

Testimony of Ambassador (ret.) Nicholas Burns
Goodman Professor of Diplomacy and
International Relations
Harvard Kennedy School
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Mr. Chairman, Ranking Member Reed and members of the committee, thank you for this opportunity to testify on the international agreement to prevent Iran from becoming a nuclear weapons power.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Iran seeks an illicit nuclear weapons program in the future.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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