

In Search of Peace:  
Restructuring the US-Iran Relationship in Light of the  
2015 Joint Comprehensive Plan of Action

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### Abstract

This thesis attempts to ask how the United States should conduct foreign policy towards Iran given the Joint Comprehensive Plan of Action (JCPOA), agreed to on 14 June 2015. The 2015 JCPOA initiated a drastic shift in US foreign policy toward Iran. It is now up to US policy makers to craft a coherent Iran foreign policy moving forward from the agreement. In order to accomplish this, the vitriolic relationship between Iran and the United States, which contains two concurrent narratives, must be examined. The dual narratives are the history of the successive US Presidential administrations' relations with Iran, and the history of Iran's nuclear development and resulting UN sanctions.

This thesis asserts that policy makers must craft a workable foreign policy, and the terms of the Joint Comprehensive Plan of Action must be highlighted and executed. Additionally, Iran's history of failing to uphold agreements must be acknowledged, as its history of duplicitous actions indicates their likely future course. This paper will rehearse Iran's longstanding involvement in global terrorism to argue that the JCPOA must be strictly followed. This historical background and the details of the current agreement form the foundation for constructing a coherent foreign policy regarding Iran.

With the groundwork laid, three different policy alternatives are evaluated. The first is an optimistic acceptance of the JCPOA, second is a total rejection of the JCPOA, and third is a cautious acceptance of the JCPOA with additional supplemental verification. The policy of optimism regarding the agreement is rejected due to its failure to take into consideration the realities of the threats posed by Iran. Additionally, the recommendations of some to jettison the JCPOA and continue with the status quo are also evaluated and rejected due to implementation issues and negligible international support. Finally, this thesis proposes a policy that distrusts Iran, proactively verifies Iran's compliance, and supports US allies in the region. Seven specific steps are proposed to implement this recommendation, forming the policy most likely to achieve the objective of securing lasting peace, both with Iran and with the Middle East as a whole.

In Search of Peace:  
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On July 14, 2015, the E3/EU+3<sup>1</sup> and Iran signed the Joint Comprehensive Plan of Action (JCPOA), ushering in a drastically new direction in US policy towards Iran. The agreement tries to ensure that Iran will not produce any nuclear weapons, while simultaneously allowing them to develop peaceful nuclear technology. The JCPOA consists of the main text of the deal, which is surprisingly short, and five extensive annexes covering the various specifics of the agreement in detail. Annex I contains the specifics of the nuclear aspects of the deal and Annex II lists the various sanctions that will be removed in the course of implementation. Annex III and IV cover the civil nuclear cooperation the agreement calls for and specify the Joint Committee that will be created in order to implement the JCPOA respectively. Finally, Annex V lays out the timeline for implementation of the agreement, specifically the details contained in Annexes I and II.

The JCPOA, if fully enacted, lifts most of the current economic sanctions against Iran, and provides the greatest opportunity in thirty-five years to chart a new direction in the US-Iran relationship. However, the fact that the JCPOA was signed does not negate nearly four decades of hostility between the United States and Iran, and that history cannot be ignored. Therefore, the question facing US policy-makers today is how to advance the US-Iran relationship in light of the agreement.

Given the long and vitriolic history between the United States and Iran, an immediate reconciliation is highly unlikely. Additionally, the national character that Iran has demonstrated over the past three and a half decades poses foreign policy risks the United States can ill-afford to ignore. The United States should not just attempt to secure a peaceful relationship with Iran, but for peace in the Middle East as a whole, which in part is destabilized by Iran. Therefore, the best policy the United States can adopt toward Iran consists of a very careful distrust, a proactive verification of Iran's compliance with their international agreements, and support for US allies in the region.

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<sup>1</sup> The E3/EU+3 consists of the United States, the United Kingdom, France, Russia, China, and Germany. This group is also frequently referred to in the United States as the P5+1.

## The US-Iran Relationship Historically

### History of US-Iran Relations: Pre-Revolution to President Obama's Administration

The 2015 JCPOA represents the Obama administration's attempts to secure a satisfactory peace with Iran that resolves the longstanding issue of Iran's nuclear weapons capability. Like the five presidents before him, President Obama has wrestled with the Iranian problem, and proposed the JCPOA as the solution. However, now that the JCPOA has been signed, how to move forward with the US-Iran relationship beyond the bounds of agreement is much less clear. The history of the United States' complicated relationship with Iran must be explored in order to formulate an effective foreign policy given the JCPOA.

**Pre-Iranian Revolution.** The United States and Iran first established full diplomatic relations in 1883 while Iran was still known as the Kingdom of Persia.<sup>2</sup> At the conclusion of World War II, the General Secretary of the USSR, Joseph Stalin, considered breaching the USSR's agreement with Britain and Iran, as he had originally agreed to withdraw all Soviet troops from Iran. However, later he wanted to maintain a troop presence in the Iranian province of Azerbaijan to secure Iranian oil, as well as to create a buffer zone between the Soviet Union and the West. He also contemplated outright annexation of the province to achieve those goals. President Truman's unexpected support for Shah Mohammad Reza Pahlavi motivated the Soviet Union to follow their agreements and withdraw their troops in late 1946, and consequently boosted the Iranian perception of the United States considerably.<sup>3</sup>

In 1953, the United States supported a coup d'état that overthrew the democratically elected prime minister and returned the Shah to power.<sup>4</sup> While US involvement in the coup d'état did not initially damage US-Iran relations, it came to be seen "as a sea change in American conduct—from munificent protector of smaller countries to archetypal great

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<sup>2</sup> U.S. Department of State Historian, "A Guide to the United States' History of Recognition, Diplomatic, and Consular Relations, by Country, Since 1776: Iran," *U.S. Department of State Office of the Historian*, accessed 25 August 2015, <http://history.state.gov/countries/iran>.

<sup>3</sup> Malcolm Byrne, "Iran and the United States in the Cold War," *The Gilder Lehrman Institute of American History*, accessed 25 August 2015, <https://www.gilderlehrman.org/history-by-era/age-reagan/essays/iran-and-united-states-cold-war>.

<sup>4</sup> U.S. Department of State, "U.S. Relations with Iran," *U.S. Department of State*, 10 March 2015, accessed 25 August 2015, <http://www.state.gov/r/pa/ei/bgn/5314.htm>.

power pursuing its own interests regardless of the wishes of local populations.”<sup>5</sup> During the Cold War, the United States provided extensive military and political support to the Shah in an effort to counter Communism. US policy of “anyone but the Soviets” predisposed successive presidential administrations to support the government of the Shah, despite his descent into dictatorship.<sup>6</sup>

The Iranian perception that the Shah was an American puppet contributed to his decreasing popularity,<sup>7</sup> and public discontent against the Shah spilled out into the streets in the form of mass protests in December of 1978. The Shah fled Iran in January of 1979, and Ayatollah Ruhollah Khomeini returned from exile on 1 February. Ten days later, he assumed power of the new government.<sup>8</sup>

**The Islamic Revolution and the Carter administration (1977-1981).** The Islamic Revolution of 1979 was a watershed moment for Iran, and for the entire Middle East. Within fourteen months following the revolution, Iran abandoned old alliances and established relations with former enemies. Syria and Iran reversed diplomatic course and became firm allies, and Iran severed diplomatic relations with Egypt and Israel. Eventually, the United States also cut off diplomatic relations with Iran.<sup>9</sup>

Initially, the United States continued to maintain an embassy in Iran and work with the new government. President Carter sought to walk the fine line between supporting a longtime US ally, the deposed Shah, and developing a working diplomatic relationship with Tehran. Some progress was made during the summer of 1979 with the more moderate provisional government of Prime Minister Mehdi Bazargan and Foreign Minister Ibrahim Yazdi.<sup>10</sup> That progress quickly unraveled with President Carter’s decision on 22 October

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<sup>5</sup> Byrne, “Iran and the United States in the Cold War.”

<sup>6</sup> Ibid. According to Byrne, “Presidents Eisenhower, Kennedy, and Johnson did press the Shah repeatedly to enact reforms, but that strategy effectively ended with the assertion of the Nixon Doctrine in 1969. Reflecting the heavy strain on American military resources caused by the Vietnam War, the new doctrine relied on regional powers to act as the first line of defense against potential Soviet expansionism. For the next several years, the Shah not only gained access to sophisticated American weaponry he had long coveted, but also obtained tacit White House permission to forgo any serious effort at reform.”

<sup>7</sup> Scott Savitz, Ph.D., “Reflections on the Revolution in Iran,” *American Diplomacy*, September 2009, accessed 26 August 2015, [http://www.unc.edu/depts/diplomat/item/2009/0709/comm/savitz\\_reflections.html](http://www.unc.edu/depts/diplomat/item/2009/0709/comm/savitz_reflections.html).

<sup>8</sup> Gary Sick, “The Carter Administration,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 129.

<sup>9</sup> Semira N. Nikou, “Timeline of Iran's Foreign Relations,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 231.

<sup>10</sup> Sick, “The Carter Administration.”



1979 to allow the Shah to enter the United States for life-saving medical treatment; a reluctant decision driven by the advice of his counselors in Washington in spite of the judgment of the embassy staff in Tehran.<sup>11</sup> This decision infuriated the Iranian people, who interpreted it as signaling a US desire to return the Shah to power. Less than two weeks later, on 4 November 1979, university students overwhelmed the security at the US Embassy in Tehran and took the staff hostage, resulting in the 1979 hostage crisis.

Instead of condemning the attack, Ayatollah Khomeini actively supported it, and dismissed the Bazargan government. Khomeini's political decision to support the students was due to internal opposition against the style of theocracy that he and the clerics were attempting to introduce. Many of the Shah's opponents were unenthusiastic about replacing a monarchy with a theocracy, and support for Khomeini was wavering. By backing the embassy takeover, Khomeini shifted the focus away from the proposed government onto the Iranian struggle against "the Great Satan." This strategic move stabilized his popular and political support in Iran, ensured that the new constitution would be adopted, and ended all hope of a working relationship with the United States.<sup>12</sup>

For the next 444 days, the Americans were held hostage in the US Embassy in Tehran, prompting President Carter to cut off diplomatic relations with Iran and freeze an estimated six billion dollars of Iranian assets tied to US financial institutions.<sup>13</sup> Though the hostage crisis was finally resolved on President Reagan's inauguration day with the release of the embassy staff, US relations with Iran continued to sour. This led the Reagan Administration to place Iran on the State Department's State Sponsors of Terrorism list on 19 January 1984, where it has remained ever since.<sup>14</sup>

**The Reagan administration (1981-1989).** The primary focus of the Reagan Administration was defeating communism and confronting the USSR, reducing the status of the Iran situation. According to Geoffrey Kemp, a member of the National Security Council during Reagan's first term, "the Reagan administration went through four stages—indifference, hostility, cooperation and finally confrontation that even included some

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<sup>11</sup> William J. Daughtery, "Jimmy Carter and the 1979 Decision to Admit the Shah into the United States," *American Diplomacy*, April 2003, accessed 26 August 2015, [http://www.unc.edu/depts/diplomat/archives\\_roll/2003\\_01-03/dauherty\\_shah/dauherty\\_shah.html](http://www.unc.edu/depts/diplomat/archives_roll/2003_01-03/dauherty_shah/dauherty_shah.html).

<sup>12</sup> Sick, "The Carter Administration."

<sup>13</sup> Nikou, "Timeline of Iran's Foreign Relations."

<sup>14</sup> U.S. Department of State, "U.S. Relations with Iran."

limited combat.”<sup>15</sup> During the Iran-Iraq War (1980-1988), the United States supported Iraq’s attempts to contain Iran, even protecting Iraqi oil targeted by the Iranians. The Ayatollah was pressured into accepting a cease-fire, due in part to US military intervention, and the Iran-Iraq war ended 20 August 1988. The Ayatollah considered the cease-fire deeply unsatisfactory, and remarked that accepting it was like drinking poison.<sup>16</sup>

**The George H. W. Bush administration (1989-1993).** President George H. W. Bush became president during the breakup of the USSR, one of the greatest international changes since the Second World War. As with President Reagan, President Bush was focused on ending communism as opposed to dealing with events in the Middle East.<sup>17</sup> It was widely believed that Iran and Iraq would spend considerable time rebuilding their shattered countries after eight years of devastating, brutal war, and thus pose very little risk internationally.<sup>18</sup> Unfortunately, this view proved inaccurate, as Iran continued to spread terrorism and the Islamic Revolution throughout the entire region. In the end, the US-Iran relationship remained unchanged during Bush’s presidency.

**The Clinton administration (1993-2001).** When President Clinton assumed office in 1993, he expressed willingness to work with Iran to repair the relationship; however, he was hampered by several layers of sanctions, sharply opposing goals for the Middle East, strong distrust and animosity prevalent in both countries, and a history of Iran’s support for terrorism. Nevertheless, throughout his terms in office, President Clinton repeatedly tried to improve the relationship, even attempting to relax some of the sanctions.<sup>19</sup> Additionally, in 2000, Secretary of State Madeline Albright met a major Iranian demand by formally apologizing for the US’s role in the 1953 coup d’état that returned the Shah to power.<sup>20</sup> However, essentially all of the Clinton Administration’s efforts were ultimately rejected by the Iranians, and President Clinton left office with the US-Iran relationship largely unchanged.

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<sup>15</sup> Geoffrey Kemp, “The Reagan Administration,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 133.

<sup>16</sup> *Ibid.*, 135.

<sup>17</sup> Richard N. Haass, “The George H.W. Bush Administration,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 136.

<sup>18</sup> *Ibid.*

<sup>19</sup> Bruce O. Riedel, “The Clinton Administration,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 141.

<sup>20</sup> *Ibid.* 141.

**The George W. Bush administration (2001-2009).** The first signs of hope for meaningful progress came in the wake of the terrorist attacks in New York City on 11 September 2001. After the United States toppled the Taliban in Afghanistan, Iran, who had long supported the Northern Alliance in Afghanistan, helped the United States in efforts to construct a new government. In fact, their support was crucial in persuading opposition forces to agree to the US-backed choice for president, Hamid Karzai.<sup>21</sup> After Saddam Hussein was deposed from Iraq by US forces, Iran once again looked to cooperate with the United States to ensure stability in Iraq. The United States and Iran even conducted two ambassadorial level meetings in 2004.<sup>22</sup>

Unfortunately, these signs of possible rapprochement quickly faded into the background of continued distrust and antagonism between the two countries. President George W. Bush continued to oppose the Iranian government internationally, even excoriating Iran in his 2002 State of the Union address. After stating that a major US goal was to “prevent regimes that sponsor terror from threatening America or our friends and allies with weapons of mass destruction,”<sup>23</sup> the President specifically implicated North Korea, Iran, and Iraq as those regimes, labeling them “an axis of evil”:<sup>24</sup> “Iran aggressively pursues these weapons and exports terror,” he said, “while an unelected few repress the Iranian people’s hope for freedom.”<sup>25</sup> His strongly worded rebuke of Iran, and his use of the term “axis of evil,” proved detrimental to the fragile détente with Iran.

Coming on the heels of the Clinton administration’s apology and the increased cooperation on Afghanistan, the Bush administration’s inclusion of Iran as a member of the “axis of evil” was seen as a betrayal of trust and good will.<sup>26</sup> Further, President Bush’s

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<sup>21</sup> Stephen J. Hadley, “The George W. Bush Administration,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 143.

<sup>22</sup> *Ibid.*, 143.

<sup>23</sup> George W. Bush, “President Delivers State of the Union Address,” *The White House Archives*, 29 January 2002, accessed 27 August 2015, <http://georgewbushwhitehouse.archives.gov/news/releases/2002/01/20020129-11.html>.

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> Daniel Heradstveit and G. Matthew Bonham, “What the Axis of Evil Metaphor did to Iran,” *Middle East Journal*, Volume 61, No. 3, 2007: 434, accessed 7 September 2015, <http://faculty.maxwell.syr.edu/gmbonham/Iran.pdf>.

statements unintentionally proved politically advantageous for the ultra-conservatives in Iran. According to an anonymous member of the Iranian opposition:<sup>27</sup>

the speech was perceived as an insult to the values of the Iranian people and for that reason caused the Iranians to rally around the religious values. This reaction strengthened the conservative groups. The mobilization of religious and conservative ideas was strengthened by the fact that Bush's speech came right before our celebration of the 23rd anniversary of the Islamic Revolution . . . this benefited the conservative forces in society.<sup>28</sup>

Thus, while the Bush administration made definite progress towards a normalization of relations with Iran, they inadvertently erected significant roadblocks.

**The Obama administration (2009-present).** During his campaign and subsequent terms as president, Barack Obama prioritized the repairing of US relationships with the Arab world, and especially Iran.<sup>29</sup> However, his efforts have been largely unsuccessful, because the relations between the two nations have become inseparably tied to the status of Iran's nuclear program. Iran's nuclear program, the resulting sanctions, and the recent negotiations, form a second narrative necessary to understand the 2015 JCPOA and its implications.

### **History of Iran's Nuclear Development**

Iran first started developing nuclear technology back in 1957, under the direction of Mohammad Reza Shah Pahlavi, with the assistance of the United States through the Atoms for Peace program.<sup>30</sup> On 1 July 1968, Iran was one of the original ratifying members of the UN Treaty on the Non-Proliferation of Nuclear Weapons (NPT),<sup>31</sup> which allows for the use of nuclear technology solely for peaceful purposes, forbids any efforts to develop

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<sup>27</sup> Due to the method used for the interviews, all recorded responses were anonymous. However, a detailed list of the individuals interviewed can be found in the appendix of the paper by Messrs. Heradstveit and Bonham, from which the following quote is taken.

<sup>28</sup> Ibid. 434-435.

<sup>29</sup> John Limbert, "The Obama Administration," in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 146. During 2009 and 2010, President Obama wrote two letters to the Supreme Leader of Iran, Ayatollah Ali Khamenei, as well as received two letters from then-President Mahmoud Ahmadinejad.

<sup>30</sup> David Albright and Andrea Stricker, "Iran's Nuclear Program," in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 77.

<sup>31</sup> United Nations Office for Disarmament Affairs, "Iran (Islamic Republic of): Ratification of Treaty on the Non-Proliferation of Nuclear Weapons (NPT)," *United Nations Office for Disarmament Affairs*, accessed 27 August 2015, <http://disarmament.un.org/treaties/a/npt/iran%28islamicrepublicof%29/rat/washington>.

or transfer nuclear weapons, and mandates adherence to the stipulated safeguards.<sup>32</sup> Nevertheless, Iran tried to keep the door open to pursue nuclear weapons.

**Progress in the 1970s.** During the 1970s, the Shah pushed for Iran's full control of the entire nuclear cycle, an important prerequisite towards the development of nuclear weapons. According to Akbar Etemad, the Shah's chief atomic energy adviser and the head of the Atomic Energy Organization of Iran (AEOI) from 1974 to 1978, the Shah did not pursue the development of nuclear weapons because of the strength of Iran's military. However, Mr. Etemad indicated that, had the Shah remained in power, Iran would likely have developed nuclear weapons in response to the nuclear technology of Pakistan, India, and Israel.<sup>33</sup>

During the early 1970s, Iran's policy toward nuclear weapons was to keep the option of acquiring them available. That all changed, however, with the Islamic Revolution of 1979 and the newly established Iranian government led by Ayatollah Khomeini. Initially, the Ayatollah was personally opposed to nuclear technology, and halted all nuclear development. In addition, severed relationships with the West, especially with the United States, left Iran's joint nuclear projects with western nations uncompleted.<sup>34</sup> However, the Ayatollah changed his mind regarding nuclear weapons with the advent of the Iran-Iraq war, which convinced him to not only restart the nation's nuclear technology, but to explore nuclear weapons as a deterrent to further Arab aggression.<sup>35</sup>

**Iran's secret developments.** Due to suspicion of the West, and fractured relations after the Revolution, Iran turned to other nations to procure nuclear technology and materials. By the early 1990s, it had looked to China, India, Argentina, Pakistan, and Germany for assistance.<sup>36</sup> Iran would come to acquire a significant amount of nuclear technology from Pakistan in 1987, and signed a major nuclear cooperation agreement with

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<sup>32</sup> See specifically Articles I, II, and III of the Treaty on the Non-Proliferation of Nuclear Weapons. United Nations Office for Disarmament Affairs, "Treaty on the Non-Proliferation of Nuclear Weapons (NPT)," *United Nations Office for Disarmament Affairs*, accessed 27 August 2015, <http://www.un.org/disarmament/WMD/Nuclear/NPTtext.shtml>.

<sup>33</sup> Maziar Bahari, "The Shah's Plan was to Build Bombs," *New Statesman*, 11 September 2008, accessed 27 August 2015, <http://www.newstatesman.com/asia/2008/09/iran-nuclear-shah-west>.

<sup>34</sup> David Albright and Andrea Stricker, "Iran's Nuclear Program," 78.

<sup>35</sup> *Ibid*, 78.

<sup>36</sup> Elaine Sciolino, "Report Says Iran Seeks Atomic Arms," *New York Times*, 31 October 1991, accessed 28 August 2015, <http://www.nytimes.com/1991/10/31/world/report-says-iran-seeks-atomic-arms.html>.

China in 1990.<sup>37</sup> Between 1994 and 1996, Iran procured more technology from Pakistan and began working with Russia to rebuild one of the reactors at Bushehr that had been damaged during the Iran-Iraq war.<sup>38</sup>

While the international community was aware of Iran's attempts to develop nuclear technology, the extent of their progress was unknown until the National Council of Resistance of Iran revealed Iran's secret nuclear program. In an August 2002 press conference, the Council announced the existence of secret nuclear facilities at Natanz and Arak,<sup>39</sup> subsequently confirmed by the Institute for Science and International Security on 12 December 2002.<sup>40</sup> These revelations placed Iran's nuclear program under intense international scrutiny, which led to a series of further disconcerting discoveries.

According to International Atomic Energy Agency (IAEA) reports, Iran secretly imported uranium in 1991 and uranium metal in 1994, produced multiple types of enriched uranium from depleted or natural uranium,<sup>41</sup> transferred nuclear materials between sites for further processing, conducted secret nuclear tests in 1999 and 2002, developed an extensive laser spectroscopy laboratory for a laser enrichment program, and developed small amounts of low enriched uranium (LEU) from both their centrifuge and laser enrichment processes.<sup>42</sup> Iran's neglect to notify the IAEA of any of these nuclear developments constituted a violation of Iran's agreement with the IAEA.<sup>43</sup> In his 6 June 2003 report to

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<sup>37</sup> David Albright and Andrea Stricker, "Iran's Nuclear Program," 78.

<sup>38</sup> Ibid, 79.

<sup>39</sup> National Council of Resistance of Iran, "Iran-Nuclear: Secret Nuclear Site in Isfahan Region," *National Council of Resistance of Iran*, 7 October 2003, accessed 28 August 2015, <http://www.ncr-iran.org/en/news/nuclear/560-iran-nuclear-secret-nuclear-site-in-isfahan-region>.

<sup>40</sup> "Satellite images of two sites in Iran show the construction of secret nuclear fuel cycle facilities, according to ISIS assessments and confidential sources. This information was confirmed by CNN and reported on December 12, 2002. The facilities in the two satellite images appear related to the production of enriched uranium and heavy water, two materials that may be used in a civil nuclear program or in the production of nuclear weapons." See David Albright and Corey Hinderstein, "Iran Building Nuclear Fuel Cycle Facilities: International Transparency Needed," *Institute for Science and International Security*, 12 December 2002, accessed 28 August 2015, <http://isis-online.org/isis-reports/detail/iran-building-nuclear-fuel-cycle-facilities-international-transparency-need/8>.

<sup>41</sup> Iran produced UO<sub>2</sub> (uranium dioxide), UO<sub>3</sub> (uranium trioxide), UF<sub>4</sub> (uranium tetrafluoride), UF<sub>6</sub> (uranium hexafluoride) and AUC (ammonium uranium carbonate) from imported depleted UO<sub>2</sub>, depleted U<sub>3</sub>O<sub>8</sub> (triuranium octoxide), and natural U<sub>3</sub>O<sub>8</sub>. See IAEA, "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran," *International Atomic Energy Association*, 10 November 2003, accessed 28 August 2015, 9, <https://www.iaea.org/sites/default/files/gov2003-75.pdf>.

<sup>42</sup> Ibid.

<sup>43</sup> IAEA, "Implementation of the safeguards agreement in the Islamic Republic of Iran," *International Atomic Energy Association*, 6 June 2003, accessed 28 August 2015, 1, <https://www.iaea.org/sites/default/files/gov2003-40.pdf>.

the IAEA Board of Governors, Director General Mohamed ElBaradei bluntly stated, “Iran has failed to meet its obligations under its Safeguards Agreement with respect to the reporting of nuclear material, the subsequent processing and use of that material and the declaration of facilities where the material was stored and processed.”<sup>44</sup> These disturbing revelations caused significant international doubt as to Iran’s intentions to uphold the Non-Proliferation Treaty.

The IAEA spent the next two years attempting to bring Iran into cooperation with the Safeguards Agreement, but ultimately failed. The IAEA passed seven separate resolutions, trying to return Iran to compliance, between 12 September 2003 and 11 August 2005, but Iran refused.

**The period of non-compliance.** On 24 September 2005, the IAEA voted twenty-two to one, with twelve abstentions, to find Iran in a state of non-compliance.<sup>45</sup> The resolution stated “that Iran’s many failures and breaches of its obligations to comply with its NPT Safeguards Agreement . . . constitute non compliance.”<sup>46</sup> This opened the possibility of referring Iran to the UN Security Council for possible sanctions. The report continued to say that:

the history of concealment of Iran’s nuclear activities referred to in the Director General’s report, the nature of these activities, issues brought to light in the course of the Agency’s verification of declarations made by Iran since September 2002 and the resulting absence of confidence that Iran’s nuclear programme is exclusively for peaceful purposes have given rise to questions that are within the competence of the Security Council.<sup>47</sup>

Despite the IAEA’s efforts, Iran refused to comply with the Safeguards Agreement and the Non-Proliferation Treaty. On 4 February 2006, the IAEA Board of Governors passed a resolution calling on the IAEA Director General to refer Iran to the UN Security Council.<sup>48</sup>

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<sup>44</sup> Ibid.

<sup>45</sup> Michael Adler, “Iran and the IAEA,” in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 91.

<sup>46</sup> IAEA, “Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran Resolution adopted on 24 September 2005,” *The International Atomic Energy Association*, 24 September 2005, accessed 28 August 2015, <https://www.iaea.org/sites/default/files/gov2005-77.pdf>.

<sup>47</sup> Ibid.

<sup>48</sup> IAEA, “IAEA and Iran: Chronicle of Key Events,” *International Atomic Energy Agency*, accessed 28 August 2015, <https://www.iaea.org/newscenter/focus/iran/chronology-of-key-events>.

**Iran at the UN Security Council.** The UN Security Council passed the first resolution regarding Iran's nuclear program, U.N.S.C. Resolution 1696, on 31 July 2006. The resolution gave Iran a one-month time-frame to cease all uranium enrichment and reprocessing; it contained no sanctions, but instead threatened additional actions should Iran remain in non-compliance.<sup>49</sup> After Iran refused to satisfy Resolution 1696, on 23 December 2006, the Security Council passed U.N.S.C. Resolution 1737, which instructed U.N. member states "to prevent the supply, sale or transfer . . . of all items, materials, equipment, goods and technology [to Iran]," which could assist in their nuclear program or their weapons delivery systems.<sup>50</sup> The resolution also froze the assets of twenty-two corporations and individuals connected to Iran's nuclear or weapons programs. Nevertheless, Iran refused to respect the Security Council demands, leading to the unanimously passed U.N.S.C. Resolution 1747 on 14 March 2007.<sup>51</sup>

U.N.S.C. Resolution 1747 strengthened previous resolutions and imposed new sanctions on Iran. In response, Iran's Foreign Minister, Manouchehr Mottaki, stated that the Council was "being abused to take an unlawful, unnecessary and unjustifiable action against the peaceful nuclear programme of the Islamic Republic of Iran, which presents no threat to international peace and security and falls, therefore, outside the Council's Charter-based mandate."<sup>52</sup> Once again, Iran largely rejected the ultimatums, and on 3 March 2008 the Security Council passed U.N.S.C. Resolution 1803, further tightening sanctions in an effort to convince Iran to yield to the international community's stipulations regarding the Iranian nuclear program.<sup>53</sup> Later that year, on 28 September 2008, the Security Council passed U.N.S.C. Resolution 1835, which reaffirmed the previous resolutions, but added no new sanctions.<sup>54</sup>

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<sup>49</sup> Jason Starr, "The U.N. Resolutions," in *The Iran Primer*, ed. Robin Wright (Washington, DC: United States Institute of Peace Press, 2010), 119.

<sup>50</sup> IAEA, "Resolution 1737 (2006)." *International Atomic Energy Agency*, 23 December 2006, accessed 28 August 2015, [https://www.iaea.org/sites/default/files/unsc\\_res1737-2006.pdf](https://www.iaea.org/sites/default/files/unsc_res1737-2006.pdf).

<sup>51</sup> United Nations, "SECURITY COUNCIL TOUGHENS SANCTIONS AGAINST IRAN, ADDS ARMS EMBARGO, WITH UNANIMOUS ADOPTION OF RESOLUTION 1747 (2007)," *United Nations*, 27 March 2007, accessed 28 August 2015, <http://www.un.org/press/en/2007/sc8980.doc.htm>.

<sup>52</sup> *Ibid.*

<sup>53</sup> Starr, "The U.N. Resolutions," 120.

<sup>54</sup> *Ibid.*, 121.



The final set of UN sanctions came on 9 June 2010 when U.N.S.C. Resolution 1929 was passed,<sup>55</sup> partially due to the 2009 revelation that Iran had secretly built another uranium enrichment facility. The Council noted “with serious concern that Iran has constructed an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and that Iran failed to notify it to the IAEA until September 2009, which is inconsistent with its obligations under the Subsidiary Agreements to its Safeguards Agreement.” In addition, the Council indicated that Iran had enriched uranium to twenty percent without notifying the IAEA, as it was required to do.<sup>56</sup> Altogether, the six resolutions sanctioned a total of seventy-five Iranian organizations and forty-one individuals, all of whom were connected to either Iran’s nuclear program or its weapons development programs.<sup>57</sup>

**The E3/EU+3 negotiations with Iran.** The next major development in the US-Iran relationship came in November of 2013 when the E3/EU+3 and Iran signed an interim agreement known as the Joint Plan of Action (JPOA). Western nations and Iran had been negotiating with little success since 2003,<sup>58</sup> but in 2013, they achieved a breakthrough. Iran agreed to halt production at the Arak site and to deplete much of its enriched uranium in exchange for partial sanction relief and release of frozen assets.<sup>59</sup> In addition, Iran also reaffirmed that it would never seek nuclear weapons, and would allow enhanced monitoring by the IAEA.<sup>60</sup>

The JPOA also stipulated a six-month period for the next stage of negotiations, extendable by the mutual agreement of all parties.<sup>61</sup> The JPOA signified a significant change in the E3/EU+3 negotiations with Iran, and was interpreted as a major step toward a peaceful resolution of Iran’s nuclear situation. The six-month time frame to complete final negotiations proved too optimistic, and the negotiations were extended in July of

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<sup>55</sup> IAEA, “Resolution 1929 (2010),” *International Atomic Energy Agency*, 9 June 2010, accessed 29 August 2015, [https://www.iaea.org/sites/default/files/unsc\\_res1929-2010.pdf](https://www.iaea.org/sites/default/files/unsc_res1929-2010.pdf).

<sup>56</sup> *Ibid.*

<sup>57</sup> Starr, “The U.N. Resolutions,” 121.

<sup>58</sup> Albright and Stricker, “Iran’s Nuclear Program,” 79.

<sup>59</sup> *Ibid.*

<sup>60</sup> EEAS, “Joint Plan of Action,” *European External Action Service*, 24 November 2013, accessed 29 August 2015, [http://eeas.europa.eu/statements/docs/2013/131124\\_03\\_en.pdf](http://eeas.europa.eu/statements/docs/2013/131124_03_en.pdf).

<sup>61</sup> *Ibid.*

2014, and again in November of 2014.<sup>62</sup> Even with these setbacks, however, the negotiations continued making slow progress.

**The Joint Comprehensive Plan of Action.** On 2 April 2015, the E3/EU+3 and Iran issued a joint statement announcing that a deal had been struck. The April agreement consisted of a framework that the final Joint Comprehensive Plan of Action (JCPOA) would follow and gave the E3/EU+3 and Iran until 30 June to complete it. Once finalized, the JCPOA would be submitted to the UN Security Council for approval, at which point all the previous resolutions and sanctions against Iran would be lifted.<sup>63</sup>

Once again, the 30 June deadline proved too optimistic, and the negotiations dragged on. However, on 14 July 2015, the E3/EU+3 and Iran shocked the world and announced that they had succeeded in finalizing the JCPOA. In their joint statement, EU High Representative Federica Mogherini and Iranian Foreign Minister Javad Zarif proclaimed that “with courage, political will, mutual respect and leadership, we delivered on what the world was hoping for: a shared commitment to peace and to join hands in order to make our world safer. This is an historic day also because we are creating the conditions for building trust and opening a new chapter in our relationship.”<sup>64</sup> They went on to say that “we have successfully concluded negotiations and resolved a dispute that lasted more than 10 years.”<sup>65</sup> The JCPOA provided what many saw to be the foundation for a new relationship between the United States and Iran.

The reaction to the JCPOA in the United States was swift and polarized. President Barack Obama immediately released a statement praising the agreement: “Today, after two years of negotiations, the United States, together with our international partners, has achieved something that decades of animosity has not -- a comprehensive, long-term deal

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<sup>62</sup> EEAS, “The EU’s Relations with Iran,” *European External Action Service*, accessed 29 August 2015, [http://eeas.europa.eu/iran/index\\_en.htm](http://eeas.europa.eu/iran/index_en.htm).

<sup>63</sup> Federica Mogherini and Javad Zarif, “Joint Statement by EU High Representative Federica Mogherini and Iranian Foreign Minister Javad Zarif Switzerland” *European External Action Service*, 2 April 2015, accessed 29 August 2015, [http://www.eeas.europa.eu/statements-eeas/2015/150402\\_03\\_en.htm](http://www.eeas.europa.eu/statements-eeas/2015/150402_03_en.htm).

<sup>64</sup> Federica Mogherini and Javad Zarif, “Joint statement by EU High Representative Federica Mogherini and Iranian Foreign Minister Javad Zarif Vienna, 14 July 2015,” *European External Action Service*, 14 July 2015, accessed 29 August 2015, [http://www.eeas.europa.eu/statements-eeas/2015/150714\\_01\\_en.htm](http://www.eeas.europa.eu/statements-eeas/2015/150714_01_en.htm).

<sup>65</sup> *Ibid.*

with Iran that will prevent it from obtaining a nuclear weapon.”<sup>66</sup> He went on to assert the following:

This deal meets every single one of the bottom lines that we established when we achieved a framework earlier this spring. Every pathway to a nuclear weapon is cut off. And the inspection and transparency regime necessary to verify that objective will be put in place. Because of this deal, Iran will not produce the highly enriched uranium and weapons-grade plutonium that form the raw materials necessary for a nuclear bomb.<sup>67</sup>

Additionally, President Obama went on to state that there was no viable alternative to the deal outside of all-out war. President Obama said “we have to be honest. Congressional rejection of this deal leaves any U.S. administration that is absolutely committed to preventing Iran from getting a nuclear weapon with one option -- another war in the Middle East.”<sup>68</sup> His sentiments on the JCPOA were not shared by many individuals in US politics, however.

Senator Marco Rubio (R-FL) said the “deal undermines our national security. President Obama has consistently negotiated from a position of weakness, giving concession after concession to a regime that has American blood on its hands, holds Americans hostage, and has consistently violated every agreement it ever signed.”<sup>69</sup> Senator Rubio promised to vote against the agreement when it came up for review in the Senate. Governor Scott Walker (R-WI) said that the “nuclear agreement with Iran will be remembered as one of America’s worst diplomatic failures,”<sup>70</sup> claiming further that “instead of making the world safer, this deal will likely lead to a nuclear arms race in the world’s most dangerous region.”<sup>71</sup> Senator Chuck Schumer (D-NY), while using much less

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<sup>66</sup> Barack Obama, “Statement by the President on Iran,” *The White House*, 14 July 2015, accessed 29 August 2015, <https://www.whitehouse.gov/the-press-office/2015/07/14/statement-president-iran>.

<sup>67</sup> *Ibid.*

<sup>68</sup> Barack Obama, “Remarks by the President on the Iran Nuclear Deal,” *The White House*, 5 August 2015, accessed 26 October 2015, <https://www.whitehouse.gov/the-press-office/2015/08/05/remarks-president-iran-nuclear-deal>.

<sup>69</sup> Marco Rubio, “Marco Rubio Statement on Obama’s Dangerous Iran Deal,” *Marco Rubio*, accessed 29 August 2015, <https://marcorubio.com/news/marco-rubio-statement-on-obamas-dangerous-iran-deal/>.

<sup>70</sup> Scott Walker, “Governor Walker Statement on Iran Nuclear Deal,” *Walker 16*, 14 July 2015, accessed 29 August 2015, <https://www.scottwalker.com/news/governor-walker-statement-iranian-nuclear-deal>.

<sup>71</sup> *Ibid.*

inflammatory rhetoric in his statement, also voiced disapproval of the deal and vowed to vote against it.<sup>72</sup>

When the deal was presented to Congress, fifty-eight senators and 269 members of the House of Representatives voted against its adoption.<sup>73</sup> Ultimately, however, the deal survived Congressional review, as opponents in the Senate could not secure enough votes for cloture to bring a bill of disapproval to the Senate floor. Even if Congress had managed to send a bill of disapproval to the President, he vowed to veto it. Since the Senate lacked the necessary numbers override his veto, the bill passed “through the backdoor” as it were.<sup>74</sup> The question facing policy makers today is how to proceed now that the JCPOA is in force internationally.

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<sup>72</sup> Charles E. Schumer, “My Position on the Iran Deal,” *Charles E. Schumer*, 8 August 2015, accessed 29 August 2015, <http://www.schumer.senate.gov/newsroom/press-releases/my-position-on-the-iran-deal>.

<sup>73</sup> United States Senate, “U.S. Senate Roll Call Votes 114<sup>th</sup> Congress - 1<sup>st</sup> Session,” *United States Senate*, 10 September 2015, accessed 2 October 2015, [http://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=114&session=1&vote=00264](http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=114&session=1&vote=00264); Clerk of the House, “FINAL VOTE RESULTS FOR ROLL CALL 493,” *Office of the Clerk U.S. House of Representatives*, 11 September 2015, accessed 2 October 2015, <http://clerk.house.gov/evs/2015/roll493.xml>.

<sup>74</sup> Facing intense Congressional opposition to the negotiations, President Obama announced his intention to declare the Joint Comprehensive Plan Of Action a nonbinding executive agreement, which does not need Congressional approval and cannot be altered by Congress. However, many Republicans countered that the JCPOA should actually be a treaty, which requires the approval of a two-thirds majority in the Senate to ratify, but President Obama stood his ground. Congress was faced with the choice of doing nothing, or attempting to pass legislation that would force President Obama to abide by a Congressional review. Congress chose the latter, and Senator Corker introduced the Iran Nuclear Agreement Review Act of 2015 (INARA).

The act passed with a vote of 98-1 in the Senate and 400-25 in the House, and was signed by President Obama on May 22. He had originally threatened to veto the bill, but signed it upon realizing that a veto override was virtually guaranteed. Unfortunately, in an attempt to make the bill as broadly acceptable as possible, Senator Corker essentially ensured the bill’s eventual failure at stopping ratification of the JCPOA. Instead of mandating the constitutionally required two-thirds majority of the Senate to vote in favor of the JCPOA, the INARA dictated a different approval process. The act gave Congress the option do one of three things: pass a bill approving the deal, pass a bill to disapprove it, or do nothing leading to approval by default.

However, since Congress’s decision of disapproval would be a piece of legislation, President Obama could still veto it, which he promised to do. This created a situation where the only way Congress could successfully pass a resolution of disapproval would be to have sufficient votes to override President Obama’s promised veto, which requires a two-thirds majority in the House and Senate. This meant that the Iran Nuclear Agreement Review Act essentially took the approval requirement of 67 senators voting in approval, and reduced it to only 34 refusing to override a veto. While the INARA successfully forced President Obama to submit the JCPOA to Congress for review, it created a nearly impossible course for Congress to navigate in attempting to reject it. See Iran Nuclear Agreement Review Act of 2015, Public Law 114-17, 114th Cong., 1st sess. (22 May 2015); United States Institute for Peace, “Congress Acts: Senate, House Pass Corker Bill,” *The Iran Primer*, May 14, 2015, accessed October 9, 2015, <http://iranprimer.usip.org/blog/2015/may/14/congress-acts-senate-house-pass-corker-bill>.

### **The US-Iran Relationship Under the JCPOA**

Before any forward-looking policies can be discussed, however, several aspects of the JCPOA must be considered. First, what did the United States and Iran agree to under the JCPOA? More importantly, what was not addressed? These must be thoroughly examined before a policy can be constructed. Second, what of the non-nuclear aspects of the US-Iran relationship; areas unaffected by the JCPOA, but which constitute a significant portion of the difficulties between the United States and Iran? In addition, what is the character of the nation of Iran relative to past behavior and expected future actions? Finally, does Iran even desire peace? As Senator Schumer asked, do they only seek sanction relief, and not a restoration of diplomatic relations?<sup>75</sup> The motivations of Iran, both regarding the JCPOA and in all non-nuclear arenas, directly affect how the United States should craft policy towards Iran.

#### **Breaking Down the Agreement**

Under the JCPOA, the United States has agreed to accomplish and complete specific obligations. Though solving the nuclear issue is only one part of a series of problems between the United States and Iran, it is the least flexible under the JCPOA. The framework of the JCPOA therefore forms a permanent foundation for the future US-Iran relations.

**The US agreements under the JCPOA.** The terms of the agreement dictate the timeline for enacting the various actions. According to Kenneth Katzman and Paul K. Kerr, writing for the Congressional Research Service, the United States has agreed to the following upon Implementation Day:<sup>76</sup>

- ease the sanctions that have frozen approximately \$100 to \$125 billion in Iranian revenue overseas in the United States and Europe
- stop enforcing sanctions against Iran's oil industry

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<sup>75</sup> Schumer, "My Position on the Iran Deal."

<sup>76</sup> "'Implementation Day' arrives when the IAEA determines and verifies that Iran has met the requirements laid out in 'Annex V – Implementation Plan' of the JCPOA, para. 15, which summarizes requirements relating to Iran's nuclear program stated in more detail in 'Annex I – Nuclear-related Measures.'" See Kenneth Katzman and Paul K. Kerr, "Iran Nuclear Agreement: Selected Issues for Congress," *Congressional Research Service*, 6 August 2015, accessed 31 August 2015, [http://congressional.proquest.com/congressional/result/pqpresultpage.gispdfhitspanel.pdfink/\\$2fapp-bin\\$2fgis-congresearch\\$2f9\\$2ff\\$2f2\\$2fe\\$2fcrs-2015-fdt-0562\\_from\\_1\\_to\\_34.pdf/entitlementkeys=1234|app-gis|congresearch|crs-2015-fdt-0562](http://congressional.proquest.com/congressional/result/pqpresultpage.gispdfhitspanel.pdfink/$2fapp-bin$2fgis-congresearch$2f9$2ff$2f2$2fe$2fcrs-2015-fdt-0562_from_1_to_34.pdf/entitlementkeys=1234|app-gis|congresearch|crs-2015-fdt-0562).

- stop enforcing sanctions against the Iranian banking industry<sup>77</sup>
- remove selected individuals and companies from the Specially Designated Nationals and Blocked Persons List (SDN List), the Foreign Sanctions Evaders List, and the Non-SDN Iran Sanctions Act List<sup>78</sup>
- allow the sale of commercial passenger airplanes and parts to Iran
- allow the import of Iranian foods and products such as caviar and rugs
- actively encourage the adoption of the JCPOA, or JCPOA influenced policy at the state and local level<sup>79</sup>

The implications of these actions are staggering—for Iran, the United States, and the international community.

The financial consequences of this agreement are extraordinary. As soon as the IAEA determines that Iran is complying with the agreement, Iran will immediately receive access to approximately fifty to sixty billion dollars,<sup>80</sup> equal to roughly fourteen percent of

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<sup>77</sup> “The specific US laws and Executive Orders that will be terminated include the Iran Sanctions Act (P.L. 104-172 as amended); Section 1245(d)(1) of the National Defense Authorization Act for FY 2012 (P.L. 112-81); the Iran Threat Reduction and Syria Human Rights Act (P.L. 112-158); the Iran Freedom and Counter-Proliferation Act (Subtitle D of P.L. 112-239); and the Comprehensive Iran Sanctions, Accountability; and Divestment Act of 2010 (CISADA, P.L. 111-195), Executive Orders 13574, 13590, 13622, 13645, and sections 5-7 and 15 of EO 13628.”

See Kenneth Katzman and Paul K. Kerr, “Iran Nuclear Agreement,” *Congressional Research Service*, 22 July 2015, accessed 31 August 2015,

[http://congressional.proquest.com/congressional/result/pqpresultpage.gispdfhitspanel.pdflink/\\$2fapp-bin\\$2fgis-congresearch\\$2f6\\$2fd\\$2fc\\$2ff\\$2ffcrs-2015-fdt-0508\\_from\\_1\\_to\\_31.pdf?entitlementkeys=1234|app-gis|congresearch|crs-2015-fdt-0508](http://congressional.proquest.com/congressional/result/pqpresultpage.gispdfhitspanel.pdflink/$2fapp-bin$2fgis-congresearch$2f6$2fd$2fc$2ff$2ffcrs-2015-fdt-0508_from_1_to_31.pdf?entitlementkeys=1234|app-gis|congresearch|crs-2015-fdt-0508).

<sup>78</sup> The individuals and companies to be removed from the SDN List, the FSE List and the Non-SDN Iran Sanctions Act List are listed in Annex II, Section B of the Joint Comprehensive Plan of Action. They have not been included in this document due to space constraints.

<sup>79</sup> Katzman and Kerr, “Iran Nuclear Agreement.”

<sup>80</sup> Adam J. Szubin, Acting Under Secretary of Treasury for Terrorism and Financial Intelligence, in his written testimony to the United States Senate Committee on Banking, Housing, and Urban Affairs stated the following:

Estimates of total Central Bank of Iran (CBI) foreign exchange assets worldwide are in the range of \$100 to \$125 billion. Our assessment is that Iran’s usable liquid assets after sanctions relief will be much lower, at a little more than \$50 billion. The other \$50-70 billion of total CBI foreign exchange assets are either obligated in illiquid projects (such as over 50 projects with China) that cannot be monetized quickly, if at all, or are composed of outstanding loans to Iranian entities that cannot repay them. These assets would not become accessible following sanctions relief.

See Adam J. Szubin, “Written Testimony of Adam J. Szubin, Acting Under Secretary of Treasury for Terrorism and Financial Intelligence United States Senate Committee on Banking, Housing, And Urban Affairs,” *U.S. Department of the Treasury*, 5 August 2015, accessed 31 August 2015, <http://www.treasury.gov/press-center/press-releases/Pages/j10144.aspx>.

its GDP for the year 2014,<sup>81</sup> and equivalent to the United States receiving a lump sum of nearly two and a half trillion dollars.<sup>82</sup> With this, the limitations on Iran's oil exports and petroleum products will be removed, allowing them to more than double their current exports and revenue.<sup>83</sup>

**Iran's agreements under the JCPOA.** According to Katzman and Kerr, in return for sanction relief, Iran has agreed to:

- provide the IAEA with answers regarding the outstanding problems due to Iran's non-compliance, and implement the IAEA's Additional Protocol
- limit their centrifuges used to enrich uranium to 5,060 IR-1 centrifuges for ten years
- not enrich uranium-235 to levels past 3.67% for at least fifteen years
- only enrich uranium at their Natanz facility, and not build any additional enrichment facilities for fifteen years
- reduce their stockpile of low enriched uranium (LEU) to 300 kilograms for at least fifteen years. Iran can sell, dispose of, or dilute the remaining LEU in their current stockpiles
- convert the Fordow enrichment center into "a nuclear, physics, and technical centre"
- stop research, development, and production of new centrifuges for at least ten years
- redesign the Arak reactor so that it cannot produce weapons grade plutonium<sup>84</sup>

Should Iran violate these agreements, the JCPOA provides a complex mechanism for the reapplication of the previous sanctions.<sup>85</sup> Additionally, "Iran stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitments under this JCPOA in whole or in part."<sup>86</sup> These are the major terms of the JCPOA, to which both the United States and Iran agreed.

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<sup>81</sup> The GDP of Iran in 2014 was \$415,338,504,536.30 according to the World Bank. See The World Bank, "GDP (current US\$)," *The World Bank*, accessed 31 August 2015, <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.

<sup>82</sup> The GDP of the United States in 2014 was \$17,419,000,000,000.00 according to the World Bank. See *Ibid.*

<sup>83</sup> Katzman and Kerr, "Iran Nuclear Agreement: Select Issues for Congress"

<sup>84</sup> Katzman and Kerr, "Iran Nuclear Agreement."

<sup>85</sup> See the Dispute Resolution Mechanism, sections 36 and 37, on page 17 and 18 of the JCPOA. U.S. Department of State, "Joint Comprehensive Plan of Action," U.S. Department of State, accessed 26 October 2015, <http://www.state.gov/documents/organization/245317.pdf>.

<sup>86</sup> *Ibid.*

The JCPOA grants Iran access to tens of billions of dollars, as well as the freedom to acquire much more through soon-to-be-licensed exports, but in exchange for severe, temporary limitations on their nuclear program. In this regard, the United States will remove economic sanctions, and support the UN's abolishment of the Security Council resolutions and sanctions relative to Iran's nuclear program.<sup>87</sup> Aside from this, however, nothing else has changed, as the US sanctions against Iran for its human rights abuses, support of terrorism, and ballistic missile program remain untouched.<sup>88</sup> Thus, the JCPOA proves to be a significant step towards potential partial reconciliation between Iran and the United States.

### **Does Iran Demonstrate a Desire for Peace?**

One major question posed by Senator Schumer was whether Iran actually wants peace and international reconciliation, or merely the financial benefit of sanctions relief. Iran's motivation will greatly influence the direction US foreign policy should take. If Iran does not desire peace and reconciliation, there is little reason to make repeated overtures towards that end.

Essentially, Iran does not demonstrate an authentic desire for peace or reconciliation. While the Ayatollah was speaking to an Iranian crowd about standing up to the E3/EU+3 negotiators, the familiar "Death to America!" chants started. His reply was very telling as to Iran's current perspective regarding the United States: "Of course yes, death to America, because America is the original source of this pressure."<sup>89</sup> The attitude expressed by the Ayatollah was hardly a desire for peace. What is even more revealing is that the Ayatollah's public remarks were made in March of 2015, while the negotiations were underway.

Furthermore, only four days after the agreement was signed, Ayatollah Khamenei continued to publicly express hatred for the United States and desire for dissension. In his

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<sup>87</sup> This was accomplished with the 15 July 2015 submission of U.N.S.C. Resolution 2231, which was subsequently adopted on 20 July 2015.

Ibid.

<sup>88</sup> Jacob J. Lew, "Testimony of Treasury Secretary Jacob J. Lew before the Senate Foreign Relations Committee on the Iran Nuclear Agreement," *U.S. Department of the Treasury*, 23 July 2015, accessed 31 August 2015, <http://www.treasury.gov/press-center/press-releases/Pages/jl0129.aspx>.

<sup>89</sup> Times of Israel Staff, the AP, and AFP, "Khamenei Calls 'Death to America' as Kerry Hails Progress on Nuke Deal," *Times of Israel*, 21 March 2015, accessed 31 August 2015, <http://www.timesofisrael.com/khamenei-calls-death-to-america-as-kerry-hails-progress-on-nuke-deal/>.



Eid al-Fitr<sup>90</sup> sermon at Tehran's Imam Khomeini Mosalla on 18 July, the Ayatollah made several revealing statements. He assured the congregation:

whether this text is approved or not, we will not stop supporting our friends in the region: [we will continue to support] the oppressed nation of Palestine, the oppressed nation of Yemen, the Syrian nation and government, the Iraqi nation and government, the oppressed people of Bahrain, [and] the honest fighters of the resistance in Lebanon and Palestine; [these people] will be always supported by us.<sup>91</sup>

In addition, the “honest fighters of the resistance in Lebanon and Palestine,” that the Ayatollah praises are groups like Hezbollah, Hamas, the Palestinian Liberation Front, the Palestinian Islamic Jihad, and the Al-Aqsa Martyrs Brigade, all of which are currently on the Department of State's Foreign Terrorist Organizations list.<sup>92</sup>

Later in his sermon, the Ayatollah remarked, “at any rate, our policy toward the arrogant government of America will not change a bit. As I have repeated frequently, we have no negotiation with America on different global and regional issues; we have no negotiation [with America] on bilateral issues . . . America's policies in the region are 180 degrees different from the policies of the Islamic Republic.”<sup>93</sup> The Ayatollah very clearly expressed his disdain for the United States and an abject lack of interest in any form of reconciliation, and clarified Iran's plans to continue religious, ideological, and financial support of terrorist organizations throughout the Middle East.

These sentiments are shared by Ayatollah Mohammad Yazdi, currently the chairman of the Assembly of Experts.<sup>94</sup> Ayatollah Yazdi remarked to the eighteenth

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<sup>90</sup> “The Muslim holiday of *Eid ul-Fitr* (Arabic: عيد الفطر, “festivity of breaking the fast”), sometimes spelled in English as *Eid al-Fitr*, marks the end of Ramadan and the beginning of the next lunar month called *Shawwal* in Arabic.” See ISNA, “Ramadan,” *Islamic Society of North America*, accessed 1 September 2015, [www.isna.net/ramadan.html](http://www.isna.net/ramadan.html).

<sup>91</sup> Sayyid Ali Khamenei, “The Leader's Sermons in the Eid al-Fitr Congregational Prayers at Tehran's Imam Khomeini Mosalla,” *The Office of the Supreme Leader*, 18 July 2015, accessed 1 September 2015, <http://www.leader.ir/langs/en/index.php?p=bayanat&id=13450>. The brackets in this quote are from the translator and are contained in the original source. They do not represent any editing on the part of the author of this paper.

<sup>92</sup> U.S. Department of State, “Foreign Terrorist Organizations,” *U.S. Department of State*, accessed 1 September 2015, <http://www.state.gov/j/ct/rls/other/des/123085.htm>.

<sup>93</sup> Khamenei, “The Leader's sermons in the Eid al-Fitr congregational prayers at Tehran's Imam Khomeini Mosalla.” The brackets in this quote are from the translator and are contained in the original source. They do not represent any editing on the part of the author of this paper.

<sup>94</sup> “The Assembly of Experts (also Assembly of Experts of the Leadership) of Iran, is a deliberative body of Mujtahids (Islamic theologians) that is charged with electing and removing the Supreme Leader of Iran and supervising his activities.” See IRNA, “Iran's Foreign Policy will not Change: Ayatollah Yazdi,” *Islamic Republic News Agency*, 1 September 2015, accessed 2 September 2015,

meeting of the Assembly on 1 September 2015 that “US crimes cannot be numbered and Iran sees [the] US as its first enemy.” He also insisted that the US goal of toppling the Islamic government of Iran would never be realized.<sup>95</sup>

Mohammad Reza Naqdi, the commander of the Basij paramilitary force in Iran, continued the public expression of Iran’s animosity against the United States in an interview with the al-Alam news agency on 31 August 2015. Referring to the thirty million strong Basij forces, Naqdi affirmed, “We all want battle with Oppression, we all support [the] people of Palestine, Iraq, Afghanistan. Our enmity with [the] US is ideological and support of Oppressed people will continue.”<sup>96</sup> He also stated that Iranian “hostility towards the US is profound and may not be resolved through talks.”<sup>97</sup>

Finally, Brigadier General Mohammad-Ali Jafari, commander of the powerful Islamic Revolution Guards Corps (IRGC), expressed a similar attitude in a press conference on 1 September 2015. Speaking on Iranian defense strategies in light of the JCPOA, Jafari vocalized a distressing philosophy: “Our hostility towards the world arrogance [the United States] has not been lessened but the mechanism has changed and [is now] directed to the soft war.”<sup>98</sup> Jafari is the fourth senior Iranian official in two months to publicly reaffirm the two main thrusts of Iranian foreign policy: opposition to the United States, and support of terrorist regimes and groups throughout the Middle East.

Based on these statements, a prima facie case can undoubtedly be made that the ruling powers in Iran disdain the prospect of peace with the United States. The Supreme Leader, Ayatollah Khamenei, has vehemently denounced the possibilities of peace on multiple occasions, prior, and subsequent to, the signing of the agreement. The Assembly of Experts, the body in charge of selecting, overseeing, and if need be removing the Supreme Leader, is currently chaired by Ayatollah Yazdi, a hardliner who has publicly reiterated the sentiments of Ayatollah Khamenei. In addition, Yazdi, who was only recently

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<http://www.irna.ir/en/News/81743504/>.

<sup>95</sup> Ibid.

<sup>96</sup> Al-Alam, “Iran, US Enmity Will Not Be Solved with Dialogue: Basij Commander,” *Al-Alam News Network*, 31 August 2015, <http://en.alalam.ir/news/1734261>.

<sup>97</sup> Fars News Agency, “Basij Commander: Iran-US Enmity Not Resolved through Talks,” *Fars News Agency*, 31 August 2015, accessed 1 September 2015, <http://english.farsnews.com/newstext.aspx?nn=13940609000663>.

<sup>98</sup> IRNA, “IRGC Commander Elaborates on Defense Strategies after Nuclear Deal,” *Islamic Republic News Agency*, 1 September 2015, accessed 1 September 2015, <http://www.irna.ir/en/News/81743677/>.

elected to the position in March of 2015,<sup>99</sup> defeated the moderate former President Akbar Hashemi Rafsanjani who was also running, and who had previously served as chairman of the Assembly of Experts from 2007 to 2011.<sup>100</sup> Thus, Ayatollah Yazdi's hardline viewpoints likely represent the perspective of a majority of the current members in the Assembly of Experts.

Given that the senior leadership structure of Iran appears firmly opposed to reconciliation with the West, the chances of securing peace through the JCPOA are tenuous. Furthermore, the opposition of the IRGC and the Basij forces render any hopes of a major détente between Iran and the United States essentially impossible. Therefore, it can be stated with relative certainty that Iran is not interested in, nor actively pursuing, a reestablishment of peaceful relations with the United States.

### **Iran's Untrustworthy Character as a Nation**

A final facet of Iran that must be evaluated is its character and trustworthiness as a nation. Can Iran be trusted to uphold agreements, especially nuclear agreements? Does Iran have a history of broken promises and lies? Answers to these questions are crucial in determining any policy towards Iran. If Iran cannot be trusted, then any agreement or policy the United States seeks with Iran must be crafted to confront that fact.

**Examining Iran's record at upholding signed agreements.** Iran lacks a record of trust relative to agreements, especially those pertaining to its nuclear program. Though Iran signed the Non-Proliferation Treaty in 1968,<sup>101</sup> the IAEA officially determined Iran to be in non-compliance with the treaty on 24 September 2005,<sup>102</sup> due to its long-standing failure to follow the stipulations of the Safeguards Agreement, as required under Article III of the treaty.<sup>103</sup> In their resolution, the IAEA noted that, "Iran's many failures and

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<sup>99</sup> BBC, "Iran Hardliner Yazdi Picked to Head Assembly of Experts," *BBC News*, 10 March 2015, accessed 2 September 2015, <http://www.bbc.com/news/world-middle-east-31814087>.

<sup>100</sup> *Ibid.*

<sup>101</sup> United Nations Office for Disarmament Affairs, "Iran (Islamic Republic of): Ratification of Treaty on the Non-Proliferation of Nuclear Weapons (NPT)."

<sup>102</sup> IAEA, "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran Resolution Adopted on 24 September 2005."

<sup>103</sup> Article III states:

Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses

breaches of its obligations to comply with its NPT Safeguards Agreement . . . constitute non compliance.”<sup>104</sup> In addition, the IAEA also referenced the “history of concealment of Iran’s nuclear activities referred to in the Director General’s report, the [unknown] nature of these activities, [the] issues brought to light in the course of the Agency’s verification of declarations made by Iran since September 2002 and the resulting absence of confidence that Iran’s nuclear programme is exclusively for peaceful purposes.”<sup>105</sup> This resolution demonstrated IAEA’s acknowledgement of Iran’s long-standing refusal to comply with the NPT.<sup>106</sup>

The list of Iran’s violation of the NPT is substantial; however, upon closer examination, the situation is remarkably worse than it appears. Not only did Iran fail to report its actions to the IAEA, but it boldly lied when questioned about its various programs. For example, according to the official 2003 IAEA report, “in February 2003, Iran also acknowledged that the workshop of the Kalaye Electric Company in Tehran had been used for the production of centrifuge components, but stated that there had been no testing of these components involving the use of nuclear material, either at the Kalaye Electric Company or at any other location in Iran.” However, “in its letter of 21 October 2003, Iran acknowledged that ‘a limited number of tests, using small amounts of UF<sub>6</sub>, [had been] conducted in 1999 and 2002’ at the Kalaye Electric Company.”<sup>107</sup> This is a clear prima facie case of flagrant lying by Iranian officials in order to cover up the extent of their nuclear program. In the same report, the IAEA also noted that:

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to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

See “Treaty on the Non-Proliferation of Nuclear Weapons (NPT).”

<sup>104</sup> IAEA, “Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran Resolution Adopted on 24 September 2005.”

<sup>105</sup> Ibid.

<sup>106</sup> As previously stated, Iran violated the Non-Proliferation Treaty in 1991 by importing uranium and failing to report it to the IAEA. Later, in 1994, Iran imported additional uranium metal, and again failed to acknowledge it. In 1999 and 2002, Iran conducted nuclear tests in secret, once again failing to declare this to the IAEA as required. Iran also built several nuclear facilities in secret, including ones to develop uranium and plutonium, and developed a laser spectroscopy laboratory, to refine low enriched uranium—all in secret. See IAEA, “Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran,” 10 November 2003.

<sup>107</sup> Ibid.

in a meeting with enrichment technology experts held during the 27 October–1 November 2003 visit, Iranian authorities explained that the experiments that had been carried out at the Kalaye Electric Company had involved the 1.9 kg of imported UF<sub>6</sub>,<sup>108</sup> the absence of which the State authorities had earlier attempted to conceal by attributing the loss to evaporation due to leaking valves on the cylinders containing the gas.<sup>109</sup>

Once again, the IAEA bluntly stated that Iran lied to them about both its actions and the extent of its nuclear program.

Iran continued to act in opposition to the IAEA and the international community, despite the discovery of its non-compliance with the NPT. In 2006, Iran resumed enrichment of uranium and manufacturing centrifuges in violation of the 2004 Paris Agreement.<sup>110</sup> Iran also “stopped voluntarily implementing the Additional Protocol in 2006, and refused to answer satisfactorily the IAEA’s questions about past or ongoing experimentation on nuclear weaponization and the development of nuclear warheads for missile delivery systems.”<sup>111</sup> Further, in September of 2009, the United States, United Kingdom, and France revealed the existence of another secret nuclear facility being constructed in Qom.<sup>112</sup>

In the nearly forty years since the Islamic Revolution, Iran has consistently breached signed agreements, and its multiple failures to inform the IAEA of its nuclear advances span more than a decade. When pressed for information on its program, it lied to the inspectors and the international community on several occasions, and possibly an additional, undisclosed number of times. Even after being confronted by the IAEA and the

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<sup>108</sup> When the IAEA inspected the Iranian nuclear program, there was 1.9 kg of uranium missing from the supply of uranium that Iran had imported. When recording the discrepancy in their report, the IAEA said,

As previously reported to the Board of Governors (GOV/2003/40, para. 19), the Iranian authorities have stated that none of the imported UF<sub>6</sub> had been processed, and, specifically, that it had not been used in any centrifuge tests. It was observed during Agency verification in March 2003, however, that some of the UF<sub>6</sub> (1.9 kg) was missing from the two small cylinders. The Iranian authorities have stated that this might be due to leakage from the cylinders resulting from mechanical failure of the valves and possible evaporation due to their storage in a place where temperatures reach 55° C during the summer.

See IAEA, “Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran,” *International Atomic Energy Agency*, 26 August 2003, accessed 3 September 2015, <https://www.iaea.org/sites/default/files/gov2003-63.pdf>.

<sup>109</sup> IAEA, “Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran,” 10 November 2003.

<sup>110</sup> Albright and Stricker, “Iran's Nuclear Program,” 79.

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

UN Security Council, Iran continued to act with near total disregard of its agreements or international law. Based upon this evidence, it is obvious that Iran's government fails to keep agreements, and cannot be trusted. This is especially relevant given the recently signed JCPOA.

**Examining Iran's support for international terrorism.** Another vital aspect of Iran's national character for policy makers to consider is its support for international terrorism. Iran is one of only three nations included on the Department of State's list of State Sponsors of Terrorism,<sup>113</sup> a place they have earned through decades of financial, logistical, and political support for terrorist groups worldwide, beginning with the Islamic Revolution itself. This fact alone should give those tasked with directing the future of the US relationship with Iran the greatest cause for concern.

A non-profit organization, United Against Nuclear Iran, compiled a list of terrorist attacks that Iran conducted, was involved with, or implicated in. The list is stunning in its breadth, beginning with the famous Iranian hostage crisis of 1979, and ending with the tour-bus bombing in Bulgaria in 2012.<sup>114</sup> Due to the significance of Iran's record of terrorism, and its impact upon US policy, it is imperative to include the complete record.

***Iran's terrorism in the 1970s.*** On 4 November 1979, Iranian students overran the US Embassy in Tehran and took ninety members of the staff hostage. Thirty-seven hostages were released within two weeks, and another was released eight months later due to illness. However, fifty-two Americans remained in captivity in Iran for 444 days, finally being freed on 20 January 1981.<sup>115</sup>

***Iran's terrorism in the 1980s.*** Iran was also complicit in a decade of kidnapping and terror in Lebanon between 1982 and 1992 through its support of Hezbollah. Ninety-six individuals, including twenty-five American citizens, were kidnapped during the decade of terror, and several died in captivity for lack of adequate medical care, or from torture.<sup>116</sup> Even though the kidnappings were conducted by Hezbollah in Lebanon, some

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<sup>113</sup> The other two nations are Sudan and Syria. See U.S. Department of State, "State Sponsors of Terrorism," accessed 25 August 2015, <http://www.state.gov/j/ct/list/c14151.htm>.

<sup>114</sup> United Against Nuclear Iran, "Iran: The Most Active State Sponsor Of Terrorism," *United Against Nuclear Iran*, accessed 4 September 2015, <http://www.unitedagainstnucleariran.com/terrorism>.

<sup>115</sup> CNN, "Iranian Hostage Crisis Fast Facts," *CNN*, 30 October 2014, accessed 4 September 2015, <http://edition.cnn.com/2013/09/15/world/meast/iran-hostage-crisis-fast-facts/>.

<sup>116</sup> United Against Nuclear Iran, "Iran: The Most Active State Sponsor Of Terrorism."

of the victims were transported to Iran and held in captivity there.<sup>117</sup> That clearly indicates that Iran is culpable for at least some of the kidnappings.

On the afternoon of 18 April 1983, terrorists struck the US Embassy in Beirut in a devastating suicide bombing. The casualties included sixty-three dead and over one hundred wounded. Of the sixty-three deaths, seventeen were American citizens. The attack in Beirut was conducted by Hezbollah, and financed by Iran.<sup>118</sup> A second suicide bombing occurred in Beirut on 23 October 1983 when an Iranian drove a truck laden with explosives into the US Marine Barracks, taking the lives of 241 US Marines, sailors, and soldiers, and injuring over one hundred more.<sup>119</sup> The same day, another attack in Beirut took the lives of fifty-eight French soldiers.<sup>120</sup>

Later in 1983, Iranian-backed terrorist groups attacked again, this time in Kuwait. The bombing of the US Embassy in Kuwait resulted in five dead, and eighty-six wounded.<sup>121</sup> In 1984, Hezbollah again attacked the United States, this time at the US Embassy Annex in East Beirut. Of the twenty-three people who died in the attack, two were American military personnel, and an additional seventy people were injured.<sup>122</sup> Iran is largely believed to have assisted Hezbollah and Islamic Jihad in conducting the bombing.<sup>123</sup> Continuing their decade of terror, Hezbollah hijacked TWA flight 847 on 14 June 1985. Some of the 153 hostages were released within the first two days, but thirty-nine were held for over two weeks. The only one of the hostages to become a casualty was

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<sup>117</sup> Ibid.

<sup>118</sup> Joseph A. Slobodzian, "Survivors of '83 Attack Win Ruling against Iran," *Philly.com*, 12 September 2003, accessed 4 September 2015, [http://articles.philly.com/2003-09-12/news/25458154\\_1\\_car-bombing-beirut-bombing-islamic-republic](http://articles.philly.com/2003-09-12/news/25458154_1_car-bombing-beirut-bombing-islamic-republic).

<sup>119</sup> Cristina Corbin, "Families of Beirut Bomb Victims Mark 30th Anniversary of First Major Terrorist Attack on US," *Fox News*, 23 October 2013, accessed 4 September 2015, <http://www.foxnews.com/us/2013/10/23/families-beirut-bomb-victims-mark-30th-anniversary-first-major-terrorist-attack/>.

<sup>120</sup> Ibid.

<sup>121</sup> Associated Press, "Car Bomb Kills Two in Kuwait," *AP News Archive*, 15 July 1987, accessed 4 September 2015, <http://www.apnewsarchive.com/1987/Car-Bomb-Kills-2-in-Kuwait/id-f7aedfd76aad52e45317c92b7655686a>.

<sup>122</sup> John Kifner, "23 DIE, INCLUDING 2 AMERICANS, IN TERRORIST CAR BOMB ATTACK ON THE U.S. EMBASSY AT BEIRUT," *New York Times*, 21 September 1984, accessed 4 September 2015, <http://www.nytimes.com/1984/09/21/world/23-die-including-2-americans-terrorist-car-bomb-attack-us-embassy-beirut-blast.html?pagewanted=all>.

<sup>123</sup> United Against Nuclear Iran, "Iran: The Most Active State Sponsor Of Terrorism."

US Navy Petty Officer Robert Stethem, who unfortunately was murdered by the terrorists.<sup>124</sup>

On 13 July 1989, Iranian terrorists serving as Iranian diplomats allegedly assassinated Dr. Abdul-Rahman Ghassemlou, head of the Kurdish Democratic Party of Iran, while he was in Vienna. There is strong evidence from Austrian and Italian sources linking the assassination to Iran, and implicating the former president of Iran, Mahmoud Ahmadinejad, as being personally involved.<sup>125</sup>

*Iran's terrorism in the 1990s.* Iran's international assassinations continued with the murder of Shapour Bakhtiar on 8 August 1991. Bakhtiar, a secular politician, had been prime minister before the Islamic Revolution.<sup>126</sup> A third assassination occurred on 17 September 1992 at the Mykonos Café in Germany, when four Iranian Kurds were killed. In the aftermath, German courts found that Iran's Committee for Special Operations, which claimed the membership of the president and Supreme Leader, had ordered the execution.<sup>127</sup>

Crossing the Atlantic Ocean, Iran continued spreading terrorism with the 17 March 1992 bombing of the Israeli Embassy in Buenos Aires, Argentina. The attack, conducted by Iranian financed Hezbollah, resulted in twenty-nine dead and 242 injured.<sup>128</sup> Iran's terrorist activities in South America continued in 1994, with the 18 July AMIA Jewish community center bombing. The attack against the center, located in Buenos Aires, killed eighty-five people and injured hundreds.<sup>129</sup> Six Iranians are currently wanted by INTERPOL for their role in the attack,<sup>130</sup> including former Iranian Defense Minister Ahmad Vahidi.<sup>131</sup>

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<sup>124</sup> Associated Press, "The Ordeal of Flight 847," *Los Angeles Times*, 1 July 1985, accessed 4 September 2015, [http://articles.latimes.com/1985-07-01/news/mn-10010\\_1\\_hijackers-release](http://articles.latimes.com/1985-07-01/news/mn-10010_1_hijackers-release).

<sup>125</sup> Ekurd Daily, "Dr. Ghassemlou: Twenty Years of Silence is Enough," *Ekurd Daily*, 11 July 2009, accessed 4 September 2015, <http://ekurd.net/mismas/articles/misc2009/7/irankurdistan487.htm>.

<sup>126</sup> United Against Nuclear Iran, "Iran: The Most Active State Sponsor Of Terrorism."

<sup>127</sup> Jackie Shymanski, contributor, "German Court Implicates Iran Leaders in '92 Killings," *CNN*, 10 April 1997, accessed 4 September 2015, [http://www.cnn.com/WORLD/9704/10/germany.iran/index.html?\\_s=PM:WORLD](http://www.cnn.com/WORLD/9704/10/germany.iran/index.html?_s=PM:WORLD).

<sup>128</sup> Jewish Telegraph Agency, "Buenos Aires Jewish Community Marks Embassy Bombing," *Jewish Telegraph Agency*, 19 March 2013, accessed 4 September 2015, <http://www.jta.org/2013/03/19/news-opinion/world/buenos-aires-jewish-community-marks-embassy-bombing>.

<sup>129</sup> *Ibid.*

<sup>130</sup> *Ibid.*

<sup>131</sup> INTERPOL, "Wanted Persons," *INTERPOL*, 2007, accessed 4 September 2015, <http://www.interpol.int/en/notice/search/wanted/2007-49957>.



On 25 June 1996, Iran and Hezbollah struck the United States again, this time in Saudi Arabia. The bombing of the Khobar Towers resulted in nineteen dead Americans, and an additional 372 injured.<sup>132</sup> In 2001, Attorney General John Ashcroft released a statement following the indictments relating to the bombing, indicating “that elements of the Iranian government inspired, supported, and supervised members of the Saudi Hizballah. In particular, the indictment alleges that the charged defendants reported their surveillance activities to Iranian officials, and were supported and directed in those activities by Iranian officials.”<sup>133</sup>

***Iran’s terrorism in the 2000s.*** In 2010, newly appointed US Ambassador to Iraq James Jeffrey estimated that “up to a quarter of the American casualties and some of the more horrific incidents in which Americans were kidnapped . . . can be traced without doubt to [the] Iranian groups.”<sup>134</sup> Further, Iran is not only actively working against the US military in Iraq, but also providing funding to the Taliban in Afghanistan. News reports from 2010 detail how Iran pays Taliban fighters for killing American soldiers. For every soldier killed, Iran would pay \$1,000, and for every destroyed vehicle the payment rose to \$6,000.<sup>135</sup> The individual interviewed in the report claimed he had collected over \$77,000 in blood money from Iran.<sup>136</sup>

***Iran’s terrorism in the 2010s.*** Iran’s brazen acts of terrorism continued to spread, and even reached the United States homeland in 2011. According to the Department of Justice, on 11 October 2011, “two individuals [were] charged in New York for their alleged participation in a plot directed by elements of the Iranian government to murder the Saudi Ambassador to the United States with explosives while the Ambassador was in the United States.”<sup>137</sup> The plot was remarkable for several reasons. One is the outright boldness on the

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<sup>132</sup> FBI National Press Office, “Terrorism Charges Have Been Brought Against 13 Members of the Pro-Iran Saudi Hizballah,” *The Federal Bureau of Investigation*, 21 June 2001, accessed 4 September 2015, <https://www.fbi.gov/news/pressrel/press-releases/terrorism-charges-have-been-brought-against-13-members-of-the-pro-iran-saudi-hizballah>.

<sup>133</sup> John Ashcroft, “Attorney General Statement,” *The Department of Justice*, 21 June 2001, accessed 4 September 2015, <http://www.justice.gov/archive/opa/pr/2001/June/275ag.htm>.

<sup>134</sup> Reuters, “US Iraq Deaths Due to Iran Groups: Envoy,” *Al Arabia News*, 17 October 2010, accessed 4 September 2015, <http://www.alarabiya.net/articles/2010/08/27/117757.html>.

<sup>135</sup> NBC, “Report: Iran Pays \$1,000 for Each U.S. Soldier Killed by the Taliban,” *NBC News*, 5 September 2010, accessed 4 September 2015, <http://www.nbcnews.com/id/39014669/#.UqzomRDvIw>.

<sup>136</sup> *Ibid.*

<sup>137</sup> Department of Justice Office of Public Affairs, “Two Men Charged in Alleged Plot to Assassinate Saudi Arabian Ambassador to the United States,” *Department of Justice*, 11 October 2011, accessed 4

part of Iran to attempt to assassinate a senior diplomat in a foreign country. Second, the plot involved the assistance of a drug cartel in Mexico,<sup>138</sup> indicating the reach of Iranian terror.

On 13 and 14 February 2012, Iran attempted three coordinated attacks against Israeli diplomats worldwide. The first one in New Delhi, India, consisted of a car bomb that successfully detonated, but failed to kill the intended targets. Nevertheless, the wife of the Israeli defense attaché, who was in the vehicle, was seriously injured in the attack.<sup>139</sup> There were also connected, but unsuccessful, bombing attempts in Tbilisi, Georgia, and Bangkok, Thailand.<sup>140</sup>

According to the *UK Guardian*'s reports, "police evidence, witness statements and court documents . . . plus interviews with local and international law enforcement and security officials, indicate that the attempted triple-bombing on 13 and 14 February was conducted by a well co-ordinated network of about a dozen Iranians and prepared over at least 10 months."<sup>141</sup> Additionally, the multinational investigation uncovered "at least 10 Iranians allegedly involved in the plots, money transfers to key individuals from Iran, the use of Iranian phone connections and the flight following the attacks of conspirators to Iran."<sup>142</sup> This led one security official to remark, "The question is not was this Iran-backed or Iran-organised but who in Iran was running all this."<sup>143</sup>

In March of 2012, Iran again attempted to conduct terrorist attacks in foreign countries, this time in Azerbaijan. On 12 March 2012, it was reported that Azerbaijani officials arrested twenty-two individuals that they allege were hired by Iran to conduct attacks in the country. Their targets were primarily the US and Israeli embassies, but also additional targets with ties to the West.<sup>144</sup> Later that year, terrorists successfully carried out

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September 2015, <http://www.justice.gov/opa/pr/two-men-charged-alleged-plot-assassinate-saudi-arabian-ambassador-united-states>.

<sup>138</sup> Ibid.

<sup>139</sup> Jason Burke, "Iran was Behind Bomb Plot against Israeli Diplomats, Investigators Find," *Guardian*, 17 June 2012, accessed 4 September 2015, <http://www.theguardian.com/world/2012/jun/17/iran-bomb-plot-israel-nuclear-talks>.

<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Associated Press, "Azerbaijan Arrests Alleged Iran-hired Terrorists," *Fox News*, 14 March 2012, accessed 4 September 2015, <http://www.foxnews.com/world/2012/03/14/22-arrested-in-azerbaijan-in-plot-on-us-israeli-embassies/>.

an attack against an Israeli tour bus in Bulgaria. The Bulgarian government blamed the 18 July bombing in Burgas, Bulgaria, which killed five Israeli tourists and the Bulgarian bus driver, on Hezbollah and Iran.<sup>145</sup>

According to the Department of State Country Reports on Terrorism 2014, “Iran’s state sponsorship of terrorism worldwide remained undiminished through the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF), its Ministry of Intelligence and Security, and Tehran’s ally Hizballah.”<sup>146</sup> Additionally, the report stated that “since the end of the 2006 Israeli-Hizballah conflict, Iran has also assisted in rearming Lebanese Hizballah, in direct violation of UNSCR 1701.” Further, “Iran has provided hundreds of millions of dollars in support of Lebanese Hizballah in Lebanon and has trained thousands of its fighters at camps in Iran.” The report also mentions Iranian support for al-Qaida, their role in helping destabilize Iraq, their crucial support of the Assad regime in Syria, and their support of Palestinian terrorist groups.<sup>147</sup>

Finally, on 4 March 2014, Pete Hoekstra, former chairman of the House Permanent Select Committee on Intelligence, and now a Sidllman Senior Fellow with the Investigative Project on Terrorism, testified before the House Foreign Affairs Subcommittees on Terrorism, Nonproliferation, and Trade; Middle East and North Africa. In his prepared statement, he listed forty-two countries worldwide where Iran either sponsored terrorism or has a significant outreach program in place.<sup>148</sup> As Chairman Hoekstra remarked, the list is “breathtaking.”<sup>149</sup>

**Iran’s untrustworthy character.** As the foregoing record clearly demonstrates, Iran’s historic and current support for terrorist groups worldwide is well documented.

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<sup>145</sup> Jay Solomon and Gordon Fairclough, “Hezbollah and Iran Blamed in Bombing,” *Wall Street Journal*, 4 February 2015, accessed 4 September 2015, <http://www.wsj.com/news/articles/SB10001424127887324445904578284304081844348>.

<sup>146</sup> Bureau of Counterterrorism, “Country Reports on Terrorism 2014 - Chapter 2. Country Reports: Middle East and North Africa Overview,” *U.S. Department of State*, accessed 3 September 2015, <http://www.state.gov/j/ct/rls/crt/2014/239407.htm>.

<sup>147</sup> Bureau of Counterterrorism, “Country Reports on Terrorism 2014 - Chapter 3: State Sponsors of Terrorism Overview,” accessed 3 September 2015, <http://www.state.gov/j/ct/rls/crt/2014/index.htm>.

<sup>148</sup> The countries include Afghanistan, Bahrain, India, Nepal, Saudi Arabia, Kuwait, Nigeria, Sudan, Eritrea, Kenya, Somalia, Comoro Islands, Djibouti, Tanzania, Azerbaijan, Iraq, Lebanon, Syria, Gaza, Ecuador, Venezuela, Yemen, Argentina, Brazil, Bolivia, Colombia, Chile, Paraguay, Uruguay, Surinam, Trinidad & Tobago, Mexico, USA, France, Germany, UK, Australia, Canada, Georgia, Thailand, Cyprus, and Bulgaria. See *Hearing before the Subcommittee on The Middle East and North Africa of the Committee on Foreign Affairs*, Iran’s Support for Terrorism Worldwide, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., 4 March 2014, 18.

<sup>149</sup> *Ibid.*

Therefore, the reality policy-makers face when attempting to craft US policy toward Iran is discouraging and virtually void of hope. Iran has consistently broken agreements and treaties it has signed, lied to international inspectors about its nuclear activities and intentions, and supported and conducted terrorist attacks worldwide. Any productive policy efforts must consider these realities, which unfortunately characterize Iran.

### **Future Relations with Iran**

It is important to remember, at this stage in the diplomatic process with Iran, that the United States should pursue peace with Iran as its main goal: peace between the United States and Iran, and between Iran and US allies in the Middle East. Contrary to common perceptions, this objective does not require Iran to embrace the United States as an ally, or vice versa. Peace translates into non-aggression, not Iranian compliance with US ideals. Thus, a successful solution could potentially involve little to no direct diplomatic communication or cooperation between Iran and the United States, provided there is de facto peace. Israel and Saudi Arabia's relationship, while certainly imperfect, demonstrates how this type of peace could be accomplished without a full reconciliation diplomatically.

Israel and Saudi Arabia have never entertained formal diplomatic relations, yet they share common interests. Both want peace in the Middle East, albeit with different views on how to achieve it. Both are threatened by militant Islamic groups like ISIS, Hamas, and the Muslim Brotherhood, and both fear a powerful and nuclear-armed Tehran. Therefore, while Saudi Arabia and Israel are publicly enemies, in practice they often quietly support, or at least do not oppose, efforts towards their common objectives.<sup>150</sup> Therefore, the current goal for developing US policy should be a similar sort of peace that does not require Iranian acquiescence to, and acceptance of, US ideals.

### **Key Policy Considerations**

In order to craft an effective US foreign policy that will lead towards such a peace, that policy must build upon seven components. To be successful, any policy that is developed regarding Iran must accomplish the following:

- it must protect US security

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<sup>150</sup> David A. Graham, "Israel and Saudi Arabia: Togetherish at Last?" *Atlantic*, June 2015, accessed 7 September 2015, <http://www.theatlantic.com/international/archive/2015/06/israeli-saudi-relations/395015/>.

- it must be realistic
- it must acknowledge Iran's national character
- it must recognize Iran's sovereignty as a nation-state
- it must take into consideration regional concerns
- it must be politically and internationally feasible
- it must be clearly articulated

These qualifiers must be the foundation for the future of the US relationship with Iran as the United States looks to implement the JCPOA and readjust foreign policy toward Iran.

The first essential objective in US foreign policy is to protect US security at home and abroad. It would be an egregious abrogation of responsibility for policymakers to recommend a policy that failed to ensure the safety of the United States and its citizens. This not only requires the protection of the homeland, but also of citizens abroad, whether on official government business or otherwise. This criterion is the most important qualifier, and must be met in any policy put forward regarding Iran.

The second criterion is that the policy must be realistic. Pushing for the total cessation of all nuclear technology, development, and power would guarantee that Iran could never develop a nuclear weapon. However, there is no practical way to enact that policy. Additionally, granting Iran everything they demand could go a long ways towards repairing the US-Iran relationship, but it is a completely unrealistic policy to pursue.

The third requirement for any policy is that it accurately and honestly acknowledge Iran's character as a nation. Iran has consistently supported terrorism and has demonstrated the desire to acquire nuclear weapons. Further, Iran has an extensive history of attempting to dominate the Middle East and spread the Islamic Revolution to the surrounding countries. Iran also actively seeks to threaten US regional allies, including Israel, Jordan, and Saudi Arabia. While these facts are not politically expedient, they represent the realities posed by Iran, and thus must be accounted for.

Fourth, any policy must recognize that Iran is a sovereign nation-state, and as such, has the authority to enact policies and decisions without US approval. Within the bounds of international law, Iran has the authority to pursue what it may please, regardless of US consent. As much as it may frustrate members of the US political and diplomatic

community, Iran is free to oppose the United States in virtually any way it may choose, even through war. Any policy needs to be based upon an understanding of that fact.

The fifth consideration, while significantly weaker than the first four, nonetheless is necessary for a successful policy. Anything the United States proposes regarding Iran will have major ramifications in the greater Middle East. Thus, any proposal must take into consideration the collateral consequences for the surrounding nations. The nation of Israel is the most obvious consideration; however, there are multiple other countries that demand consideration as well.

Saudi Arabia, for example, is one of the most powerful Arab countries, given its massive oil reserves, and its status as caretaker of the two holiest cities in Islam. The Saudis' religious, military, and economic influence in the region cannot be overlooked. Additionally, Saudi Arabia has been at odds with Iran for decades. Another regional power, which also happens to be a US ally, is the Hashemite Kingdom of Jordan. Currently relatively peaceful and stable, Jordan borders Syria and Iraq, which are both currently in the midst of immense internal turmoil and civil war, and Iran is encouraging violence within both countries. Therefore, it is crucial that any policy the United States develops takes into consideration all of the regional implications.

Sixth, to be successful, the policy recommendation must be politically and internationally feasible, and supported by members of both political parties. In addition, while the United States is not bound by the constraints of notoriously fickle international opinion, it still must consider the international implications of any policy. For example, any effort to place additional UN sanctions on Iran requires, at a bare minimum, the support of the Permanent Members of the Security Council. While the UK and France tend to be of a similar policy-mindset as the United States, both China and Russia are infamously opposed to many US policy goals. Therefore, in order to have any lasting effectiveness, any policy proposal towards Iran must have as wide of an international appeal as possible.

Finally, any policy recommendation must be clearly articulated. Without a clearly defined policy, decision makers are left to either create policy ad hoc, or function in a purely reactionary manner. In addition, a well-developed policy must be clearly enumerated so that it can be presented and discussed prior to adoption. A lack of clarity would prove disastrous to the success of any foreign policy recommendation.

### Three US-Iran Policy Proposals

**Optimistic embrace of the JCPOA.** There are three types of proposed responses to the JCPOA which the United States could adopt. The first is to declare the deal an overwhelming success. The Obama administration is taking this path, and President Obama is throwing his full weight behind the deal. According to the official White House page on the JCPOA, “after many months of principled diplomacy, the P5+1 — the United States, the United Kingdom, France, China, Russia and Germany — along with the European Union, have achieved a long-term comprehensive nuclear deal with Iran that will verifiably prevent Iran from acquiring a nuclear weapon and ensure that Iran’s nuclear program will be exclusively peaceful going forward.”<sup>151</sup> Proponents of this policy brim with overflowing optimism that peace has once again been restored to the Middle East and the problem of a nuclear Iran has been resolved.

However, this attitude fails at least three of the seven criteria. First, it fails to adequately protect US security; second, it fails to take into consideration Iran’s proven character; and third, it fails to comprehend regional concerns and realities. It is abundantly clear that the JCPOA alone will not resolve the longstanding issues posed by Iran.

**Criterion 1: US national security.** The JCPOA places strict constraints on Iran’s nuclear development capabilities, but only for a maximum of fifteen years, after which time Iran will be better positioned to develop nuclear weapons, should they choose to. Once the fifteen years expire, the United States will have very little influence over Iran, placing it at a great disadvantage should Iran choose to escalate hostilities. This is a serious strategic security lapse.

According to US Treasury estimates, it will take Iran until 2022 to rebuild its economy, even with sanctions relief.<sup>152</sup> Unfortunately, that is only half way through the fifteen years of restrictions. Thus, Iran has approximately seven to eight years to build their economy to the point of supporting a nuclear program once the restrictions end. Additionally, Iran has fifteen years free of sanctions in order to establish financial

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<sup>151</sup> *White House* “The Historic Deal that Will Prevent Iran from Acquiring a Nuclear Weapon” *The White House*, accessed 5 September 2015, <https://www.whitehouse.gov/issues/foreign-policy/iran-deal>.

<sup>152</sup> Adam J. Szubin, “Written Testimony of Adam J. Szubin, Acting Under Secretary of Treasury for Terrorism and Financial Intelligence United States Senate Committee on Banking, Housing, And Urban Affairs.”

relationships with countries such as Russia and China, which have a long history of rejecting US influence. If Iran capitalizes on this opportunity, it could reach the end of the restrictions with a strong economy, strong economic ties to countries that oppose US foreign policy, and no restrictions on nuclear development. The risks posed by that scenario would be astronomical.

**Criterion 3: Iran's national character.** Additionally, this policy utterly fails to take into consideration the nature of Iran, such as Iran's history of lying and deceit. As previously demonstrated, Iran has repeatedly proven untrustworthy, and thus it would be sheer foolishness to blindly trust in any sort of hoped-for character transformation. This is especially relevant given the antagonistic statements that various members of Iran's leadership have made after the JCPOA was signed.

Further, this naïvely optimistic attitude towards Iran does not take into consideration the difference in politics between the United States and Iran. The current Supreme Leader of Iran has been in power since he was appointed in 1990,<sup>153</sup> meaning that he has ruled Iran through seven successive US presidential administrations, reaching back to the administration of George H. W. Bush who was president from 1989-1993. By the time the fifteen-year restrictions end for Iran, there will have been almost four full additional US presidential administrations. It is possible that the current Ayatollah will still be ruling Iran in fifteen years, as he is only seventy-six. Even if he were to pass away, it is highly probable that there will only be one change of leadership in the next fifteen years.

This continuity of leadership and control is completely foreign to the US political perspective. Thus, any hopes that a new political environment will emerge in the next fifteen years is grounded in wishful policy-thinking. It is possible that the next decade could witness a "new" Iran, but with over thirty-five years of history as precedent, the balance of probability leans strongly against it.

**Criterion 5: Regional concerns.** Finally, this policy virtually ignores the concerns of regional nations, most evident in Israel's efforts to lobby against the deal. In his speech to the seventieth General Assembly of the United Nations, the Prime Minister of Israel, Benjamin Netanyahu, excoriated the international community for their support of the

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<sup>153</sup> Office of the Supreme Leader, "Biography," *The Office of the Supreme Leader*, accessed 5 September 2015, <http://www.leader.ir/langs/en/index.php?p=bi>.



JCPOA. He forcefully stated that the “deal doesn't make peace more likely. By fueling Iran's aggressions with billions of dollars in sanctions relief, it makes war more likely.” He continued:

Every few weeks, Iran and Hezbollah set up new terror cells in cities throughout the world. Three such cells were recently uncovered in Kuwait, Jordan and Cyprus. In May, security forces in Cyprus raided a Hezbollah agent's apartment in the city of Larnaca. There they found five tons of ammonium nitrate, that's roughly the same amount of ammonium nitrate that was used to blow up the federal building in Oklahoma City. And that's just in one apartment, in one city, in one country. But Iran is setting up dozens of terror cells like this around the world, ladies and gentlemen, they're setting up those terror cells in this hemisphere too.<sup>154</sup>

Prime Minister Netanyahu also firmly indicated, “Israel will do whatever it must do to defend our state and to defend our people.”<sup>155</sup>

While Saudi Arabia had a more muted response to the JCPOA, the official statement was cool at best. An official Saudi source said, “Saudi Arabia has always been in favor of an agreement between Iran and the P 5+1 Group that would prevent Iran from acquiring a nuclear weapon. The agreement must include a specific, strict and sustainable inspection regime of all Iranian sites, including military sites, as well as a mechanism to swiftly re-impose effective sanctions in the event that Iran violates the agreement.” Even more revealing was that:

Saudi Arabia agrees with the P5+1 Group and the international community in continuing the sanctions on Iran for its support of terrorism and its violations of international arms treaties. Under the nuclear deal, Iran has to use its resources for domestic development and to improve the living conditions of its people rather than use it to incite turmoil in the region, which would only be met with harsh and determined responses from the countries of the region.<sup>156</sup>

The serious concerns of both Saudi Arabia and Israel are evident in their statements regarding the JCPOA. All told, this naïvely optimistic policy recommendation fails three of the essential criteria, and therefore should not be pursued, even though the JCPOA has been signed.

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<sup>154</sup> Benjamin Netanyahu, “Address to the UN General Assembly,” *Israel Ministry of Foreign Affairs*, 1 October 2015, accessed 2 October 2015, <http://mfa.gov.il/MFA/PressRoom/2015/Pages/PM-Netanyahu-addresses-the-UN-General-Assembly-1-Oct-2015.aspx>.

<sup>155</sup> Ibid.

<sup>156</sup> Royal Embassy of Saudi Arabia, “Saudi Statement on Iran Nuclear Deal,” 14 July 2015, accessed 2 October 2015, [https://www.saudiembassy.net/latest\\_news/news07141501.aspx](https://www.saudiembassy.net/latest_news/news07141501.aspx).

**Total rejection of the JCPOA.** In contrast to President Obama's confident optimism, others take a markedly different perspective on the deal. For example, the organization Jihad Watch called the JCPOA "a looming disaster for the free world" and "a gift to the Ayatollah, ensuring a future of blood and ruin."<sup>157</sup> This sentiment is shared among many of the current members of Congress, and especially those of the Republican Party.

When the deal came before Congress, not a single Republican in the House or Senate voted in favor of it. In the House, the vote was 269 opposed to 162 in favor, with one "present" vote by a Republican. Additionally, twenty-five Democrats joined the Republicans in rejecting the deal.<sup>158</sup> In the Senate, all fifty-four Republicans were joined by four Democrats, including the ranking member of the Senate Foreign Relations Committee, Senator Ben Cardin (D-MD), in opposing the deal.<sup>159</sup> However, due to the terms of the Corker bill<sup>160</sup>, their opposition was not enough to prevent its enactment. Most opponents continue to advocate various forms of total rejection of the deal, coupled with either a continuation of sanctions or an increase. While this perspective accurately identifies the weaknesses of the deal, it fails regarding two of the criteria.

**Criterion 2: Is it realistic?** Completely doing away with the JCPOA and attempting to re-negotiate another deal with Iran would be virtually impossible. Now that the implementation of the deal has begun, it would be extremely difficult to reject it and re-impose the sanctions. Realistically speaking, the only way that this could be accomplished would be by a change in the membership of the Senate and Presidency. Nevertheless, the deal will have been in place for almost sixteen months before that is scheduled to occur, greatly increasing the difficulty of rejecting it. Further, reapplication of the sanctions likely would not be enough. Rather, there would need to be an increase in sanctions in order to force Iran to re-negotiate, and even in that case, the likelihood of success is minimal.

**Criterion 6: Is it feasible internationally?** It is essential to remember that the JCPOA was a joint deal, not just a US-Iran deal. France, Germany, the UK, Russia, and

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<sup>157</sup> Robert Spencer, "Iran Deal is, Predictably, a Looming Disaster for the Free World," *Jihad Watch*, 14 July 2015, accessed 5 September 2015, <http://www.jihadwatch.org/2015/07/iran-deal-is-predictably-a-looming-disaster-for-the-free-world>.

<sup>158</sup> Clerk of the House, "FINAL VOTE RESULTS FOR ROLL CALL 493."

<sup>159</sup> United States Senate, "U.S. Senate Roll Call Votes 114<sup>th</sup> Congress - 1<sup>st</sup> Session."

<sup>160</sup> The Corker bill is explained in depth in footnote 74.

China all negotiated and signed it as well. Thus, if the United States were to attempt to retroactively reject the deal, there would likely be no international support. Additionally, the United States, acting alone, is not capable of influencing Iran in a significant way short of declaring war. Lured by lucrative business opportunities, the other members of the E3/EU+3, to say nothing of the international community at large, would be completely disinterested in throwing out the deal they negotiated. Even though this option recognizes the threats posed by Iran, it fails the test of feasibility and would be unproductive to pursue.

**Distrust Iran, verify its compliance, and support regional allies.** There is, however, a third option. Borrowing from President Reagan's approach to the Soviet Union, the United States could pursue a policy of distrust and verification, which would best satisfy the seven requirements for a successful foreign policy. It would ensure US security more successfully by holding Iran to its agreements, and doubly verifying its adherence. Since Iran is not trustworthy, Iranian claims of compliance cannot be treated as accurate, necessitating independent verification.

*Criteria evaluation.* This policy is realistic in that it addresses the weaknesses of the JCPOA, while also acknowledging that it has been signed, and that the United States has agreed to abide by it. Iran's sovereignty is respected, as is its ability to act in opposition to the United States. However, its ability to break its agreements, which it has repeatedly done, would be hampered by US verification. This would also address regional concerns, especially those of Israel.

Finally, a policy of distrust of Iran, yet providing it the opportunity to prove trustworthy, would be internationally feasible, as verification would only ensure that the agreement succeeds. This is in the best interests of the international community. Additionally, the stated distrust in the policy would likely find support in the majority of Congress that voted against the deal in September of 2015. Finally, in order to accommodate the final qualification, any policy recommendation must be clearly articulated.

*Steps for application of the recommended policy.* Former State Department official Robert Einhorn<sup>161</sup> proposed six policies that could be enacted in the effort to ensure

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<sup>161</sup> According to his Brookings Institute biography,

the success of the JCPOA.<sup>162</sup> Taking aspects of his six recommendations, and adding a seventh, creates seven clear steps to a practical application of a policy of Distrust and Verify:

- Step 1: Build international support for enforcement and Iranian compliance
- Step 2: Prioritize detection of Iranian weaponization efforts
- Step 3: Identify nuclear activities that have no plausible peaceful justification
- Step 4: Share pertinent intelligence with the IAEA and E3/EU+3
- Step 5: Enforce current UNSC resolutions against Iran's missile program
- Step 6: Remain vigilant against Iran's funding of terrorism
- Step 7: Increase proactive support for US allies in the region

Taken together, these seven steps form the basis for a coherent, realistic policy towards Iran.

*Step 1: Build international support for enforcement and Iranian compliance.*

Though the JCPOA has been signed, and is in the process of being implemented, there are stringent parameters that Iran must meet, or risk the reapplication of all the former sanctions. Both the current administration and Congress should work with the E3/EU+3 to ensure that Iran will be held to its agreements. The United States should publicly make it very clear that it will not tolerate any violation or deviation from the JCPOA, and build international support for strict enforcement, to ensure the success of the JCPOA for at least the next fifteen years.

*Step 2: Prioritize detection of Iranian weaponization efforts.* In order to make Step 1 effective, Step 2 should be immediately implemented. This will ensure that Iran's nuclear program is solely peaceful, as they have committed, and place Iran into the same category

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See Brookings Institute, "Robert Einhorn," *Brookings Institute*, accessed 5 September 2015, <http://www.brookings.edu/experts/einhornr>.

<sup>162</sup> Robert Einhorn, "Debating the Iran Nuclear Deal," *Brookings Institute*, August 2015, accessed 7 September 2015, <http://www.brookings.edu/research/reports2/2015/08/iran-nuclear-deal-battleground-issues-einhorn>.

as the other thirty-two countries with active nuclear technology that cause no international apprehension.<sup>163</sup> Since the danger is the weaponization of nuclear technology, not the possession of it, the United States should actively seek to detect Iranian weaponization technology and development. This policy respects Iran's right to have nuclear technology as outlined in the Non-Proliferation Treaty, yet addresses the risks posed by a nuclear Iran.

*Step 3: Identify nuclear activities that have no plausible peaceful justification.* Step 3 ties neatly in with Step 2. The United States should identify specific actions that have no plausible, peaceful justification and make it official policy that it views these actions as a violation of the JCPOA. Should any of these actions be detected, the United States could then declare Iran in violation and work to reapply the sanctions as laid out in the JCPOA. These actions would include things such as the production of highly enriched uranium or plutonium, any activity towards weaponization, as well as any grievous failure by Iran to report its activities to the IAEA as mandated by the Safeguards Agreement.

*Step 4: Share pertinent intelligence with the IAEA and E3/EU+3.* Step 4 builds on the previous three steps to ensure that any breaches of the JCPOA will be addressed accordingly. The United States should make sure that the IAEA has the necessary intelligence to adequately assess Iran's nuclear program. Additionally, should a violation occur, the United States should work to make certain that the IAEA and E3/EU+3 have enough detailed intelligence to recognize and respond to that breach. This can be done by tasking the US intelligence community to detect Iranian failure to comply with the JCPOA. Additionally, Congress and the intelligence community should immediately work to establish the proper information channels to relay pertinent US intelligence information to the E3/EU+3 and IAEA, instead of waiting until a breach occurs.

*Step 5: Enforce current UNSC resolutions against Iran's missile program.* Step 5 will address several concerns simultaneously. First, it will help ensure US security, and second, it will help ensure peace in the Middle East. Additionally, strict enforcement of current sanctions will reassert the authority of the UN, remind Iran that the JCPOA does

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<sup>163</sup> The countries are Argentina, Armenia, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Czech Republic, Finland, France, Germany, Hungary, India, Japan, Mexico, Netherlands, Pakistan, Republic of Korea, Romania, Russia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Taiwan, Ukraine, United Arab Emirates, United Kingdom, and the United States of America. See PRIS, "Country Statistics," *International Atomic Energy Agency*, accessed 7 September 2015, <https://www.iaea.org/PRIS/CountryStatistics/CountryStatisticsLandingPage.aspx>.

not resolve the international community's opposition to their non-nuclear violations, and reassert the fact that the United States can be a powerful foe should Iran attempt to violate the agreement.

*Step 6: Remain vigilant against Iran's funding of terrorism.* Step 6, in conjunction with the previous five steps, will help attain the larger goal of peace in the Middle East. By doubling down on fighting the funding of terrorism, the United States can seek to mitigate the risks that the financial benefits Iran receives under the JCPOA will be channeled towards terrorism. This satisfies the larger goal of regional peace, as well as acknowledging the reality of Iran's history of supporting terrorism. Congress can work to pass laws that place sanctions on those who aid or finance terror, freeze assets of known supporters of terror, and strengthen existing anti-terror policies. Additionally, the United States should pressure the international community to work to stop the funding of terror worldwide.

*Step 7: Increase proactive support for US allies in the region.* Finally, Step 7 will seek to counteract any increase in influence Iran might gain due to the JCPOA. By actively working to support US allies in the Middle East, it will signal to Iran that the United States is not abandoning the region, and help reassure allies that are threatened by Iran. Step 7 can include military cooperation such as joint training exercises and drills, economic cooperation like trade agreements and investments in national companies, or even educational cooperation like student exchange programs.

Additionally, Step 7 would involve opposing Iran's inflammatory rhetoric against Israel and the West. No nation should call for the destruction of another nation and not be soundly rebuked for it by the international community. The United States should take these obvious, concrete steps to indicate a continued, or even increased, alliance with dependable allies in the Middle East.

### **Conclusion**

While the US-Iran relationship likely will not see any significant improvement following the JCPOA, there is the potential for peace moving forward. Policy makers should be content with achieving a status of non-aggression with Iran, rather than full diplomatic reconciliation. Unfortunately, Iran and the United States share a long history of distrust and suspicion. This stems mainly from Iran's three decades of global terrorism beginning with the hostage crisis in 1979 and its repeated violations of international

agreements with its nuclear program, as well as the various interventions that the United States has made in the region. Regrettably, this long history casts a long shadow over the current relationship between the two countries.

After three decades of continual roadblocks, the biggest opportunity for diplomatic progress came in the form of the 2015 Joint Comprehensive Plan of Action. This agreement set up a framework for the removal of the economic sanctions placed on Iran by the UN Security Council, and attempts to ensure the Iran's nuclear program will be solely peaceful in nature. While the JCPOA is not widely supported in the United States, or among US allies in the Middle East, it was accepted by all the parties, and implementation began in late 2015. The JCPOA is definitely flawed, yet it currently forms the framework for a significant portion of the US-Iran relationship today, and thus any policy must work from that foundation.

Three different strategies have been proposed that attempt to direct US foreign policy in relation to Iran. The first, an optimistic embrace of the JCPOA, falls woefully short upon closer examination. This policy fails to adequately ensure US security, it fails to acknowledge Iran's history of terrorism, and it ignores many of the concerns of the other countries in the region. The second option, outright rejection of the JCPOA, fails a test of feasibility. While recognizing the shortcomings of the JCPOA and attempting to address them, this policy alternative has virtually no chance of success. To begin with, the JCPOA will have been implemented for over a year before there is any possibility of rejection by the United States, and secondly, this proposal will have virtually no support internationally. This would leave the United States in the uncomfortable position of backing out of a major international agreement over a year after it had approved that very agreement. Therefore, while it may appear to be a good alternative, this policy ultimately proves deeply flawed and should not be pursued.

Finally, a strategy of distrusting Iran, yet giving them the opportunity to prove trustworthy, is proposed as the best plan of action. This policy of distrust and verify can be accomplished through seven specific policy recommendations, which if enacted, form a clear pathway to success. The seven steps work to strengthen the existing JCPOA, and develop a cohesive foreign policy that extends beyond the text of the agreement. Additionally, these steps look to ensure not just US peace with Iran, but peace in the Middle

East as a whole. Therefore, while this alternative keeps the seriously flawed JCPOA in force, it offers the best path forwards for the United States to take in order to secure lasting peace.



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