, and religious institutions beholden to Tehran. This pursuit not only amplifies Iran's power, it also undermines already fragile state institutions and fuels sectarianism. For various reasons, Iran relies on asymmetric and strategic power rather than conventional power, and it will likely continue to do so even if relaxed sanctions create opportunities for Iran to rebuild its conventional capabilities.

Nevertheless, the United States should avoid the temptation to reflexively oppose every Iranian action in the region—instead, the focus should be on deterring Iran where it clearly challenges U.S. interests and strategy. And because most U.S. allies outside the Middle East do not share the U.S. threat perception with respect to Iran (e.g., on its missile program or support for terrorism) and are leery of reopening the nuclear issue, any effort to push back on the Islamic Republic should emphasize the Iranian role in issues such as instability in Syria and Yemen or human rights violations, which are more likely to garner these allies' interest and support. In addition, successful deterrence requires that the United States and its allies be prepared to ease off these punitive measures if Iran moderates its policies; otherwise, Tehran will have no incentive to do so.

Syria, Iraq, and Yemen

- In Syria, the United States should seek to magnify differences between Russia and Iran by continuing to emphasize the need for President Bashar al-Assad to step down as part of a political transition, a development Moscow may ultimately find more acceptable than would Tehran.
- Washington must insist, as part of any contacts with Russia regarding Syria, on the withdrawal of Iranian forces and Iran-backed foreign militias—including Hezbollah and Shiite militants from Iraq, Afghanistan, and Pakistan—and assert that the United States and its allies reserve the right to take direct action against these militias if they remain.
- Any discussion of combating terrorist groups in Syria should cover not only Sunni groups but also Iranian proxies such as Hezbollah, which is designated as a terrorist group in the United States and elsewhere.
- Sanctions on the Assad regime and any Iranian or Iran-backed individuals and entities supporting it should be strictly enforced and, if necessary, enhanced; further, Iran should be sanctioned for the provision of arms and other military support to Syria—and to militias elsewhere in the region—in violation of UNSC Resolution 2231 and other measures.
- Extend the international coalition's mission in Iraq by at least two years, in order to demonstrate our ongoing (albeit limited) commitment to Baghdad.
- Extend funding to continue building and training the Iraqi Counter Terrorism Service and Iraqi security forces.
- Push Baghdad to resist undue Iranian influence (e.g., the institutionalization of Iran-backed militias) and to abide by UN resolutions on Iran (e.g., against arms transfers from the Islamic Republic) and assist it in doing so.
- With respect to Arab states, particularly those of the GCC, Washington should press for greater outreach to and coordination with Iraq.
- In Yemen, efforts should be intensified to interdict arms, funding, and other forms of support for the Houthis; Washington should likewise increase regional intelligence sharing toward that end.

- The U.S. leadership must rally international partners to respond forcefully to Iranian-backed threats to shipping through the Bab al-Mandab Strait, using patrols, interdictions, and direct action against any personnel threatening freedom of navigation with missiles, mines, or other weapons.
- Finally, Washington should publicize the role that Iran-backed militias play in human rights violations across the region and seek to impose international and unilateral sanctions on them wherever Washington and the UN have not already done so.

Countering Iranian Provocations and Proxy Networks

- Review U.S. Navy procedures for responding to unsafe and provocative conduct by Iranian naval forces to ensure that Iran is deterred and the risk of inadvertent clashes is minimized.
- Maintain and, if needed, broaden freedom-of-navigation operations to challenge excessive Iranian maritime claims in the Gulf.
- Deepen intelligence sharing among U.S. regional allies on Iranian arms shipments and provision of other support for proxies, and interdict such support in concert with allies when intelligence merits doing so.
- Engage in discreet discussions with Israel and Arab allies regarding new ways of countering Iran-backed militias, and where this threat might spread next.
- Press the UN to act in response to Iranian violation of the prohibition on arms shipments to groups such as Hezbollah and the Houthis.
- Make clear to Tehran that attacks on U.S. forces or allies by Iranian or Iran-backed forces will merit a firm and direct response against Iranian interests; consider direct action targeting Iranian proxies where U.S. interests are directly threatened (e.g., safety of shipping through the Bab al-Mandab, safety of U.S. vessels in the Gulf).
- Publicly expose Iranian support for regional proxies through declassification of intelligence and diplomatic and media briefings; likewise, debunk exaggerated Iranian military claims when appropriate.

Sanctions

- Bearing in mind that sanctions are an important tool (even if not a silver bullet), recognize that sanctions diplomacy—i.e., gaining the agreement of other countries to act in concert with the United States to both amplify pressure on Iran and ensure its compliance with existing measures—is just as important as Washington’s own adoption and enforcement of sanctions. Strictly enforce existing sanctions on Iran—especially on the IRGC and its proxies and affiliates—and add to them as needed.²
- Publish more extensive “watch lists” of IRGC-owned or affiliated entities and front companies to help the international private sector avoid doing business inadvertently with the IRGC. Significantly expand the number of IRGC-related designations and consider lowering the threshold of IRGC ownership/control required for designation.
- Conduct a review of Iran Air and other Iranian commercial airlines to ensure that any aircraft sales to them satisfy the JCPOA requirement of strictly civilian end-use.

- Increase sanctions focus on less-traditional areas, such as corruption, money laundering, and human rights, in order to widen international support. Seek international condemnation of Iran for its threats against Israel.
- Press regional states to ensure compliance with sanctions on Iran by boosting intelligence gathering, inspection of shipments, and security of maritime and land borders (e.g., the Oman-Yemen border); where needed, bolster their ability to do so.
- Press states outside the region to not only commit to compliance with Iran sanctions but to strengthen their compliance through intelligence collection and steps to ensure that domestic laws support sanctions enforcement.
- Continue actively to educate the international private sector regarding its sanctions compliance obligations with respect to Iran.

Other Arenas

- Step up intelligence gathering and international cooperation aimed at the terrorism- and proliferation-related and criminal activities of Iran and its proxies, especially Hezbollah, outside the Middle East.
- Given Iran's possession of nuclear materials and knowledge, and the spread of nuclear fuel-cycle activities elsewhere in the world, reinvigorate nuclear security efforts in the United States and strengthen the global nonproliferation regime.
- In accordance with any new U.S. "cyber doctrine," warn Iran against malign cyber activities directed at the United States and its allies, and impose costs when Iran engages in such activities.

PILLAR 3: STRENGTHENING U.S. REGIONAL ALLIANCES

While the credibility of punitive measures is important for effective deterrence, a strong defense is arguably even more crucial. To that end, bolstering U.S. allies in the Middle East should be a key element of American policy toward Iran. Such an effort should be guided by two principles. First, it should address the actual threats these allies face. These are largely asymmetric in nature; Iran does not challenge U.S. allies conventionally but rather through terrorism, proxy warfare, political warfare, and subversion, similar to the "hybrid" or "gray zone" warfare waged by Russia in Europe. Iran also wields a formidable missile force, putting a premium on theater missile defense in response. Second, to the extent possible, the U.S. goal should be to build a multilateral alliance system in the Middle East, not a series of strong but disconnected bilateral alliances. The Middle East—especially the Gulf—is crowded geographically, making coordination and interoperability among forces an imperative. A multilateral alliance—even if the region is decades removed from a "Middle East NATO"—could also provide a platform for U.S. allies to solve regional problems with minimal external intervention, a balance that would be welcomed both in the region and in the United States.

Regional Coordination

- As suggested earlier, revive the George W. Bush-era Gulf Security Dialogue, expanded to include Jordan, Egypt, and Morocco. The GSD had six pillars, all of which remain relevant: (1) GCC defensive capabilities and interoperability; (2) regional security issues; (3) counterproliferation; (4) counterterrorism and internal security; (5) critical infrastructure protection—to which cyberdefense should now be added; and (6) support for Iraq. Other external powers, such as the European Union, Russia, and China, should be invited to observe and contribute expertise.

- Through the GSD+3: (1) Bolster intelligence sharing and intelligence fusion, with a particular focus on Iran and terrorist groups. (2) Foster a dialogue on the coordination of military procurement and training, and on increasing the effectiveness of internal and external security institutions—as opposed to merely the acquisition of larger and more powerful arsenals. (3) Foster a dialogue on countering the particular threats posed by Iran—to include antiaccess/area denial, terrorism, cyberattack, missiles, and subversion and political warfare—drawing upon lessons learned in the European theater.
- Look for opportunities to use the GSD+3 to engage with Israel, particularly on issues of regional security, counterproliferation, counterterrorism, critical infrastructure protection, and strategic planning, with the aim of discerning and preventing future regional threats.
- Increase investments in regional ballistic missile defense.
- Plan for the contingency of greater Russian and/or Chinese cooperation with Iran and the strengthening of Iranian antiaccess/area-denial capabilities that restrict the freedom of action of U.S. and allied forces, drawing upon lessons from the European and Asia-Pacific theaters.³

Bilateral Efforts

- Initiate bilateral dialogue with each U.S. ally in the region to determine its key vulnerabilities, shortfalls in effectiveness, and equipment needs, drawing upon lessons from recent conflicts such as Yemen.
- Urge allies to make political, security, and economic institutions more effective, responsive, and accountable to guard against popular discontent and ensure resilience in the face of subversion by Iran or extremist groups.
- Initiate a high-level dialogue with Israel on regional threats, including Iran and Syria, that consists largely of military and intelligence officials but led by the White House and Prime Minister's Office. Establish a trusted backchannel between the White House and the PMO.
- Work with Israel to prepare a plan for responding to a Hezbollah missile attack on Israel, emphasizing deterrence not only of Hezbollah but also of Iran.
- Reinvigorate efforts to strengthen the Lebanese government and loosen Hezbollah's grip on Lebanon, focusing especially on reducing Hezbollah's arsenal and freedom of action.

Engagement with Iran

- Maintain existing channels of diplomatic engagement with Iran. However, when engaging Iran, do so multilaterally with regional allies whenever possible.
- Encourage U.S. allies to engage with Iran, but ensure they are doing so from a position of strength, with U.S. support.
- Expand the Iranian people's contact with the United States through increased people-to-people exchanges and visa issuance. Express support for human rights in Iran.
- Avoid transactional engagement with Iran (e.g., on counternarcotics and Afghanistan) that benefits the regime without prompting improvements in Iranian policies on matters of core importance to the United States and its allies.

- Engagement should be seen as just another tool in the policy toolkit, not as absolutely good or bad on its own merits; it should be used as conditions and strategy dictate.

NOTES

1. For a full treatment of this topic, see David Albright and Andrea Stricker, “The Iran Nuclear Deal’s Procurement Channel: Overcoming Post-Implementation Day Issues,” Institute for Science and International Security, April 21, 2016, http://isis-online.org/uploads/isis-reports/documents/JCPOA_Procurement_Channel_Post_Implementation_Day_21April2016_Final1_1.pdf.
2. For a full treatment of this issue, see Katherine Bauer, Patrick Clawson, and Matthew Levitt, Reinforcing the Role of Sanctions in Restraining Iran (The Washington Institute for Near East Policy, February 2017), <http://www.washingtoninstitute.org/policy-analysis/view/reinforcing-the-role-of-sanctions-in-restraining-iran>.
3. For a full treatment of this issue, see Mark Gunzinger with Chris Dougherty, Outside-In: Operating from Range to Defeat Iran’s Anti-Access and Area-Denial Threats (Center for Strategic and Budgetary Assessments, posted January 17, 2012), <http://csbaonline.org/research/publications/outside-in-operating-from-range-to-defeat-irans-anti-access-and-area-denial>.

DRAFT

"U.S. Strategy Toward Iran"

Testimony before

the Senate Foreign Relations Committee

by

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Thank you, Mr. Chairman, for inviting me to address the Senate Foreign Relations Committee today on a matter of considerable import: the bipartisan legislation to counter Iran's destabilizing activities. As well as imposing sanctions on the IRGC for the organization's involvement in terrorism, and on individuals involved in Iran's ballistic missile program, the CIDA legislation also mandates the Administration to:

...develop and submit to the appropriate Congressional committees a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond.

While the legislation imposes sanctions designed to address the threat posed by Iran's development of intercontinental ballistic missiles, it clearly seeks to embed that effort in a broader approach that contends with Iran's destabilizing activities in the Middle East. Developing that strategy is an urgent priority because Iran's hegemonic ambitions threaten the interests of the United States and its Middle Eastern allies. Through the sponsorship of terrorist organizations like Hezbollah and Palestine Islamic Jihad, the control of Shia militias like the Badr Brigade in Iraq and the *Liwa Fatemayoun* in Syria (whose troops come from Afghanistan), the deployment of the Iranian Revolutionary Guards *Al Qods* force, and the provision of missiles and other arms to Houthi rebels in Yemen and other proxies across the region, Iran has gone a long way to achieving its regional ambitions. It has established an "arc of influence" that stretches from Lebanon on the Mediterranean Sea, across Syria in the Middle East heartland, to Iraq and Bahrain on the Gulf, and to Yemen on the Red Sea.

Iran has been assiduously pursuing this effort since the overthrow of the Shah almost four decades ago when it began its unceasing efforts to export its revolution to the Middle East

and beyond. In the 1990s, for example, when I had responsibility for Iran policy in the Clinton Administration, we pursued a strategy of containment to deal with the threat that was already manifest. That was part of a two-branch strategy, in which President Clinton sought to advance a comprehensive Arab-Israeli peace as the second branch. The calculation in those days was that the more progress we made in peacemaking, the more effective we would be in containing the Iranian revolution, and the more effectively we isolated Iran, the more progress we would be able to make in advancing peace.

The Iranians, who live in a strategic environment and have practiced the art of strategy since the days of Cyrus the Great, 600 years before the birth of Christ, were successful in countering our approach by systematically undermining our efforts to advance Arab-Israeli peace, using their proxies, Hezbollah, Palestine Islamic Jihad, and Hamas. Had we succeeded in achieving a breakthrough to peace between Israel and Syria in those days, which was actually much closer than the Israeli-Palestinian deal we were also pursuing, the Iranians would have suffered a strategic setback that might well have changed the course of Middle Eastern history.

But that is conjecture. What is not conjecture is the fact that Syria remains the lynchpin of Iran's strategy for dominating the Middle East heartland. Therefore, any new American strategy to counter Iran's threats needs to take account of the way that, in the Middle East, everything is connected. Push back on Iran in Yemen, and they might well stir up the Shia population in Bahrain. Push back on Iran in Syria, and they might well use the Shia militias in Iraq to undermine our effort to eliminate ISIS there, or encourage Hamas to launch rocket attacks on Israel from Gaza.

Back in 1996, when the Iranians thought we were making progress in brokering peace between Israel and Syria, they ordered Hezbollah to launch a terrorist attack on the Khobar Towers in Dahrhan, Saudi Arabia, killing 19 U.S. Air Force personnel. They are quite capable of repeating that exercise today against American troops in Syria or Iraq. As Senator Cotton knows, since he asked the question of General Dunford, the Chairman of the Joint Chiefs of Staff, in his confirmation hearings in 2015, the Iranians may have been responsible for the deaths of as many as 500 American soldiers in Iraq during the Surge, by supplying explosively formed penetrators (EFPs) to Shia militias.¹

In short, countering Iran's regional ambitions is deadly business and we should approach it with the seriousness it deserves. What we need is a comprehensive, integrated and sustainable "push-back" strategy. But in pursuing it, we should be careful about making threats unless we are prepared to back them up, and we should be wary of declaring objectives that we have neither the will nor capacity to achieve. Above all, we should be mindful of the logical consequences of our strategy and think those through before launching on a course that could well have the opposite effect of what we intended. For all these reasons, I applaud the sponsors of the bill and the members of this committee for seeking to deliberate on these weighty matters.

¹ "Iran Linked to Deaths of 500 U.S. Troops," *Military Times*, July 14, 2015. <http://www.militarytimes.com/story/military/capitol-hill/2015/07/14/iran-linked-to-deaths-of-500-us-troops-in-iraq-afghanistan/30131097/>

The rigorous enforcement of the Iran nuclear deal is the first element in a push-back strategy. That will likely be unwelcome to some members of this committee, but in my view, it is essential to its success. Whatever the perceived shortcomings of the JCPOA, it has succeeded in creating a vital ten-year window in which the region is not threatened by Iranian nuclear capabilities and the nuclear arms race that they would inevitably trigger. Nothing is easy about countering Iran in the conflict-ridden Middle East, but everything becomes easier if we do not have an Iranian nuclear threat to contend with at the same time.

As long as the Iranians strictly adhere to the agreement, the United States and its regional allies will have gained vital time to develop and implement the other elements of the push-back strategy. That time is essential because the Iranians have entrenched themselves across the region. They will not easily or quickly be extracted, if at all. We will have to be prepared to play a long game and the JCPOA makes that possible.

The second element in the push-back strategy is support for the Iraqi government of Haider al-Abadi and the Iraqi Armed Forces as they campaign to defeat ISIS and regain control of Mosul and the Sunni regions of Iraq. Since the toppling of Saddam Hussein opened the gates of Babylon to Iran, Iraq's Shia majority has fallen under the heavy influence of Iran. Eliminating that influence is not an achievable or necessary objective given the historic and religious ties between the neighboring Shias of Iraq and Iran. But providing an effective counter-balance to Iran's influence in Baghdad is eminently achievable since it is welcomed by the current Iraqi government, which was not the case under the previous Maliki government.

For years, that effort has also been hobbled by the unwillingness of Saudi Arabia and the Gulf Arab states to engage

meaningfully with the Iraqi government, which they branded as "Persian." But the recent visit of the Saudi Foreign Minister to Baghdad, and the Saudi effort to engage with the Sunni tribes of Iraq, presages a new approach which needs to be encouraged and sustained.

This will be particularly important, as the elimination of ISIS in Iraq will generate a huge post-conflict reconstruction challenge in Mosul and the other liberated Sunni regions. If Iranian-directed Shia militias fill the vacuum created by the defeat of ISIS, Iran will have achieved one critically important step in establishing a land bridge from Iran through Iraq to Syria and Lebanon. It will also have created the conditions for the eventual return of Sunni jihadist groups like ISIS and its *Al Qaeda* precursor, perhaps in an even more extreme form, because the Sunnis of Iraq will not accept Shia dominance of their lives. That is why Sunni state support for a major American-led, post-war reconstruction effort is essential.

The third element in the push-back strategy is effective promotion of a political resolution of the civil war in Yemen. The Trump Administration is currently considering stepping up military support for Saudi Arabia and the UAE in their two-year long military campaign in Yemen.² This makes sense only if it is wedded to a diplomatic strategy for ending the war, which has already caused thousands of civilian casualties and vast human suffering. Otherwise, the United States will be sucked into the Yemen quagmire like so many outside powers before us.

² Karen de Young and Missy Ryan, "Trump Administration Weighs Deeper Involvement in Yemen War," *The Washington Post*, March 27, 2017. https://www.washingtonpost.com/world/national-security/trump-administration-weighs-deeper-involvement-in-yemen-war/2017/03/26/b81eecd8-0e49-11e7-9d5a-a83e627dc120_story.html?hpid=hp_rhp-top-table-main_usyemen-720pm%3Ahomepage%2Fstory&utm_term=.a313a0a0eb67

Greater U.S. military engagement also needs to be weighed in the context of the larger regional strategy that this Committee is calling for. Yemen is a low-cost way for Iran to distract the United States and its Gulf Arab allies from the much more strategically consequential challenges in Iraq and Syria. Already, some 50 percent of Saudi Arabia's military capacity, and a large part of the UAE's, is devoted to the Yemen conflict, whereas all that Iran is doing to tie them down is to supply the Houthis with military materiel and financial support.

No doubt, gains on the battlefield can impact the dynamics at the negotiating table. In that regard, a successful effort to take control of the Red Sea port of Hodeida, could impact the Houthi calculus and lead to greater seriousness and reasonableness on their part in the negotiations. But American support needs to be conditioned on the pursuit of a political solution by our Saudi allies as well.

The fourth element in the push-back strategy is to reduce Iran's influence in Syria. This is by far the most difficult and complicated component of the strategy. Developing and implementing it is not helped by loose talk about the unrealistic objective of "pushing Iran out of Syria." That may well be the desirable end-state but we need to recognize that neither we, nor the Russians, have the will or capacity to achieve it in current circumstances.

Iran has developed a formidable presence on the ground in Syria. With encouragement from Asad's Alawite-dominated regime, the Iranians have penetrated the institutions of government that remain in Syria. They have also embedded some 25,000 forces in the government-controlled areas of western Syria. Those forces comprise some 5,000 IRGC, Basij and Iranian Army elements that provide the commanders, advisors and trainers of the larger Shia militias; some 3-5,000 highly trained Hizbollah fighters from

Lebanon; and some 20,000 Shia militiamen recruited from Afghanistan and Pakistan. These forces are significantly larger than what is left of the Syrian army or the Russian forces now deployed there. They were responsible for the Asad regime's reconquering of Aleppo and they remain in control of much of the areas in the north-west where they are taking responsibility for the well-being of Syrian citizens there, much as Hezbollah did in southern Lebanon.

The Iranian-controlled presence is bolstered by two factors that must not be ignored in developing the push-back strategy:

- *The Iranian-Asad alliance*, which was forged by Asad's father in the 1980s, when Syria was the only Arab state to side with Iran in the decade-long Iraq-Iran war. Since then, Asad's son has become ever-more dependent on them for his survival, no more so than in the present. Asad will not demand their departure because it will lead to his demise. And Russia will therefore not demand it either because they fear the consequences of the collapse of the Asad regime more than they value any putative partnership with the United States.
- *Iran's "core interest" in retaining a foothold in Syria* because it is the lynchpin of its wider hegemonic strategy. If it loses that foothold, it will seriously jeopardize Hezbollah's control of Lebanon, the crown jewel of Iran's regional position. That means Iran will mightily resist any effort to force it out of Syria and has considerable ability to do so. The United States has never viewed Syria as a core or vital interest and we therefore do not have the will or interest in deploying the forces necessary to achieve that objective.

Russia does have a long-standing strategic interest in Syria because of its port facilities for the Russian navy and its role as a platform for the projection of Russian influence across the region. Russian and Iranian interests overlap in Syria in their common objective of maintaining the Asad regime in power. But they are also rivals for influence in Damascus, and Asad relishes the opportunity to play them off against each other. Exploiting that rivalry has advantages for an American strategy of reducing Iranian influence in Syria. However, that game has strict upper limits. Russia will not cooperate in the undermining of its own influence in Syria for the sake of a partnership with the United States. It did that in the 1970s, which led to the loss of its presence in Egypt. It will not repeat that mistake. The idea that Russia will force Iran out of Syria is therefore a dangerous fantasy. And the idea that we should pay for such a fantasy by removing the Ukraine sanctions on Russia would constitute strategic malfeasance, given the impact that would have on our allies in Europe, particularly in Eastern Europe.

We should therefore set more modest objectives. We can, for example, press Russia to deny Iran port facilities in Syria. An Iranian-controlled port would enable Iran more easily to ship weapons to Hezbollah. That would severely exacerbate the conflict between Iran and Israel, something Russia has an interest in avoiding. Similarly, we should support Israel's insistence that Russia press Iran and Hezbollah not to send their forces south to the Golan Heights. That would risk creating one front across southern Lebanon into the Syrian Golan, which would constitute a highly destabilizing threat to our Israeli ally.

Finally, as in Yemen, we should do what we can to promote a political resolution of the Syrian civil war, one that leads

eventually but inevitably to Asad's departure. In that context, we should insist that one requirement of the political settlement should be *the departure of all foreign forces*. That principle was incorporated into the Taif Agreement, which ended the Lebanese civil war and eventually resulted in the peaceful departure of Syrian forces from Lebanon. Syrians, who do not want Iranian-controlled militias dominating them in a post-conflict era, will welcome inclusion of that principle. And it will provide us with the legitimacy to demand their eventual departure.

The fifth element in the push-back strategy is to concert the capabilities of our regional allies in a regional security framework that can sustain a long-term, burden-sharing effort. The United States is fortunate to have capable regional strategic partners in Israel, Turkey, Saudi Arabia and the Sunni Arab states, that share a common interest in countering Iran's threatening ambitions. Each, however, has its own strategic perspective. Our NATO ally Turkey, for example, has a strong interest in preventing Iran from establishing a land bridge across northern Iraq to Syria and has moved ground forces into Iraq to block that prospect. But it will not cooperate in any effort that strengthens the Syrian Kurds. Similarly, Egypt sees Iran as a regional competitor but does not want to exacerbate the Sunni-Shia sectarian conflict for fear that it will advantage Sunni extremists. An effective strategy will therefore need to be based on a variable geometry that builds on the common interest of countering Iran while allowing for specific differences that may condition the involvement of some of our regional partners.

Nevertheless, there is a new readiness across the region to work together, despite their differences. For example, Turkey has just normalized relations with Israel; the Gulf States are

developing their security relations with Israel; and Egypt's security cooperation with Israel is unprecedented. It is time to test the readiness of our allies to come together in a regional security arrangement that will allow us all more effectively to coordinate our efforts against Iran.

The sixth element of the push-back strategy is to lay the foundations for negotiations with Iran about its ambitions and behavior in the region. The Iran nuclear deal, notwithstanding its shortcomings, demonstrates that it is possible to reach enforceable agreements with Iran, using sanctions and concerted diplomacy as leverage to achieve our objectives. This sanctions bill, complemented by the five other elements of the push-back strategy, if successfully developed and implemented, provide a basis for engaging Iran in a negotiation that focuses on:

- Iran's efforts to export its revolution and interfere in the domestic affairs of Arab states across the region
- Iran's destabilizing regional activities and its sponsorship of terrorism
- Iran's ICBM program and its nuclear activities after the expiration of the JCPOA.

Negotiations are not a concession to Iran, nor a sign of weakness, as long as they are backed by sanctions and the other elements of the strategy that I have outlined here, and as long as they are fully coordinated with our regional allies. But they represent a way to signal to Iran that we and our regional allies are willing to have a constructive, normalized relationship with it, even recognize its status as a regional power, if it is willing to change its troubling behavior in fundamental ways. Indeed, if the Iranians prove willing to engage in a serious negotiation about these issues, we should

even be prepared to signal to them a willingness to consider lifting our bilateral sanctions, i.e. putting a carrot as well as a stick on the table.

Mr. Chairman, it should be clear from this testimony that developing an effective strategy for dealing with the threats posed by Iran is a complicated and difficult challenge. But the dangers of not doing so are clear and present. I applaud the committee for taking on the task.