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Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

HEARING TO RECEIVE TESTIMONY ON THE JOINT
COMPREHENSIVE PLAN OF ACTION (JCPOA)
AND THE MILITARY BALANCE IN THE MIDDLE EAST

Wednesday, August 5, 2015

Washington, D.C.

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7 U.S. Senate

8 Committee on Armed Services

9 Washington, D.C.
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11 The committee met, pursuant to notice, at 9:33 a.m. in
12 Room SD-G50, Dirksen Senate Office Building, Hon. John
13 McCain, chairman of the committee, presiding.

14 Committee Members Present: Senators McCain
15 [presiding], Inhofe, Sessions, Ayotte, Fischer, Cotton,
16 Rounds, Ernst, Tillis, Sullivan, Reed, McCaskill, Manchin,
17 Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, and
18 King.
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1 OPENING STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR
2 FROM ARIZONA

3 Chairman McCain: Well, good morning, everyone. The
4 committee meets today for our third oversight hearing on
5 the Joint Comprehensive Plan of Action, which the United
6 States and other major powers have signed with Iran.

7 We welcome our distinguished witnesses, and thank them
8 for joining us today: Professor Walter Russell Mead,
9 Distinguished Scholar in American Strategy at The Hudson
10 Institute and Professor of Foreign Affairs at Bard College;
11 Michael Singh, the Senior Fellow and Managing Director of
12 The Washington Institute for Near East Policy; Dr. Ray
13 Takeyh, the Senior Fellow for Middle Eastern Studies at The
14 Council on Foreign Relations; Dr. Philip Gordon, Senior
15 Fellow at The Council on Foreign Relations; and Richard
16 Nephew, Fellow at The Center for Global Energy Policy at
17 Columbia University.

18 This committee's oversight is focused on the strategic
19 and military implications of the nuclear deal with Iran.
20 Among other things, we want to know how this agreement will
21 affect regional security, proliferation, and the balance of
22 power in the Middle East, what impact it may have on Iran's
23 malign activities and ambitions to dominate the region,
24 what it means for perceptions of American credibility among
25 our allies and partners, and what the consequences are for

1 U.S. defense policy, military planning, and force posture.

2 From this broader strategic perspective and following
3 the testimony given in our two previous hearings on this
4 topic, this bad deal, to me, only looks much worse. The
5 committee is eager to hear from our witnesses on whether
6 this deal is the best we can do and what realistic
7 alternatives exist. And, given that even the
8 administration acknowledges Iranian aggression, support for
9 terrorism and rogue regimes, and destabilizing behavior are
10 likely to continue, what should U.S. strategy toward Iran
11 look like?

12 The administration suggests that any criticism of this
13 deal is tantamount to a call to war. Such scare tactics
14 are to be expected from this administration, but they have
15 no place in a debate of this magnitude. Our military
16 leaders have also rejected the administration's false
17 choice. The Chairman of the Joint Chiefs, General Dempsey,
18 told this committee, just last week, quote, "We have a
19 range of options." Likewise, the President's nominee to be
20 the next Chief of Naval Operations testified that, quote,
21 "There are other options besides going to war." We ask our
22 witnesses to provide their candid assessments of what
23 realistic alternatives to this deal might be.

24 The strategic and military implications of this
25 agreement are perhaps even more troubling than the terms,

1 themselves. Iran is more than an arms-control challenge.
2 It's a geopolitical challenge that demands a comprehensive
3 strategy. For years, many of us have argued -- have urged
4 the administration to adopt a regional strategy to counter
5 Iran's malign activities in the Middle East.
6 Unfortunately, if such a strategy exists, there is no
7 evidence of it.

8 President Obama likes to say that this deal is built
9 on verification rather than trust. But, consider what
10 we've already verified about Iran's activities and
11 intentions, and contrast that to our own strategic drift.
12 We know that, over the past decade, Iran's military and
13 intelligence operatives have stepped up their destabilizing
14 activities in Iraq, Syria, Lebanon, Yemen, Bahrain, Gaza,
15 and elsewhere. Iran did this despite the full pressure of
16 sanctions. Imagine what it could do with even a small
17 portion of the windfall of sanctions relief, estimated at
18 roughly \$60 billion, or probably much more.

19 It's reasonable to assume that billions of additional
20 dollars will soon flow to Iran's Revolutionary Guards
21 Corps, or Quds Force, money that will likely be used to
22 boost arms supplies to Iran's terrorist proxies and double
23 down on Bashar Assad, right when he needs it most. We know
24 that Iran intends to become the dominant military power in
25 the Middle East. Yet, despite repeated assurances that

1 negotiations were strictly limited to the nuclear program,
2 the administration made major concessions related to
3 conventional weapons and ballistic missiles, concessions
4 that the Chairman of the Joint Chiefs of Staff warned,
5 before the agreement, should occur, quote, "under no
6 circumstances.

7 In 5 years, this agreement would lift the
8 international arms embargo against Iran, freeing up the
9 regime to acquire advanced conventional military
10 capabilities from eager sellers, such as Russia and China.
11 In 8 years, it would lift restrictions on ballistic
12 missiles, whose only conceivable military purpose would be
13 to deliver nuclear weapons against America and its allies.
14 We know that these concessions have dangerous implications
15 for the men and women serving in our military. This
16 agreement would enable Iran to construct the kind of
17 advanced military arsenal the anti-access and area-denial
18 capabilities that could raise the risk of employing our
19 military options, should Iran violate its obligations. In
20 short, if this agreement fails, the lives of U.S.
21 servicemembers could be at greater risk.

22 We know that our allies and partners in the Middle
23 East have increasingly come to believe that America is
24 withdrawing from the region, and is doing so at a time when
25 Iran is aggressively seeking to advance its ambitions. Now

1 we have reached an agreement that will not only legitimize
2 the Islamic Republic as a threshold nuclear state with an
3 industrial enrichment capability, but will also unshackle
4 this regime and its long-held pursuit of conventional
5 military power, and may actually consolidate the current
6 regime's control in Iran for years to come. And that is
7 perhaps most troubling of all about this agreement, what it
8 means for America's credibility in the Middle East.

9 For decades, the United States has sought to suppress
10 security competition in the region between states with long
11 histories of hostility toward one another and to prevent
12 war. I fear this agreement could further undermine our
13 ability and willingness to play that vital stabilizing
14 role. For the sake of our own security, as well as that of
15 our allies, I believe we cannot afford to let that happen.

16 Once again, I want to thank the witnesses for
17 appearing before us today. And I look forward to their
18 testimony.

19 Senator Reed.

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1 STATEMENT OF HON. JACK REED, U.S. SENATOR FROM RHODE
2 ISLAND

3 Senator Reed: Well, thank you very much, Mr.
4 Chairman.

5 And welcome, to the witnesses.

6 Over the past 2 weeks, the Chairman has assembled a
7 series of hearings on the Joint Comprehensive Plan of
8 Action, or the JCPOA. Last week, the President's
9 representatives, four Cabinet Secretaries and the country's
10 most senior military officer, made the case for the
11 agreement, both on the terms of the deal, itself, and the
12 way forward with our friends and allies in the Middle East.
13 Yesterday, the committee heard from a number of former
14 senior government officials with experience in diplomatic,
15 intelligence, and military communities. Today, the
16 committee will hear from additional witnesses who bring
17 with them a vast and extraordinary array of experience on
18 the region, on nonproliferation issues, and sanctions
19 implementation policy.

20 Thank you, again, gentlemen.

21 I want to thank the Chairman for assembling this
22 series of hearings with the committee. They have provided
23 a superb venue for attempting to understand the dynamics
24 that shaped the P5+1 negotiations and for assessing the
25 impacts of the agreement on Iran's calculations with

1 respect to its nuclear program and their regional
2 ambitions.

3 I want to pose the same question to this panel that I
4 asked yesterday. First and foremost, I hope you will
5 provide an assessment of whether the deal is the best
6 available option to prevent the Iranians from obtaining a
7 nuclear weapon. I also specifically hope each of you will
8 address, first, the terms of the agreement itself,
9 particularly with respect to cutting off a path to a
10 nuclear device, the sufficiency of the duration of the
11 elements of the agreement, and the breakout time necessary
12 for Iran to acquire a nuclear weapon. Second, the
13 alternative, if any, to the JCPOA. And third, the
14 inspections regime under the deal, including any lessons
15 learned from past international inspection regimes that
16 have been incorporated into this proposal. And fourth, the
17 role and capacity of the International Atomic Energy Agency
18 to implement this agreement. And finally, the sanctions
19 regime under the JCPOA, the availability of similar tools
20 the United States will have at its disposal for targeting
21 Iran as a result of support for terrorism, regional
22 stabilization, and human rights abuses.

23 Aside from the JCPOA, I'd also appreciate the
24 witnesses providing their assessment of two other critical
25 issues. First, while the P5+1 negotiated agreement, none

1 of them share a border with Iran. Our partners in the Gulf
2 Cooperation Council, the GCC, all share land or maritime
3 borders with Iran. This makes Iran's activities in the
4 region a far more tangible problem for them. A Camp David
5 summit earlier this year continued our engagement with the
6 GCC partners on this issue. And Secretary Kerry was not
7 only in the region this week, but appears to have elicited
8 their support for the agreement going forward. But, we
9 have to continue to support their efforts, in terms of
10 their defenses, their ability to respond to asymmetric
11 threats from Iran. And I hope our witnesses can provide
12 some detail and context in this issue, too.

13 Second, Israel rightly views Iran as a significant and
14 ongoing threat to their national security interests. I'd
15 be appreciate in hearing the witnesses' assessment of how
16 the United States might move forward with Israel under this
17 agreement, if it is eventually supported, to protect our
18 shared national security interests. In fact, that'll be a
19 key factor, going forward.

20 Once again, I look forward to the panel's responses.

21 I also must apologize, because I have to rush up, in a
22 few minutes, to the Banking Committee, who is also having a
23 hearing. So, my departure is because of the coincidence of
24 hearings, not anything else.

25 Thank you, Mr. Chairman.

1 Chairman McCain: Thank you, Senator Reed.

2 Thank the witnesses again, and we'll begin with you,
3 Professor Mead.

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1 STATEMENT OF WALTER RUSSELL MEAD, DISTINGUISHED
2 SCHOLAR IN AMERICAN STRATEGY, THE HUDSON INSTITUTE AND
3 CHACE PROFESSOR OF FOREIGN AFFAIRS, BARD COLLEGE

4 Mr. Mead: Thank you. Mr. Chairman, Senator Reed,
5 distinguished members of the --

6 Chairman McCain: Could I just say, all of the
7 testimony that is submitted will be part of the record.
8 That -- the written testimony.

9 Thank you --

10 Mr. Mead: Great.

11 Chairman McCain: -- Professor.

12 Mr. Mead: Thank you.

13 I'm honored to have the opportunity to speak this
14 morning. I cannot speak with any particular acuity about
15 issues of verification or nuclear engineering. That's not
16 my approach to this. I'm interested in this agreement as
17 part of the broader framework of American Middle East
18 policy. And so, I will speak briefly about our interests
19 in the Middle East, the issues that we have with Iran based
20 on those issues, and then the implications of that for this
21 agreement.

22 U.S. has long had strong interests in the Middle East.
23 I want to talk primarily about our interests in oil. There
24 are some who believe that the fracking revolution,
25 unconventional shale and oil here in the U.S. which lessens

1 our energy dependency on the Middle East, will therefore
2 lessen American interests in the Middle East. I'd like to
3 suggest that's probably not correct, because the flow --
4 orderly flow -- secure flow of oil from the Middle East to
5 the major economic and industrial zones of the world is
6 vital to their prosperity. And if that oil supply were to
7 be interrupted to Japan, China, and Europe, the American
8 economy would rapidly suffer devastating consequences.
9 This also -- the fact that the United States is able to
10 provide the security of the international oil flow is, to
11 use the Chairman's phrase this morning, you know, an
12 important aspect of our suppression of security
13 competition, not simply in the Middle East, but by ensuring
14 that countries like China, Japan, and others don't feel the
15 need to maintain massive naval and intercontinental forces
16 to secure the oil supply. So, this -- our position in the
17 Middle East is critical to America's global strategy of
18 trying to preserve peace and promote prosperity. America's
19 own lessening dependence on that oil does not change that
20 dependency.

21 Given that, how do we think about our interests in the
22 Middle East and our security there? We have, since,
23 really, the Franklin Roosevelt administration, taken the
24 view, as a country, that we do not want any single power to
25 have the ability to interrupt or to endanger that flow of

1 oil, whether it was an external power, like the Soviet
2 Union seeking to dominate the region from outside, or an
3 internal leader, like Saddam Hussein when he invaded
4 Kuwait, attempting to impose something like that kind of
5 control. We have always sought to make sure that no single
6 power can hold the world and us to that kind of blackmail.

7 Today, it is -- it's the reality that, essentially,
8 the only power that is capable of posing a danger of that
9 kind would be Iran, Islamic Republic of Iran, as the
10 strongest regional power, and one which, over a number of
11 years, has been demonstrating a determination, at great
12 cost and risk, to expand its regional footprint. And so,
13 when we think about this nuclear agreement with Iran, or,
14 indeed, any agreement that the United States and Iran would
15 make, we need to think about, How does this agreement play
16 into that situation?

17 And one should also note that an additional threat
18 that we face in the Middle East today, the rise of radical
19 groups intent on an ideology of jihad, whether regionally
20 or globally, that this, to some degree, is being
21 exacerbated by the rise of Iran. The radical groups, like
22 ISIS and al-Qaeda, are deriving a great deal of legitimacy,
23 funding, and recruiting strength from the sense, in the
24 Sunni world in particular, that there's a religious
25 conflict going on between the Sunni version of Islam, the

1 Shi'a version of Islam, and Iran as the captain of Team
2 Shi'a, so to speak, has been winning. And this is creating
3 a sense of fear, even desperation, that makes fanatical
4 forms of ideology and very radical organizations
5 attractive, not only to young men who are looking for
6 something to do with their lives, but even to wealthy
7 people in the Gulf and others who may be increasingly
8 persuaded to fund them.

9 I won't test the patience of the committee by delving
10 too deeply into these issues, but it is, I think, worth
11 noting that, whatever else it may do, the JPCOA has the
12 effect of strengthening Iran's position in the region at a
13 point when other powers in the region. And, indeed, many
14 American officials believe that the greatest danger to the
15 region is an imbalance of power that favors Iran. Simply
16 by removing sanctions, by ending Iran's diplomatic
17 isolation, increasing its resources, not merely with the
18 sort of tranche of money that comes from unfreezing of
19 frozen assets, but by accelerating Iran's economic growth
20 over a period of time so that it has more resources for
21 various activities, simply geopolitically, leave aside the
22 question of whether or not it's a good or bad deal on the
23 nuclear issue -- simply geopolitically and regionally, this
24 deal represents a very important success for Iran. And it
25 increases Iran's capacities at a time when concern over

1 those capacities is very high.

2 That means that we need to be thinking, as a country,
3 What is our policy? What do we do about this? And
4 certainly some of Secretary Kerry's recent diplomacy in the
5 Gulf and elsewhere has been about trying to reassure
6 countries who feel threatened by both the rise of Iran and
7 the boost that it's likely to receive from this agreement.
8 And it's commendable that he's seeking to reassure these
9 countries, but what we should all understand is that their
10 need to be reassured is not out of some sort of case of
11 nerves; they are actually accurately reading the regional
12 impact of this agreement.

13 And so, we actually now come down, I think, as a
14 country -- we have to think, What are our -- what policy
15 will we adopt? Is this -- regionally speaking -- is this
16 nuclear agreement the first step in a rapprochement with
17 Iran so that, now having resolved the nuclear issue, we try
18 to reach ever-closer cooperation with Iran on a wider range
19 of issues? If that's the case, again, I would suggest that
20 the regional unrest will grow, and the alarm of other
21 countries who would fear that the U.S. and Iran, over their
22 heads, are remaking the region in a way that they don't
23 like -- we can expect greater instability in response to
24 that. Or, having taken the nuclear issue off the table, as
25 proponents of the deal suggest we're doing, does this then

1 free us up for a much more vigorous policy of containing
2 Iran in the region -- in particular, in Syria, which, for a
3 number of reasons, is the most important focus, I think, of
4 regional politics today in that part of the world? Are we
5 going -- you know, are we, for example, going to say,
6 "Well, we can't really take a strong line against Assad,
7 Iran's client, in Syria, because otherwise Iran might walk
8 away from the nuclear agreement." If that's our thinking,
9 then, in a sense, we have contained and constrained
10 ourselves. Or do we say, "All right, now that we have this
11 agreement, we need to work much harder on containing Iran's
12 ambitions and ensuring the balance of power in the Gulf"?

13 So, I would just suggest to you, as Senators who are
14 working to make up your minds and inform your colleagues
15 about whether or not this agreement with Iran should
16 receive congressional support and ratification, that you
17 should not simply look at the nuclear dimensions of the
18 deal, though obviously they are vitally important, but you
19 must also consider this agreement, like any agreement
20 between nations, as a step in a regional and geopolitical
21 policy, and think through, Is this agreement leaving the
22 United States in a stronger or a weaker position? And
23 also, What assurances are you getting from the
24 administration about the regional policies that it intends
25 to follow this agreement with? Are we moving toward

1 containment, or are we moving to engagement, are we moving
2 in some other direction? I, myself, sense a lack of
3 clarity about this sometimes in Washington. I hope,
4 Senators, that you will be able to get us a clear answer as
5 to where we're going.

6 Thank you.

7 [The prepared statement of Mr. Mead follows:]

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1 Chairman McCain: I certainly hope so.

2 Mr. Singh.

3 Thank you, Dr. -- Professor Mead.

4 Mr. Singh.

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1 STATEMENT OF MICHAEL SINGH, LANE-SWIG SENIOR FELLOW
2 AND MANAGING DIRECTOR, THE WASHINGTON INSTITUTE FOR NEAR
3 EAST POLICY

4 Mr. Singh: Thank you, Mr. Chairman, Ranking Member
5 Reed, members of the committee.

6 The nuclear agreement with Iran contains strong points
7 and weak points. My judgment, however, is that it leaves
8 Iran with a significant nuclear weapons capability.
9 Indeed, it allows Iran, I think, to improve that capability
10 over the life of the deal while obtaining broad upfront
11 sanctions relief.

12 I believe this has been Iran's twofold objective
13 throughout the talks. It has escaped, rather than had to
14 confront, a strategic choice between retaining its nuclear
15 weapons option, on the one hand, and diplomatic and
16 economic rehabilitation, on the other. And I detail the
17 nuclear aspects of the agreement in my written testimony,
18 and I'm not going to dwell on those now.

19 This is relevant to the topic at hand because Iran's
20 nuclear ambitions are not separate from, but are part and
21 parcel of, its regional strategy, which emphasizes, as
22 Professor Mead was talking about, projecting Iranian power
23 while creating an inhospitable environment for the U.S. and
24 our allies. Iran doesn't accomplish this through
25 conventional military power, in which its lacking, but

1 through asymmetric capabilities, such as proxies, arms
2 trafficking, sea-denial tactics, cyberactivities, and
3 missiles. There's nothing in the accord that requires or
4 even incentivizes Iran to alter these policies. Indeed,
5 I'd say the deal seems more likely to facilitate Iran's
6 regional strategy. Iran will have additional resources,
7 should it wish to help financially squeeze proxies, like
8 Hezbollah -- and I think we saw, in the Wall Street Journal
9 this morning, a story that the Houthis in Yemen are also
10 feeling a financial squeeze -- to ensure that its militias
11 in Iraq can outmatch the official security services there,
12 as they do in Lebanon, and to buy political influence in
13 places like Iraq, Afghanistan, and elsewhere.

14 And with the removal of the ban on the export of arms
15 by Iran, and the lifting of the sanctions on the import of
16 arms to Iran in no more than 5 years, Iran will face fewer
17 impediments to arming its proxies. We do have other
18 authorities, both U.N. and U.S. authorities, to address
19 such activity in some circumstances, but those have been
20 little used, and I'd say they are weakened rather than
21 strengthened by this accord. Secretary Kerry, in a recent
22 interview, he acknowledged that we're not doing much
23 interdiction, but he said we would double down in the wake
24 of the deal. And I'm afraid that, for folks in the region,
25 that doesn't really carry credibility.

1 Such actions by Iran are likely going to spur a
2 reaction by U.S. allies in the region who consider Iran
3 their chief rival. They may act more aggressively and
4 autonomously to counter Iranian policies -- proxies,
5 rather. This is a dynamic we're obviously already seeing
6 in Yemen, Syria, Iraq, and elsewhere. And they may choose
7 to pursue nuclear capabilities of their own to supplement
8 that.

9 And, as Professor Mead said, increased Iranian
10 intervention, I think, would also feed already rampant
11 sectarian polarization in the region, because that
12 interventionism by Iran fuels support and recruitment for
13 the likes of ISIS, and it worries the Sunnis in the region.

14 Beyond the Middle East, if we extend this further,
15 Iran is likely to bolster its ties, I think, with Russia
16 and China, who share with Iran an interest in challenging
17 the U.S.-led international order. And that cooperation is
18 likely to be not just diplomatic and economic in nature,
19 but also military. Moscow and Beijing are Iran's largest
20 suppliers of arms. And Russia is likely not just to
21 provide Iran with nonsanctioned systems, such as the S-300
22 or even a more advanced air-defense system, but also to
23 come immediately to the Security Council to request
24 exemptions for other types of arms exports to Iran. And
25 it'll be up, frankly, to the United States to stand against

1 those requests. Will we do so in every circumstance
2 remains to be seen.

3 Russia and China will also be able to assist Iran's
4 ballistic missile program when sanctions are lifted in 8
5 years. This is particularly important, I think, for Iran's
6 pursuit of ICBMs, because that would benefit enormously
7 from foreign assistance, given the limited pool of
8 knowledge on this particular topic.

9 A particular challenge, as you mentioned, Mr.
10 Chairman, to U.S. interests in the region is Iran's pursuit
11 of a rudimentary, for now, anti-access area denial strategy
12 in the Gulf. The region is well suited to such a strategy,
13 because of its narrow confines, its highly concentrated
14 population centers, and its target-rich environment, when
15 it comes to, say, vulnerable energy infrastructure. It's
16 undoubtedly an area -- A2AD -- where Chinese assistance
17 would be invaluable, since we see Beijing pursuing its own
18 A2AD capabilities in the western Pacific on a much larger
19 scale. One defense analyst from CSBA has suggested that
20 Iran could enhance its A2AD strategy with select high-end
21 technology, such as missiles -- enhanced missiles, and
22 expanded low-end investment in sea mines, fast attack
23 craft, and the well-armed proxies that it currently fields.

24 Some of these regional effects that I'm talking about
25 would, of course, result from any nuclear deal not preceded

1 by an Iranian strategic shift. And that's why it's so
2 important to ensure that the benefits of such a deal
3 outweigh these costs. As it is, I think we're going to
4 need to invest significant resources to offset the
5 downsides of the accord. And these will include increased
6 resources for the intel community and the IAEA to monitor
7 Iran, to monitor Iranian compliance. We'll need to repair
8 relations with our regional allies, like Israel and the
9 Gulf states, and increase assistance to those allies. I
10 think we're going to need to review our military posture to
11 ensure we're positioned to counter Iranian A2AD efforts,
12 which I believe has to be done in the context of an overall
13 increase in defense resources if it's going to be seen as
14 credible by our adversaries. And I think we'll need more
15 proactive policies to counter Iranian activities in Syria,
16 Iraq, and elsewhere.

17 I do worry, as Professor Mead said, that we'll be
18 self-deterred from responding to violations of this accord.
19 You -- we see this dynamic with the INF Treaty and Russia.
20 We've seen this dynamic with Syria and the Chemical Weapons
21 Accord. There was a very good article about Syria on -- in
22 the Wall Street Journal, a couple of weeks ago, that delved
23 into this very topic. And I think that we're going to need
24 to be careful, in the wake of the deal, to avoid
25 incrementally shifting our own policies in a misguided

1 effort either to bolster Rouhani and pragmatists in Iran
2 against a hardline backlash there, or to demonstrate the
3 transformative effects of the deal. We should
4 disincentivize Iran's destabilizing behavior, incentivize
5 more constructive policies. But, the strategic shift
6 should be Iran's, not ours.

7 It seems to me the bottom line is that we've
8 negotiated a weak agreement and painted ourselves into a
9 diplomatic corner. I agree with you, though, Mr. Chairman,
10 that the alternative to the deal is not war, but, rather, a
11 mess with our allies, some very important allies.

12 In the longer run, though, I'd argue that the real
13 question is not whether we're going to need an alternative
14 policy, or whether we need an alternative policy, but when.
15 Even in the best-case scenario, the limits the deal imposes
16 on Iran are narrow limits. And even those will start
17 phasing out in 5 to 15 years. If the deal works as
18 intended, the agreement will buy time for us, but it also
19 buys time for Iran. And Iran's going to use that to
20 advantage.

21 Thanks very much.

22 [The prepared statement of Mr. Singh follows:]

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Chairman McCain: Dr. Takeyh.

1 STATEMENT OF RAY TAKEYH, SENIOR FELLOW FOR MIDDLE
2 EASTERN STUDIES, THE COUNCIL ON FOREIGN RELATIONS

3 Dr. Takeyh: Thanks, Chairman, for inviting me, as
4 well as Senator Reed, in his absence.

5 I think it's fair to say, and I think it's
6 indisputable to start with, the suggestion that this
7 agreement has been negotiated with a rather peculiar
8 regime, perhaps one of the most peculiar in annals of
9 history. Most non-Western revolutionary states eventually
10 abandon their ideological mission for sake of integration
11 into the global economy and the international system. This
12 has not been the case with Iran. Its leaders remain
13 committed to an ideology rooted in anti-Americanism and
14 anti-Zionism. This resilience of Iran's Islamist enmities
15 is, indeed, striking. Iran's leadership continues to cling
16 to radical policies that are just not detrimental to its
17 national interests, but have been rejected by a large
18 segment of its population.

19 The question then becomes, What is the impact of this
20 nuclear agreement on Iran and its regional surge? I think
21 you have to think about Iranian foreign policy as before
22 and after 2011, because they're very strikingly different.
23 Since the Arab Awakenings of 2011, the post-colonial Arab
24 state system has essentially collapsed. That system was
25 predicated on a dominant state of Egypt and Iraq. Egypt is

1 too preoccupied with its internal squabbles to become a
2 real player seeking regional leadership. Iraq is a
3 fragmented state led by a Shi'a government that's also from
4 the Arab Councils.

5 Iran has embarked on a dramatic new mission that is
6 seeking to project this power in corners of the Middle East
7 it never thought possible. This is not traditional Iranian
8 foreign policy of supporting terrorism and rejectionist
9 groups against Israel. This is essentially a new form of
10 imperialism that is becking Iran. Imperialism may be
11 attractive, but it is also financially burdensome. Without
12 this arms-control agreement and the financial rewards it
13 will bring, in terms of sanctions relief, release of
14 entrapped funds, and new investments, Iran would find it
15 difficult to subsidize its imperial surge.

16 It is often suggested -- it may have been suggested
17 here -- that the United States can still redress Iran's
18 malign activities, irrespective of the agreement. However,
19 in the wake of the nuclear agreement, the United States
20 will have a diminished coercive power to achieve this task.
21 The fact of the matter is, for the past 30 years we have
22 responded to Iranian terrorism and Iranian regional
23 aggression by applying economic sanctions. As a result of
24 this agreement, the United States is committed to relieving
25 those sanctions over a period of time. Today, Iran is

1 segregated from the global financial markets, and sanctions
2 inhibit the Central Bank. But, as they essentially
3 diminish over time, the room for U.S. President's -- future
4 U.S. President's coercive options will correspondingly be
5 parsed. Subsequent administrations may have no choice but
6 to use force or accommodate Iran's transgressions, whatever
7 those transgressions may be.

8 Some have argued -- the administration witnesses have
9 argued that the United States is still committed to pushing
10 back on Iran in the region, irrespective of this arms-
11 control agreement. They should be asked how, specifically,
12 they are planning to do that. How are we planning to
13 dislodge Iran from deep penetration of Iraq? Nobody has
14 thought more about this than the Chairman. This may
15 actually require employment of American forces. The low
16 estimates I've seen is 10- to 15,000 troops. Are they
17 prepared for that? How are we prepared to dislodge Iran
18 from Syria and support of the Assad dynasty, one of its
19 most consequential clients? How are we going to --
20 Hezbollah and the Shi'a militias who are acting as Iran's
21 lethal proxies?

22 And in the Gulf, the suggestion has been made that
23 we're going to sell more arms, which I don't think will do
24 the trick. As a matter of fact, I would suggest it's
25 counterproductive. These countries have deep-seated

1 structural economic problems. And additional money spent
2 on that is unlikely to ameliorate those problem. Iran
3 doesn't seek to invade the Gulf country, it seeks to
4 subvert them. And therefore, by selling more arms and
5 using those resources away from vital economic tasks, we
6 exacerbate the problems of the Gulf without necessarily
7 creating a barrier to a projection of Iranian power.

8 Finally, let me address briefly the Joint
9 Comprehensive Plan of Action, and hopefully suggest some
10 ideas for its revision that may broaden its appeal and make
11 it stronger. My colleague, Eric Edelman, who was here
12 yesterday in the wise-man hearing, kind of suggested some
13 ways ahead. And I'd like to reiterate some of those that
14 perhaps will be found useful. There are others. You can
15 have your own suggestion.

16 I have not seen, and I continue not to see, any
17 credible defense of the sunset clause. I haven't seen it
18 because it doesn't exist. One thing I would say is the --
19 what the United States should do is essentially try to
20 suggest that, after expiration of the sunset clause, all
21 members of the 5+1, plus Iran, should vote on whether the
22 restrictions should be continued for additional 10 years;
23 and every 10 years, we should vote on that -- the members
24 of the treaty should vote on that. This way, essentially
25 we can determine Iran's nuclear program going ahead by a

1 majority vote among the signatories of the agreement, as
2 opposed to some arbitrary timeclock. A majority vote every
3 10 years, I think, would be -- the precedent for that is
4 the NPT. NPT expired after 25 years, and then all member
5 states voted to extend its restrictions.

6 A second suggestion I would make, we really ought to
7 go back and revisit the notion of Iran should develop IR8s,
8 the advanced centrifuges. Vice President Salehi has
9 suggested that it operates 17 times faster than IR1
10 centrifuges that Iran currently have, more than its current
11 stockpile, allowing the Islamic Republic to dramatically
12 increase its enrichment capacity and provide -- capability.
13 At the very least, these machines should not be allowed to
14 develop.

15 This particular agreement suffer from the same
16 structural agreement that, to be frank, every arms-control
17 agreement in the past has. It is not equipped to deal with
18 marginal incremental violations. To be fair, no arms-
19 control agreement is. INF was bought up here, as well.
20 And this is particularly the case because, as has been
21 mentioned in this hearing, Iranian violations are likely to
22 be incremental. Foreign Minister Zarif, in his
23 presentation of the nuclear agreement to the Parliament,
24 said, and I quote -- and I quote -- "Sanctions can be
25 reimposed on Iran only in case of serious violation of its

1 obligation and not in case of small-scale violations." How
2 do you deal with that, incremental violations that Foreign
3 Minister Zarif is promising? The entire defense leadership
4 of Iran -- General Ja'afari, the head of the Revolutionary
5 Guards, Defense Minister Dehghan, and the head of the
6 ground forces, General Pourdastan -- have suggested, since
7 the enactment of the treaty, that they will not provide
8 access to military installations. That's something that we
9 have to deal with. Again, incremental violations are
10 difficult to prosecute. That's the history of arms-control
11 agreement. This agreement falls within it.

12 Finally, let me say, I have heard -- Secretary Kerry,
13 in particular, but others have suggested that the
14 Revolutionary Guards are against this agreement. Frankly,
15 I don't see that. And I know where to look for this sort
16 of a thing. I have surveyed all their public speaking. I
17 have surveyed all the publication and media outlets that
18 are related to them. They have suggested that they will
19 not allow access to facilities, but I have not seen the
20 opposition. The most succinct presentation of the
21 Revolutionary Guard position was in -- 2 days ago, in one
22 of their newspapers, Javan -- translated "Young" -- and
23 assessed some like this -- pardon the translation --
24 ultimately -- quote, "Ultimately, the positive achievements
25 of the nuclear agreement is that it increases the power of

1 the Islamic Republic in the region. It has made Iran's
2 regional allies happy. And it has made its adversaries
3 unhappy." I think that's a fairly succinct presentation of
4 the Revolutionary Guards. I see the notion that they're
5 opposing it as farfetched.

6 I will say, some of the measures that I suggested for
7 reconsidering the agreement can actually help strengthen it
8 and actually provide a greater bipartisan foundation for
9 the agreement that can potentially forestall an Iranian
10 bomb, stem proliferation cascade in the Middle East, and
11 hopefully anchor this agreement on the greater bipartisan
12 foundation, therefore ensuring its durability.

13 Thank you.

14 [The prepared statement of Dr. Takeyh follows:]

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1 Chairman McCain: Thank you.

2 Dr. Gordon.

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1 STATEMENT OF PHILIP GORDON, SENIOR FELLOW, THE
2 COUNCIL ON FOREIGN RELATIONS

3 Dr. Gordon: Thanks very much, Mr. Chairman, Senators.
4 I really appreciate the opportunity to speak before the
5 committee this morning.

6 Like other speakers, I think this is a hugely
7 consequential issue, and it really deserves all of the
8 attention you and other committees are giving it.

9 As I think many of you know, I was part of the
10 administration from 2013 to 2015. I was the White House
11 Coordinator for the Middle East, so I was very much
12 involved in the efforts to get this agreement. But,
13 obviously, here this morning I'm speaking as a private
14 citizen and expressing only my personal views.

15 My bottom line on this agreement is that I think it's
16 in the national security interests of the United States,
17 and I hope Congress will support it. And I say that, not
18 because I think it is a perfect deal. It's not a perfect
19 deal. And, like every one of you, I could spell out a
20 number of ways in which it could be better and stronger.
21 In fact, Ray just did so, and I would be happy to have all
22 of the elements that he presented.

23 The reason I think it's a good deal and I hope you'll
24 support it is that I just think it's far better than any
25 realistic alternative. Without this deal, I am afraid we

1 would very quickly be put in a position of facing a choice
2 between an Iran that is steadily advancing its nuclear
3 capabilities, as it has over the last decade, or using
4 military force to temporarily stop it.

5 As for the option that some always want to hope for,
6 that we just keep on the pressure until Iran comes back to
7 the table for a better deal or a perfect deal, I'm afraid
8 that's an illusion. Think about, for the past decade, we
9 have had significant sanctions on Iran, and, during that
10 period of time, we've seen Iran steadily advance its
11 program to where it is today, from zero to 19,000
12 centrifuges, accumulating a very significant stockpile of
13 low-enriched uranium, enough to make a number of nuclear
14 weapons, an almost completed heavy water reactor at Arak.
15 All without significant monitoring and verification. So,
16 that's why I'm afraid -- and continuing research and
17 development on advanced centrifuges -- and that's why I'm
18 afraid that, if we reject this deal, we will end up not
19 with a better one, but with an Iran that continues down the
20 path that it has been on.

21 It's worth thinking about other cases, as well, when
22 you think about this issue. Can we just continue to
23 squeeze them until they give us everything we want? We
24 squeezed North Korea pretty hard. And North Korea is far
25 poorer and more isolated than Iran. And the result was not

1 them coming and giving us everything we wanted, but a
2 nuclear weapon state. We squeezed Iraq pretty hard, to the
3 point of genuinely crippling sanctions, and demanded
4 absolute access, and, instead of coming to the table and
5 giving us everything we want, we actually had to implement
6 that credible threat of force.

7 Every case is different, but my point in mentioning
8 those cases is simply to underscore that there's no
9 guarantee that, even if we could maintain these powerful
10 sanctions and had a credible threat of force, that Iran
11 would come back to the table and give us everything we
12 want. And I think there's plenty of reason, actually, to
13 believe that it would not.

14 So, the issue is not whether we can use leverage to
15 get Iran to agree with our list of desirables, but whether
16 this deal that we were able to negotiate effectively cuts
17 off its path to a nuclear weapon, which is what the
18 sanctions were put in place to do. And I think it does,
19 thanks to the joint efforts of Congress and the
20 administration to put the sanctions regime in place.

21 Now, others have made the positive case for how, in
22 the administration and now others, have made the -- the
23 other witnesses before this committee and others -- have
24 explained how it blocks off those paths. I won't take my
25 time to do that, because I know even that case has left a

1 number of Senators with concerns, and I'd rather just take
2 my time and address a couple of those concerns. My written
3 testimony goes into more, but just let me just mention
4 three that I know are high on many lists.

5 One, which was central to this hearing this morning,
6 is the issue of Iran using freed-up financial assets to
7 pursue nefarious ends in the region. We are all rightly
8 concerned that Iran will use some of the assets it gains
9 from sanctions relief to support its regional foreign
10 policy agenda, which, in many ways, threatens our partners
11 and our interests. I don't think that's invalid. And
12 therefore, in an ideal world, we would keep all of these
13 sanctions in place and freeze all of Iran's assets, and get
14 a good nuclear deal at the same time. But, frankly, that
15 was never a realistic option. The deal on the table -- any
16 nuclear deal, even one that left Iran with 500 centrifuges
17 or zero centrifuges instead of 5,000, always implied that
18 there would be sanctions relief in exchange for the nuclear
19 agreement. So, in that sense, to insist that sanctions be
20 -- relief be excluded from a nuclear deal with Iran is
21 probably to exclude a nuclear deal, itself. And if you
22 don't have a nuclear deal, that means no nuclear
23 constraints, no enhanced monitor and verification, an Iran
24 that continues to do all of these nefarious things that it
25 -- as it has been doing while under sanctions, and, I

1 think, genuinely increasing difficulties in getting our
2 partners to maintain sanctions once it's clear -- once it
3 became clear that our aim went beyond the nuclear issue and
4 essentially involved transforming Iran's foreign policy,
5 which is a highly desirable goal, but one unlikely to
6 receive the support of the international community to
7 pursue these sanctions. I am confident that, through
8 continued and increased military and intelligence support
9 for our partners in the region, who, by the way,
10 collectively spend far more on defense than Iran does, we
11 can continue to contain Iran just as we did before these
12 international sanctions were put in place. I'd be happy to
13 elaborate on the -- that in the discussion.

14 A second major concern, I know, of a number of
15 Senators, is that the deal allows Iran's nuclear program to
16 expand once the so-called "sunset provisions" expire. And
17 again, I would say the same thing. In an ideal world, we
18 would have negotiated an agreement that lasted indefinitely
19 or at least for many decades. And obviously, the
20 administration sought to get as long an agreement as
21 possible. But here, too, I don't think it was realistic to
22 imagine that Iran was ever going to agree to a deal that it
23 -- kept the same tight constraints on its civil nuclear
24 energy program forever. And asking for that deal would
25 mean no deal, and tomorrow Iran could proceed with its

1 program. So, while this part of the agreement also isn't
2 perfect, it nonetheless involves some very serious
3 constraints for a very significant amount of time: until
4 2025 for the number of centrifuges, until 2030 for the
5 limited nuclear stockpile, until 2035 for centrifuge
6 production, until 2040 for access to uranium mines and
7 mills in Iran, and indefinitely for adherence to the Non-
8 Proliferation Treaty, the commitment not to pursue nuclear
9 weapons, and the application of the IAEA's additional
10 protocol, which requires access by inspectors to any
11 suspected sites.

12 Finally, the premise of the deal, we should keep in
13 mind, is that Iran used this quite long period of time to
14 demonstrate that its nuclear program is exclusively
15 peaceful. If it fails to do that, all of the same options
16 available to us now will be available to us then, including
17 sanctions and military force -- I think more likely, in
18 that case, with the support of the international community.
19 And I think there are ways we can reinforce this insistence
20 that Iran use this period to demonstrate its peaceful
21 intentions. And again, be glad to elaborate those -- on
22 those in the discussion.

23 The third concern I'll mention here very briefly is
24 that inspections are not sufficiently rigorous. And I
25 respectfully disagree with that assessment. There's been a

1 lot of focus on this -- the standard of so-called
2 anytime/anywhere inspections, which I think is an
3 unrealistic standard only likely to apply after a military
4 defeat or occupation. And I think there's been a failure
5 to appreciate just how extensive the verification
6 mechanisms in this agreement are, including not just the
7 increased monitoring and daily access to the declared
8 enrichment facilities, but the monitoring of the entire
9 nuclear fuel cycle. In other words, to cheat successfully,
10 Iran would have to somehow mine and mill uranium, convert
11 it to gas at an industrial facility, enrich that gas to a
12 weapons-grade enriched uranium at a different facility, and
13 successfully develop a covert weaponization program, all at
14 the time -- at the same time, while escaping different
15 monitoring programs. Anything is possible, but I think
16 that's a rather implausible scenario. And the most
17 important thing to say about it, of course, is, whatever
18 you think about this inspections regime, it's better than
19 the one we would have if we didn't have this agreement,
20 which is much more minimal and would allow Iran to do all
21 of these things tomorrow.

22 Again, my written testimony goes into some of the
23 other concerns I know you have, so I will just sum up,
24 again, by repeating, Mr. Chairman and others, I don't want
25 to suggest for a minute that these -- that the concerns

1 that I listed, or others, are not legitimate. They
2 absolutely are. And again, that's why I appreciate these
3 kinds of hearings. But, I do believe that, when you weigh
4 the advantages and the disadvantage of the deal, the
5 advantages outweigh them, and that's why I hope Members of
6 Congress will support it.

7 As I've said, we can all describe ways to make this
8 deal, quote/unquote, "better," but holding out for a
9 perfect deal could mean no deal at all, and I really do
10 believe that rejection of the agreement at this point,
11 which, of course, was supported by every member of the U.N.
12 Security Council and just about every country in the world,
13 would result, not in a better deal, but in the continued
14 expansion of the Iranian nuclear program while making it
15 more difficult to keep international sanctions in place.

16 Thank you very much.

17 [The prepared statement of Dr. Gordon follows:]

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1 Chairman McCain: Thank you.

2 Mr. Nephew.

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1 STATEMENT OF RICHARD NEPHEW, FELLOW, THE CENTER ON
2 GLOBAL ENERGY POLICY, COLUMBIA UNIVERSITY

3 Mr. Nephew: Thank you, Chairman McCain, Ranking
4 Member Reed, and other distinguished members of this
5 committee, for the privilege of speaking to you today.

6 I will focus my remarks on three reasons to conclude
7 that this is a good deal, from a regional perspective.

8 First, it will create a 10- to 15-year band of time in
9 which fears of an Iranian nuclear weapon will be much
10 reduced. Since 2005, Iranian breakout time has dwindled to
11 2 to 3 months. And prior to the Joint Plan of Action,
12 there were fears that Iran could stage an undetected
13 breakout. With this deal, such an effort is not possible
14 from declared facilities, and far more difficult to pull
15 off from covert facilities. This is a welcome development
16 for regional stability.

17 Second, I believe this deal will reduce the chances of
18 a nuclear arms race in the Middle East. The argument that
19 a deal creates the strategic pretext for Arab nuclear
20 weapons programs is logically flawed. Iran has been
21 building its enrichment program for decades, and, in the
22 last 10 years, notwithstanding U.N. Security Council
23 obligations to stop. If there was ever a time to pursue
24 enrichment, it was then. But, we simply have not seen any
25 evidence that countries in the region are seriously

1 pursuing enrichment programs, let alone nuclear weapons.
2 The most advanced nuclear state in the Arab world, the UAE,
3 has specifically pledged not to pursue enrichment and
4 reprocessing capabilities. In exchange, the UAE is
5 constructing advanced power reactors that will provide it
6 with the civil nuclear energy it wants without the
7 proliferation risks we all fear. There has been no
8 indication that the UAE will backtrack on the decision it's
9 made, or that any other country in the Middle East is
10 prepared to undertake the massive effort required to
11 construct an enrichment program. Similarly, though many
12 offhandedly suggest that the Saudis could buy a warhead
13 from Pakistan, even the request would present real problems
14 for the Pakistanis, who are still emerging from the pariah
15 status that AQ Khan created. Pakistan's rebuff of Saudi
16 Arabia's request for ground troops in Yemen suggest
17 Pakistan will not accede to every Saudi request.

18 Third, this agreement may be the start of a process of
19 integrating Iran better into the international community
20 and moderating its bad behavior. This may not happen.
21 But, at a minimum, Iran's leaders will have to wrestle with
22 the benefits and risks of economic openness as a result of
23 this deal, as well as the threat of returning sanctions if
24 they break its terms.

25 Now, of course, the deal does not solve everything

1 and, as other witnesses have testified, may make some
2 problems worse in the region. Since 1979, Iran has
3 supported terrorism in causes we oppose, even when
4 impoverished by war or sanctions. The nuclear deal does
5 not address this problem, but neither did strategic
6 economic pressure. And it is unlikely that holding back
7 relief, at the risk of a nuclear deal, would have.

8 To better manage the regional implications of the
9 deal, I believe that four steps ought to be taken:

10 First, we should and must continue to reaffirm our
11 support for our partners in the region. This should
12 include arms sales, but only as part of a broader package
13 of cooperation across the security and economic spheres.
14 The United States should also stand ready to use force
15 against Iran, should it cheat on the deal. This is a
16 meaningful concept for the GCC, which acknowledged the
17 crucial nature of U.S. security assurances in its statement
18 on Monday in support of the deal.

19 Second, we must have an active intelligence-sharing
20 relationship, particularly with respect to Iran and its
21 compliance with the nuclear deal. Partners will trust the
22 situation remains in control if they know what we know.

23 Third, we must have an active nuclear cooperation
24 policy with countries throughout the Arab world. Through
25 these, we should demonstrate that effective civil nuclear

1 programs can be built without enrichment and reprocessing,
2 in practice, even if prohibitions are not part of
3 cooperation agreements.

4 And fourth, we must enforce the terms of the deal
5 vigorously, as well as use our sanctions authorities to
6 target Iranian activities throughout the region. This deal
7 is not U.S. unilateral sanctions disarmament. Snap-back is
8 always possible and scalable. Beyond the nuclear issue,
9 the United States retains a number of sanctions authorities
10 that will continue to exact consequences for Iranian
11 violations of human rights and damage Iran's ability to
12 engage in terrorism financing. The United States will
13 still be able to pressure banks and companies into not
14 doing business with the IRGC, the Quds Force, Qassem
15 Soleimani, and Iran's military and missile forces. This is
16 both due to direct risk of U.S. secondary sanctions, which
17 remain in place, and an improvement in international
18 banking practices since 9/11. The United States will also
19 retain its ability to impose sanctions on those trading
20 with Iran in conventional arms, as well as with respect to
21 ballistic missiles, even after U.N. restrictions lapse.

22 That said, we ought to seek ways to enhance these
23 authorities. Certainly, Iran could judge that U.S.
24 sanctions in these areas are unacceptable, and walk away.
25 Partners could, likewise, view the United States as being

1 in the wrong if our sanctions enforcement appears
2 capricious. But, international reaction to U.S. actions
3 will always depend on the context. If the rationale for
4 doing so is credible, then we can convince others to
5 support us. And, for Iran, it will have to face the
6 prospect of all of our sanctions coming back into play.
7 This will present real difficulties to decisionmakers in
8 Tehran.

9 To conclude, though it is not a perfect deal, I
10 believe that the nuclear deal reached by the United States,
11 the P5+1 partners, and Iran meets our needs, preserves our
12 future options, and improves the security and stability of
13 the Middle East. I urge Congress to make the right choice
14 and to support it.

15 [The prepared statement of Mr. Nephew follows:]

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1 Chairman McCain: Thank you.

2 Professor Mead, as a result of this -- maybe I'd ask
3 all the witnesses, beginning with you, Professor Mead -- do
4 you anticipate Iran's support for the spread of terrorism
5 and influence throughout other Middle East to increase or
6 decrease as a result of this agreement? We know that they
7 are in Yemen and Iraq and Syria and Lebanon, and now we
8 have reports of them providing -- the Iranians providing
9 weapons to the Taliban. Do you believe that their efforts
10 as -- and status as the world's number-one supporter of
11 terrorism would increase or decrease?

12 Mr. Mead: Mr. Chairman, I believe the Iranians will
13 use the opportunities offered by this agreement to expand
14 their efforts to become stronger, to push their enemies
15 back, and to redesign the Middle East in their own image.

16 Chairman McCain: Mr. Singh?

17 Mr. Singh: I think that, at the very least, there's
18 no indication that they'll decrease it, and I think there's
19 good reasons to think that they could increase it as a
20 result of the agreement, for a couple of different reasons.
21 One is that you may see them want to reaffirm their anti-
22 American bona fides in the wake of having made a diplomatic
23 deal with the United States, since anti-Americanism is so
24 core to the regime's identity. Second, I think that,
25 because the Supreme Leader of Iran has generally tried to

1 balance the different factions of the regime, to the extent
2 this is seen as a victory for President Rouhani and the
3 pragmatists, he may have a desire to sort of throw a bone
4 to the hardliners in the IRGC and so forth by giving them
5 freer rein in other realms.

6 Chairman McCain: Dr. Takeyh.

7 Dr. Takeyh: As I mentioned, Chairman, the
8 international relations of Islamic Republic, in my view,
9 should be thought about in two segments -- '79 to 2011,
10 2011 to today. And, in aftermath of 2011, we see a much
11 more aggressive expansionist Iran, simply because there are
12 more opportunities with the collapse of the regional state
13 system as a result of Arab Awakenings. So, as they respond
14 to those opportunities with additional funds, I expect a
15 surge of Iranian imperialism and terrorism.

16 Chairman McCain: Dr. Gordon?

17 Dr. Gordon: As I said in my testimony, Iran is,
18 indeed, a leading state sponsor of terrorism, and it is
19 right to worry that they would use some of the assets --

20 Chairman McCain: My question was, Do you think it
21 will increase or decrease?

22 Dr. Gordon: I'm not sure that it will have a direct
23 effect on what is --

24 Chairman McCain: So, you're not sure.

25 Dr. Gordon: -- Iran is already doing.

1 Chairman McCain: So, you're not sure. I've got to --
2 Mr. Nephew.

3 Mr. Nephew: Senator, I think that the Iranians are
4 going to continue the policies they've had for the last 35
5 years. But, they weren't going to change them without a
6 nuclear deal, as well.

7 Chairman McCain: I see. So, it's okay to have a
8 nuclear deal and no restraint on their terrorist
9 activities. Is that your answer, Mr. Nephew?

10 Mr. Nephew: No, Senator. In fact, I said, a number
11 of different ways, that we should have restraint on their
12 terrorism support. And we have a lot of policies that we
13 can use to do that.

14 Chairman McCain: And the question is, now that they
15 have \$50-60 billion, or whatever additional they have, that
16 they will -- in the view of at least this Senator and
17 others, they will increase their terrorist activities --
18 more refugees, more killing, more expansionist into other
19 countries in the region.

20 Professor Mead, what do you make of the statements by
21 the Gulf countries and the Saudis? A sort of a conditional
22 endorsement of this agreement?

23 Mr. Mead: Well, Senator, I think they're making the
24 best agreement -- best step they can, from their own point
25 of view. They see a fait accompli, and they think they

1 might as well see if they can -- what they can get from the
2 United States by, at least in public, appearing to go
3 along, though I must say, very cautiously, I suspect that
4 if some of you were to go over to the region and speak with
5 them privately, you might hear a more alarmed response.

6 Chairman McCain: I've already heard that, yes.

7 Mr. Singh, we have various quotes from individuals in
8 the Iranian regime that are saying, for example, that there
9 will be no inspections of any military facility. What are
10 we to make of those comments by more than one senior
11 members of this regime?

12 Mr. Singh: Well, Senator, the agreement obviously
13 gives Iran the ability to say no if the IAEA requests
14 access to sites. And so, I think that what you see now are
15 the Iranians, not just for domestic consumption, but also
16 for our consumption and the IAEA's consumption, trying to
17 condition us to understand what they will and won't accept,
18 to sort of already start testing this clause of the
19 agreement about our access to undeclared or suspect sites.
20 And what you've heard, for example, from Ali Akbar
21 Velayati, who is the Foreign Policy Advisor to the Supreme
22 Leader, is, "Anytime we get a request for access to
23 military sites, the answer is no." That should be
24 unacceptable to us, and it will set up a confrontation to
25 demand access and get access to those sites.

1 Chairman McCain: Dr. Takeyh?

2 Dr. Takeyh: I think, as Mike suggested, there will be
3 a real issue of contention.

4 I just want to say one thing about inspection regime
5 in this particular agreement, which is prolonged, and the
6 notion that the only way you can get a different agreement
7 is through armistice after the war. One of the things I
8 did in the 1980s, when I was in college, I studied arms
9 control, which in 1989 didn't seem like a very good
10 decision, but, actually, in retrospect, it is. South
11 Africa actually agreed, during the time of when it was
12 cleansing itself of nuclear weapons, to allow inspectors
13 anytime/anywhere access, which they identified as 1 day.
14 That was the arrangement that was essentially informally
15 worked out with the IAEA. And that process took a number
16 of years for IAEA to validate that South Africa is no
17 longer husbanding nuclear weapons. But, we have had
18 inspections that are much more time-sensitive in the past
19 for a country that was ruled by Nelson Mandela.

20 Chairman McCain: Well, of course, it's also -- the
21 repeated refrain is "the best deal we could get." That
22 certainly is in the eye of the beholder. And in the view
23 of Dr. Kissinger and former Secretary Shultz, in the Wall
24 Street Journal, this negotiation, more from doing away with
25 Iran's efforts to attain nuclear weapons, to delaying the

1 Iranian acquisition of nuclear weapons.

2 Senator Reed.

3 Senator Reed: Well, thank you very much, Mr.
4 Chairman.

5 And, Mr. Singh, you made a very interesting point,
6 which is that, in the aftermath of the agreement, if it's
7 withheld, the leadership in Iran could try to placate their
8 most, you know, aggressive forces by giving them a freer
9 hand. There's a flip side to that, that if the agreement
10 is rejected by the United States, wouldn't it be a
11 temptation to sort of vent their displeasure by increasing
12 their terrorism activities in the region, and -- otherwise,
13 it would appear that they're just simply accepting the fact
14 that the sanctions are in place and that, you know, they're
15 just unwittingly going along with the U.S.?

16 Mr. Singh: Well, Senator, I think that -- as I
17 mentioned before in response to Senator McCain, I don't
18 think that their regional strategy is going to change
19 fundamentally as a result of the deal. I don't think it
20 would change if there were no deal. I think that their
21 regional strategy is what it is, essentially.

22 Senator Reed: Right.

23 Mr. Singh: What the deal does is, it perhaps
24 facilitates that regional strategy. If there is no deal, I
25 have no doubt that you'll have people in Tehran sort of

1 crowing about the unreliability of the United States, and
2 so forth. But, again, what is the practical impact, in
3 terms of what they do? I doubt that it causes a
4 fundamental change. We're already seeing, as Dr. Takeyh
5 mentioned, an expansion in what they're doing.

6 Senator Reed: And -- but, it -- that expansion -- I
7 think the point that you make would -- could be facilitated
8 by additional resources, but their strategy, their
9 terrorism, et cetera, that trajectory is set, regardless of
10 the outcome of the nuclear negotiation.

11 Mr. Singh: I think it is. And there's a flip side to
12 that, though, which is, their nuclear weapons ambitions are
13 part of that strategy. That strategy I mentioned about
14 anti-access and area denial, about projecting power and
15 restricting our ability to operate in the region, is
16 undoubtedly enhanced by having either a threshold nuclear
17 weapons capability or an actual nuclear weapon. And so,
18 that's why we had, sort of at the outset of these
19 negotiations, when I was involved from the NSC, thought
20 that, for a nuclear agreement to be sustainable, you had to
21 have a strategic shift by Iran. And since we haven't seen
22 that strategic shift, I think, fundamentally, the nuclear
23 weapons ambitions remain in place.

24 Senator Reed: And those nuclear ambitions are at
25 least suspended -- there are various terms: parked,

1 delayed, made more complicated -- by the agreement, at
2 least.

3 Mr. Singh: Well, I --

4 Senator Reed: They're made more complicated.

5 Mr. Singh: I think that -- as I mentioned, I think
6 that Iran's objective has been twofold. I think they've
7 wanted to have -- to sort of cement that nuclear weapons
8 option while getting the sanctions relief. And I think the
9 accomplishment, from the Iranian point of view here -- and
10 President Rouhani of Iran has sort of suggested this, he
11 hasn't said it explicitly -- is that now Iran's nuclear
12 weapons program -- he would say Iran's nuclear program --
13 is legitimized, essentially. Iran's enrichment activities
14 and other activities are accepted rather than considered
15 illegal or illicit by the Security Council. And so, it
16 locks that option into place so that, if Iran wanted to
17 exercise it in the future, whether because the sunsets
18 expire, whether through covert means, which I actually
19 think is much more likely, they have that option in place.

20 Senator Reed: Thank you.

21 Dr. Gordon, the same -- similar set of questions, in
22 terms of -- the agreement's rejected, I think there's --
23 seems to be a consensus that the terrorism trajectory
24 continues, maybe with more energy, or less. But, in terms
25 of suspending, at least, their -- or shackling a bit --

1 their nuclear potential, that disrupts their overall
2 strategy of combining this near-nuclear state with
3 terrorism.

4 Dr. Gordon: Right. As I said in response to Senator
5 McCain, I'm not sure there's a direct link between this
6 deal and their terrorism activities, which they will
7 probably pursue. It is true -- so, I agree with Mike on
8 that score -- they will have a little bit more resources
9 to put to that, but those resources, you know, have other
10 obligations on them, as well.

11 I would note that most of their terrorism-supporting
12 activities are not particularly cost-sensitive. I mean,
13 Iran is devoting to terrorism what it chooses to devote to
14 terrorism. And more money in the coffers is not likely to
15 make a significant difference there. So, my concern is --
16 in the rejection scenario that you talk about, is that it
17 doesn't have a major impact on the continued support of
18 terrorism, which is obviously a huge problem we need to
19 confront, but, at the same time, we lose the nuclear deal.

20 Senator Reed: It essentially accelerates this
21 strategy of enhanced terrorism with enhanced nuclear
22 capabilities, so it's not 10 years out, it's several years
23 out --

24 Dr. Gordon: Which --

25 Senator Reed: -- or we're forced to make a choice

1 very quickly about more severe steps.

2 Dr. Gordon: Exactly. And that would be the worst of
3 all world, if they were able to move forward on the nuclear
4 front while still pursuing the terrorism agenda.

5 Senator Reed: Thank you very much, Mr. Chairman.

6 Mr. Singh: Senator, can I just clarify one point
7 here?

8 Senator Reed: Sure. Sure. Absolutely.

9 Mr. Singh: There's a point of disagreement, because I
10 think that we shouldn't minimize the impact of additional
11 resources. If you look at the state of groups like
12 Hezbollah, Palestinian Islamic Jihad, Hamas, the Houthis,
13 and so forth, in Yemen, there is plenty of reporting that's
14 out in the open source to suggest that these groups are
15 financially squeezed, that support for Hezbollah has gone
16 down, Islamic Jihad has had to close offices, Hamas was
17 decimated, obviously, by the last round of fighting with
18 Israel. So, additional resources, I think, can actually
19 make a big difference.

20 And then the other thing to bear in mind is, with the
21 arms export ban to Iran lifted, with those arms sanctions
22 being lifted in 5 years, with the ballistic missile
23 sanctions being lifted, there could be a qualitative
24 increase in what Israel -- I'm sorry -- what Iran is able
25 to provide to groups like Hezbollah, which are facing

1 Israel and other allies. So, replacing rockets with guided
2 missiles, for example. Those are important things.

3 Senator Reed: Let me, on the other side, though, just
4 to put it on the table and be evenhanded, is that this
5 opening to the West -- the trade, the commerce, the more
6 interaction -- will have a very difficult -- it will have
7 an effect, difficult to measure, but it might even be a
8 counter effect, in that they have, now, a little bit more
9 to lose, in terms of some more provocative activity, if
10 they're beginning to see a major increase in interaction
11 with the international community. I -- my time's expired,
12 but I just --

13 Mr. Singh: I mean -- you know, I can't rule that out,
14 but I would say we haven't seen that, you know, with China,
15 for example, which is opened economically to the world.

16 Senator Reed: Right.

17 Mr. Singh: It's not really diminished the danger, in
18 a sense. And also, you know, we haven't had a great
19 success in the past in getting, say, European support for
20 terrorism sanctions on Iran.

21 Senator Reed: But, that might change, too, given the
22 fact that we have now got their agreement with the nuclear
23 side. Now we can shift forces. I don't want to abuse my
24 time, but thank you, Mr. Singh.

25 Thank you, Chairman.

1 Chairman McCain: Senator Sessions.

2 Senator Sessions: Thank you, Mr. Chairman. And thank
3 you for another excellent panel. It's -- provides some
4 real insight to Congress on the issues that we face.

5 And I appreciate your testimony.

6 Dr. Takeyh, you said it was curious how Iran is
7 acting, because their actions, by any objective standard,
8 seem to be contrary to their people's interest in -- to the
9 interest of the -- of Iran as a nation, which I would
10 agree. That is evidence to me that maybe Bud McFarlane was
11 correct to say, "This is another revolutionary regime, and
12 real revolutionaries don't change." You look at Castro,
13 you look at North Korea, you look at these situations.
14 They've asked their devotees to commit everything to this
15 division, and they won't -- they are loathe to give it up.
16 Does that -- do we not underestimate the religious,
17 ideological drive behind this regime?

18 Dr. Takeyh: I agree with that, Senator. I think that
19 Iran's revolution has to be considered differently than
20 China, Cuba, or, for that matter, the Soviet Union, because
21 it is possible for some of those revolutionaries to kind of
22 move on. To become an ex-Marxist is a sign of intellectual
23 maturity. But, in this particular case, the religion -- to
24 be fair, a travesty and radicalized version -- is the
25 ideology of the state. There are people in the Islamic

1 Republic hierarchy that believe the mission of the state is
2 to realize God's will on earth, and they get to determine
3 what God's will is. I mean, to ask them to abandon Marxism
4 is maturity, to become an ex-Shi'ite is apostasy. This is
5 serious stuff. And I think this is one of the reason why
6 Iran's revolution has not had the trajectory of previous
7 revolutions, whereby over time they tend to mellow out and
8 perhaps even, for sake of global integration, become less
9 radical. I don't see that in here.

10 Senator Sessions: I think that's correct. I think we
11 underestimate the power of religion in this circumstance.

12 Professor Mead, if we were to end -- undertake this
13 agreement, it seems to me it ought to be undertaken as part
14 of an overall strategy for the Middle East in the spasm of
15 violence that we've seen, and that may continue for several
16 decades, I would think. You think of the George Kennan
17 ideas that framed our response to Communism, and this
18 expansionist tendencies. Don't you think that what we need
19 as a Nation is people, like the last two panels we've had,
20 seriously analyzing the future of the Middle East, the
21 nature of the extremist ideology that's there, and
22 developing a long-term, sophisticated policy to rebut it
23 and to try to diminish it over time?

24 Mr. Mead: Senator, I think you've put your finger on
25 something very important. And, as I've listened to some of

1 the other testimony that's come before this committee in
2 recent hearings, I'm struck that what we're not really
3 hearing is, even from supporters of the agreement, the
4 idea, "Well, this is part of a well-orchestrated general
5 strategy for the Middle East. This is what we're trying to
6 accomplish. This is why this agreement is a step forward."
7 We're simply seeing the agreement defended as, "Okay, there
8 is a nuclear problem, and this, we hope, will be a solution
9 to the nuclear problem, or at least it's less of a
10 nonsolution than no agreement would be." But, what we --
11 you know, what we're also hearing in the background is a
12 kind of a universal confession of failure of strategy.

13 What is our strategy for ISIS? Are we fighting Assad
14 first, then ISIS? ISIS first, then Assad? Neither? Both?
15 Something entirely different? I think I've rarely, in my
16 lifetime -- although I certainly have heard moments of
17 strategic incoherence, I've rarely seen American policy on
18 such a wide scale on so many issues in such a vital region
19 seem to be so incoherent. I'm still waiting to see what
20 our strategy in Libya is. So -- or why we intervened in
21 Libya, which was of really rather insignificant strategic
22 importance, and have done nothing in Syria, which is
23 enormously more important. Why not both? Why not neither?

24 So, we do, I think, need, as a country, to have the
25 kind of discussion about the Middle East that we had about

1 Soviet expansionism in the 1940s, and to try to work our
2 way toward some kind of general bipartisan agreement or
3 confidence in an analytical approach to, really, a very
4 vital part of the world.

5 Senator Sessions: Well, I think you've said it well.
6 And I do believe it's possible that we get a bipartisan
7 approach. And if we agreed to that kind of strategy, then
8 we could be more willing to understand tactical decisions
9 that are made along the way.

10 Mr. Chairman, thank you for your leadership and for
11 having these important hearings.

12 Chairman McCain: Thank you very much.

13 Senator King.

14 Senator King: Thank you, Mr. Chairman. This is a
15 fascinating hearing.

16 Dr. Mead, before we begin, I've got to say, when I see
17 Hudson Institute, a bell rings. Herman Kahn. Wasn't he
18 with the Hudson Institute?

19 Mr. Mead: Yes, sir, he was.

20 Senator King: A great theoretician of the early Cold
21 War.

22 Mr. Mead: Exactly.

23 Senator King: I remember that term.

24 A thought experiment. What if Iran had never had a
25 nuclear program, no interest in nuclear weapons, no

1 enrichment, zero. I would suggest we would still be having
2 this discussion about how to contain Iran. But, the whole
3 emphasis of the last 5 years or more -- 10 years -- has
4 been, "Let's get rid of Iran's nuclear capacity, and then
5 we deal with the other issues." And I would agree with the
6 Chairman that we don't have an overall strategy. We
7 should. But, the first element in the strategy was to not
8 have a nuclear-armed Iran. And that's why we're discussing
9 what we're discussing here.

10 What's bothered me about the discussion today and as
11 this has evolved is that the rationale for the sanctions
12 seems to have migrated. The sanctions were imposed -- and,
13 Mr. Gordon, you were -- you participated in putting the
14 P5+1 together -- it was all about the nuclear weapons. Now
15 people are saying, "Oh, we can't release the sanctions
16 because it will be used for other things." If there had
17 been no nuclear weapons program, there wouldn't have been
18 sanctions, or they wouldn't have been to the extent that
19 they are today.

20 Dr. Mead, think with me on this. Do you see what I'm
21 saying?

22 Mr. Mead: Yes, sir, Senator. I guess what I would
23 say is that I would agree that, from the beginning, we
24 should have been thinking holistically about Iran and the
25 region, and that the -- that thinking about its nuclear

1 capacity, thinking about its regional ambitions, and so on,
2 ought to have been a single policy.

3 Senator King: But, when Ronald Reagan was talking
4 about arms control, he wasn't demanding that Russia -- or
5 the Soviet Union change its immigration policy or forswear
6 expansionism or adventurism. He said, "Let's control
7 nuclear weapons." You deal with these issues one at a
8 time, it seems to me.

9 Mr. Mead: Well, it -- actually, in President Reagan's
10 case, I think he was doing it -- he was -- he did have a
11 kind of a full-bore strategy, a controversial strategy
12 rolling back in Nicaragua and so on, so that actually, by
13 the time he was engaged in serious nuclear talks with the
14 Soviet Union, he had already laid down a number of markers
15 and put them in a kind of a constrained position.

16 Senator King: But, that wasn't part of the nuclear --

17 Mr. Mead: What I'm -- right, but that was a
18 precondition. In his mind, the idea was, you demonstrate
19 --

20 Senator King: Right, right.

21 Mr. Mead: -- to the Soviets that the other expansion
22 can't work, simultaneously outbuilding them in strategic
23 weapons.

24 Senator King: And I agree, I think that the strategy
25 is twofold: (a) get rid of nuclear weapons in Iran, and

1 (b) then develop the containment strategy, as Senator
2 Sessions suggested, George Kenan or some other similar
3 strategy.

4 Mr. Gordon, one of the -- we met, yesterday, with the
5 Ambassadors of each of the P5+1. And the question was
6 asked, "What is the likelihood of reconstituting the
7 international sanctions, should the Congress reject this
8 agreement?" The term used by one of the Ambassadors was
9 "farfetched." You helped put that coalition together. How
10 would you characterize the likelihood that these sanctions
11 can be strengthened rather than erode, subject to an
12 American rejection?

13 Dr. Gordon: Senator, I think "farfetched" is probably
14 a good description. As I described, this is now an
15 agreement that has been reached and supported by every
16 member of the P5+1, by the Security Council, and just about
17 every country in the world. And to come back and say that,
18 you know, "We've just decided, after all, not to go along
19 with it, but, by the way, we want you to keep on the
20 sanctions," which were so tough to get them to agree to in
21 the first place, is just very difficult to imagine.

22 And I would add, even if somehow, you know, through
23 the threat of secondary sanctions -- you know, I don't
24 believe that it would collapse, the next day. We would
25 have our secondary sanctions, and we would keep most

1 countries onboard, at least to a limited degree. But, even
2 under those circumstances, Iran could continue to advance
3 its program.

4 Senator King: And, Dr. Singh, you mentioned, we
5 haven't been able to get much European support for
6 terrorism sanctions. Isn't that part of the problem, here?
7 We're trying to separate these issues, deal with the
8 nuclear and then deal with the terrorism. But, if we
9 reject this agreement and try to get buy-in from the
10 Europeans on a broader sanctions regime that would include
11 terrorism, didn't you, yourself, concede that that might be
12 somewhat difficult?

13 Mr. Singh: I think, Senator, I would actually
14 describe the history of this issue differently than you
15 described it. I was Director for Iran at the National
16 Security Council in 2005 and 2006, and then Senior Director
17 for the Middle East after that. And actually, then we had
18 quite a broad strategy of countering Iran in the region as
19 well as taking on the nuclear program. And we saw those
20 things as connected to one another because of the view that
21 the nuclear weapons program was a part of Iran's regional
22 strategy. And in the -- one of the reasons we went to the
23 P5+1 and the U.N. on the nuclear issue was, that was the
24 issue where it was easier to get, for example, the Russians
25 and Chinese onboard. Iran doesn't direct its terrorism

1 against Russia and China; it directs it against the United
2 States and our allies.

3 And so, I would say that we have actually moved away
4 -- further away from that kind of broader approach. And,
5 to date, over the past, say, 7 years, we haven't really
6 pushed back on the Iranians, which is why it's not credible
7 to folks in the region for us to say, "Well, we're going to
8 start now." This doesn't look like the way you would start
9 a serious strategy of pushing back on the Iranians, nor
10 does it necessarily give you the tools. In fact, you're
11 sacrificing quite a few of the tools you'd use to do that.

12 Senator King: My time is expired, but I -- and I take
13 your point. And I agree that this -- there has to be a
14 twofold strategy: nuclear and non-nuclear. And we haven't
15 been as effective as we should have been on the second
16 part, I agree.

17 Thank you, Mr. Chairman.

18 Chairman McCain: As a proud foot soldier in the
19 Reagan revolution, I tell my friend from Maine, when Ronald
20 Reagan said, "Tear down this wall," he wasn't talking about
21 nuclear weapons. Ronald Reagan understood that we had to
22 emphasize human rights, we had to emphasize all of the
23 aspects and virtues of democracy and freedom, and then the
24 nuclear weapons agreements followed. That's history.

25 Senator Ernst.

1 Senator Ernst: Thank you, Mr. Chair.

2 Thank you, gentlemen, for being here today. This has
3 been one of many of a series of great discussions that we
4 have had on this issue, so thank you for taking the time
5 and providing the input necessary.

6 I'm going to sound a little bit like a broken record.
7 I've asked this question over and over again of the last
8 few panels, but I would like to ask each of you: In the
9 middle of July, the President came out, and he stated, "We
10 either sign this nuclear agreement or it's war." Sign the
11 agreement or it's war. Not, "We'll work a little more on
12 diplomatic relations, sanctions" -- he said, "it's war."
13 So, we either go along with this or America's going to war,
14 evidently.

15 Do you believe that to be true, yes or no?

16 Dr. Mead?

17 Mr. Mead: No, Senator.

18 Senator Ernst: Mr. Singh.

19 Mr. Singh: No, Senator.

20 Dr. Takeyh: No, Senator.

21 Senator Ernst: Dr. Gordon?

22 Dr. Gordon: I don't think it's automatically war, but
23 it does, as I tried to underscore, put us in a position of
24 either seeing Iran's program continue or implementing that
25 credible use of force, which is war.

1 Senator Ernst: Okay, and I'll come back to you in a
2 second, Dr. Gordon, thank you.

3 Mr. Nephew?

4 Mr. Nephew: Senator, I would agree with Dr. Gordon.
5 I think that, over time, it will lead to an escalatory
6 spiral that leads us to war, yes.

7 Senator Ernst: In time, it could lead to war, but not
8 definitive. Is that correct, Mr. Nephew?

9 Mr. Nephew: Senator, I would say that I find the
10 likelihood of getting a diplomatic resolution dims
11 dramatically if we reject this deal. And so, therefore, I
12 do believe that we will have an escalating Iranian nuclear
13 program, an ever-expanding one that sanctions will not be
14 able to control. And I think that leads us to war.

15 Senator Ernst: Okay.

16 And, Dr. Gordon, I'll go back to you, because you
17 stated you did work in the administration for a period of
18 years, so you were assisting with these efforts for the
19 nuclear agreement. Is that correct?

20 Dr. Gordon: Yes.

21 Senator Ernst: Okay. When I spoke to General
22 Dempsey, the other day, who is the President's senior
23 military advisor, I asked him if he had recommended that to
24 the President, and he stated, no, that he had not
25 recommended that. He did believe that there --

1 Dr. Gordon: I'm sorry, recommended?

2 Senator Ernst: That we would go to war if this
3 agreement were not signed. And he stated that he did
4 believe there were other options that could be explored
5 before we automatically made the assumption that the United
6 States would engage in war with Iran. So, he rejected
7 that. I asked him if he knew who was advising him on that,
8 and he said he did not know. Yesterday, the panel rejected
9 the notion that war was the obvious solution if we did not
10 sign the agreement.

11 So, are you the one that was advising the President
12 that we would go to war, or we should go to war, if this
13 deal was not signed?

14 Dr. Gordon: Senator, I don't think, and I don't know
15 anyone who thinks, that, if this deal is not implemented,
16 that, very quickly, Iran makes a dash for a bomb and the
17 United States uses force. That's not, I think, the
18 realistic way to think about it.

19 I think the realistic way to think about it is, there
20 are one of three options if this deal doesn't go ahead.
21 Either, and ideally, we get a better deal; the Supreme
22 Leader decides that, after all; he can make more
23 concessions; he comes back to the table in 3 months or 6
24 months or a year; and he gives us everything we want. That
25 would obviously be ideal. I just don't think it's

1 realistic.

2 If that doesn't happen, if the Iranians don't come
3 back and agree to all of the things we would like, then
4 it's really one of two things. They steadily proceed with
5 their program, as they've been doing over 10 years, and,
6 instead of 19,000 centrifuges, they have 30,000; instead of
7 a -- an LEU stockpile of 10 tons, they have 20 tons; they
8 complete the heavy water reactor at Arak; they do their
9 research and development on the IR8s. And then we have to
10 decide: we either watch that happen and then have a
11 hearing, in a year or 2, when they've done all of that and
12 they're basically on the verge of a nuclear weapons
13 capability, or have one, or we implement the credible use
14 of force to stop them. That's what I think people mean
15 when they say they're worried that, if we don't do this
16 deal, there will be a conflict.

17 Senator Ernst: I would reject the outright notion
18 that we would go to war. I do think we need to take a step
19 back and consider this.

20 I want to look at the -- because we are talking about
21 regional strategy, I do believe that Iran has a regional
22 strategy, and they are a state sponsor of terrorism. I
23 think this furthers their reign of terrorism in the region
24 and around the globe. I think it makes them very powerful.
25 On the other hand, the United States does not have a

1 strategy in that region. If we had a strategy, and this
2 nuclear agreement was involved in that, I don't think it
3 would have been necessary to send Secretary Carter from
4 country to country to talk with our allies in that region
5 to, you know, ease their fears. I don't see that that
6 would have happened if we had that strategy.

7 I would love to visit more, Mr. Singh, about -- just
8 very briefly, if I might, Mr. Chairman -- just very quickly
9 -- I would like to look at the repercussions in Iraq. Iran
10 is a very powerful nation through its proxies of terrorism,
11 whether it's in Syria, Iraq, Yemen, Lebanon, you name it.
12 What does this do to Iraq, with Iran having further means
13 to empower the Shi'a militia? Does that really lend
14 credibility to a multisectarian Iraqi government, or do we
15 see that falling apart, with greater power going to the
16 Iraqi Shi'a militia?

17 Mr. Singh: I don't think that it's helpful. I think
18 that the problem with this alliance of convenience with
19 Iran in Iraq to combat ISIS, even though neither the U.S.
20 or Iran likes ISIS, and both would like to see ISIS
21 defeated, is that Iran's actions are meant, I think, to
22 sort of bolster Iranian influence in the influence of
23 Iran's proxies in Iraq. And so, what I worry that you'll
24 see is Iran using some of its resources, using the freedom
25 from sanctions to further strengthen its own militias,

1 which are answerable to Tehran rather than to the
2 government in Baghdad, as well as to buy political
3 influence. And we've seen this pattern in places like
4 Lebanon. And it doesn't sort of contribute to our goals
5 and our interests in the region. Quite the opposite, in
6 the longer run.

7 Senator Ernst: Thank you --

8 Dr. Takeyh: ISIS is --

9 Senator Ernst: -- very much.

10 Chairman McCain: Senator Shaheen.

11 Dr. Takeyh: Can I just respond to that --

12 Senator Ernst: Yes.

13 Dr. Takeyh: -- Mr. Chairman, very briefly? Because I
14 think there's been a discussion about this windfall, where
15 it's going to be felt. I think the ramifications of this
16 nuclear agreement, the economic ramifications -- I don't
17 know how it would affect the trajectory of terrorism; I
18 suspect it will be more. But, it will be particularly felt
19 in Iraq and Syria, in terms of prolongation of the Syrian
20 civil war, when the military balance changes in disfavor of
21 President Assad.

22 And in Iraq, the Iranians are talking about
23 application of the Hezbollah model to the Shi'a militias.
24 Mainly, those Shi'a militias will be used outside Iraq,
25 whether it's in Syria or whether it's elsewhere. So,

1 essentially, the notion is that, in due course, you have
2 mini-Hezbollahs being created along that -- Lebanon being
3 the model for Iraq, a fragmented state, and Shi'a militias
4 following the model of Hezbollah, in terms of being
5 employed by Iran in various other exigencies in the region.

6 Chairman McCain: Senator --

7 Senator Ernst: Thank you.

8 Chairman McCain: Senator Shaheen.

9 Senator Shaheen: Thank you, Mr. Chairman.

10 And thank you all for being here today.

11 Mr. Singh, I certainly, like Senator King, agree with
12 the premise that you're all making that we need a
13 comprehensive strategy in the Middle East. I guess I would
14 take a little issue with the effectiveness of that strategy
15 under President Bush, because, at least with respect to the
16 nuclear program in Iran, which is -- my recollection is
17 correct, when he became President, they had about 160 or so
18 centrifuges, and, by the time he left office, they had
19 19,000. So, I do think we need a different approach to
20 address Iran's march towards a nuclear weapon.

21 And what I'm trying to get some better understanding
22 of is what you all believe should be part of the
23 comprehensive strategy in the Middle East, in addition to
24 trying to address Iran's nuclear program.

25 Dr. Takeyh, you raised concerns about providing arms

1 to Middle Eastern countries. And, as you're probably
2 aware, last month Saudi Arabia requested 600 new Patriot
3 missile interceptors. So, can you talk about whether you
4 think this kind of support for Arab countries is something
5 that we should continue to pursue? Or do you think we
6 should say we're not going to support arms for any Arab
7 countries?

8 Dr. Takeyh: Oh, I think Saudi state is in
9 considerable degree of difficulty today, in terms of
10 thinking about its future. Since the inception of House of
11 Saud, in earlier 20 century, they had a sort of a national
12 compact, whereby they actually deliberately weakened their
13 military, in terms of conscription, in terms of developing
14 an officer corps that's not related to the royal family,
15 and developed a national guard for internal security
16 purposes. That actually worked well, in terms of
17 preservation of House of Saud. If you look at every Middle
18 Eastern country, they had a military coup -- Libya, Egypt,
19 Iran, Iraq, Syria, Algeria, Yemen. Saudi Arabia is the one
20 place where the monarchy has not displaced by military,
21 because they have kept the military weak. And the
22 purchases that they have made of these --

23 Senator Shaheen: Well, Jordan hasn't, either, I would
24 argue.

25 Dr. Takeyh: Yeah, that's right. And the -- so, the

1 two monarchies. And basically, they have kept the military
2 weak. They have to rethink their national compact. They
3 have to essentially engage in conscription, developing an
4 officer corps. They have the population base to do that,
5 but they haven't had the political will, because of the
6 concern about their own population.

7 Going forward, I think Saudi Arabia has many problems,
8 in terms of changing complexion of the oil market. And so,
9 I do agree with the President --

10 Senator Shaheen: Okay. But --

11 Dr. Takeyh: -- in one respect.

12 Senator Shaheen: -- should we give them those
13 interceptors, or not?

14 Dr. Takeyh: I think they should be considered in line
15 with Syria's deep-seated structural reforms that Saudi
16 Arabia has to make to its economy, and the way it deals
17 with its citizens, and --

18 Senator Shaheen: So, you think we should qualify that
19 kind of --

20 Dr. Takeyh: Yeah.

21 Senator Shaheen: -- military assistance.

22 Dr. Takeyh: I think -- as I said, I think President
23 Obama is absolutely right when he says these countries have
24 to strengthen their internal mechanisms and political
25 systems.

1 Senator Shaheen: Dr. Gordon, can you talk about what
2 other kinds of efforts we should be thinking about in the
3 Middle East as we're trying to develop a comprehensive
4 strategy that accompanies any arms agreement?

5 Dr. Gordon: Sure. I mean, on this issue of
6 comprehensive strategy, I do think it is important to
7 acknowledge, right off the bat -- and Senator King alluded
8 to this -- this deal doesn't provide that.

9 Senator Shaheen: Right.

10 Dr. Gordon: It doesn't. It doesn't resolve the Iran
11 problem, it doesn't resolve the terrorism problem, and it
12 doesn't deal with this huge structural change that we're
13 seeing in the Middle East. And so, no one should try to
14 defend it, or even, I think, decide on it, on that
15 criterion. What it does is take the nuclear issue off the
16 table for a good 10 or 15 years, which is not bad, in the
17 context of all of the issues you discussed. So, I think
18 that's just important to state.

19 In terms of what we do in the meantime, I think the
20 two elements of what you're talking about, and what Ray
21 just replied on, are exactly right. We do need to stand by
22 these allies. To the extent Iran will use its additional
23 assets to threaten them, I think we do have to stand by all
24 of our Gulf partners, give them the reassurance. And that
25 includes military sales, intelligence cooperation, and

1 defense. But, I think it is also true, as was just said,
2 that, in the long run, their vulnerabilities are less, in
3 terms of advanced missile defense than in terms of the
4 soundness of their societies, and they need to work on
5 that, as well.

6 Senator Shaheen: So, Mr. Nephew, I asked you this
7 question in a hearing in the Foreign Relations Committee.
8 And I think it's appropriate to raise it again, because
9 several of you referenced the fact that if Iran's going to
10 cheat on this agreement, it's likely to be incremental and
11 not flagrant, and therefore, present other challenges for
12 the P5+1, in terms of how we respond to that. So, it's not
13 going to be automatic snap-back as the result.

14 So, can you talk about some of the other options that
15 we should be thinking about, in terms of preparing the
16 partners in this agreement, should it go forward, that we
17 need to respond to any incremental violations?

18 Mr. Nephew: Certainly, Senator. And I think that the
19 first one of those is the fact that sanctions snap-back can
20 be scalable. Secretary Lew has testified to this effect.
21 But, if there were to be a smaller-scale violation on the
22 part of the Iranians, sanctions relief can be terminated in
23 one particular area or another. And that can have impact.

24 Second, we can also use the procurement channel that's
25 been established as part of this deal to clamp down on

1 nuclear-related transfers going to Iran.

2 Third, we can use the dispute process to consider
3 additional constraints on Iranian nuclear activities. If
4 they are found to be enriching too much uranium at one
5 particular point, there can be an agreement that, in
6 exchange for not snapping back all the sanctions, that
7 Iran's enriched uranium stockpile would have to be smaller
8 for some period of time.

9 I think the point is, the dispute process that's in
10 this deal gives us flexibility to scale our response to
11 what Iran actually does.

12 Senator Shaheen: Thank you.

13 Thank you, Mr. Chairman.

14 Chairman McCain: Senator Ayotte.

15 Senator Ayotte: Thank you, Chairman.

16 I want to thank all of you for being here. This is
17 very helpful.

18 I wanted to ask Dr. Takeyh, what -- can you explain
19 for us our -- the history of Iran when it comes to hiding
20 its nuclear activity at facilities, such as Natanz, Fordow,
21 and Parchin, and how the international community -- how
22 successful they were at that?

23 Dr. Takeyh: Well, I think every nuclear facility that
24 Iran has today at some point was an illicit facility, in
25 terms of the fact that it was operated. And Iranians do

1 have their own explanations for why that is the case. And
2 only after detection, after pressure by the international
3 community, you began to see a measure of inspection and
4 verification coming into being.

5 I think the international community was successful, in
6 terms of application of pressure on Iran over time that
7 caused it to perhaps reconsider some of the strategy, but
8 the overall trajectory has been, as you suggest, that they
9 essentially embark on illicit programs when the opportunity
10 is there.

11 Senator Ayotte: So, I would like to get our panel's
12 take on -- having looked at the language in the agreement
13 on the process for undeclared sites, it strikes me as very
14 attenuated. And, as you look at this process, the IAEA
15 first has to provide Iran the basis for the concerns, in
16 writing, regarding the undeclared materials or sites,
17 activities. They have to let them know, you know, how do
18 they want access to this. Iran actually gets to respond
19 with alternatives to whatever access the IAEA wants. And
20 if you look at the plain language of it, those alternatives
21 don't necessarily include physical access. And that's been
22 a real issue if we're thinking about the type of testing.
23 There's been some reports that I've seen, that have
24 actually been confirmed, that, in fact, Iran doesn't want
25 to allow physical testing even at a facility like Parchin,

1 that we're aware of.

2 So, I wanted to ask all of you what you thought, in
3 terms of the process that's in place when it comes to
4 undeclared sites, as opposed to the ones that we had --
5 that Dr. Gordon referred to, the regular -- the very
6 continuous monitoring of. Because I think we have a
7 history here that we need to be cognizant of.

8 Mr. Singh?

9 Mr. Singh: Sure. Well, I think your assessment is
10 correct. There is, first, this back-and-forth of
11 indefinite duration between Iran and the IAEA to "clarify,"
12 quote/unquote, the questions the IAEA may have about a
13 site. And only after that is complete does -- can the IAEA
14 make its formal request for access, which starts that 24-
15 day clock.

16 And, you know, we have experience with the Iranians
17 about this in the past, which folks aren't, I think,
18 talking about enough. There have been several sites --
19 three, in particular -- where this has played out in the
20 past, and the Iranians have proven to get better every time
21 at hiding evidence of illicit activity.

22 And so, I disagree with those who say that 24 days is
23 not enough to hide evidence of illicit activity. It may be
24 that, if we're lucky, they can't hide it all. But, that's
25 very different from saying that we'll know what happened

1 there. I think that places way too much, sort of,
2 certitude on this process.

3 Senator Ayotte: And if you're not guaranteed physical
4 access, yourself, to me that becomes insufficient, in terms
5 of knowing exactly what has occurred at a facility.

6 Mr. Singh: And even if you have physical access,
7 Senator, you have physical access after they've had an
8 opportunity to engage in various forms of hiding evidence.
9 We saw this, again, at at least three different sites in
10 Iran in the past.

11 Dr. Takeyh: Just one thing. It's important to
12 acknowledge that Iran is in violation of the safeguard
13 agreements today. It -- as General Amano is here, his
14 agency does not have access. The first work plan between
15 Iran and the IAEA was negotiated in 2007, and that remains
16 incomplete. It was negotiated, at that time, by Ali
17 Larijani. So, there are problems with that.

18 Arms-control verification works only when it's
19 collaborative. And if it doesn't -- it's not
20 collaborative, it's antagonistic, there's no mechanism that
21 can assure its success.

22 Senator Ayotte: Well, I think one of the warnings
23 we're seeing is, they're already issuing statements that
24 are contrary to what we would, I think, expect from this
25 agreement, in terms of inspection, access.

1 Yes.

2 Mr. Nephew: Senator, if I may. I would disagree with
3 my fellow witnesses here about the inspection access. I
4 actually think it's a material improvement over the current
5 situation. Twenty-four days is actually quite sufficient
6 to detect a lot of different nuclear activities, especially
7 the most significant ones. And I would just point out that
8 I think the three facilities that Mr. Singh was referring
9 to -- actually, two of them involve pretty dramatic steps
10 that were taken to sanitize the facilities, one of which
11 was a complete failure. So, in the Clay Electric
12 experience, for instance, the Iranians had over 6 months to
13 sanitize the facility, and they failed. Enriched uranium
14 was detected. In the Lavizan facility, the Iranians were
15 so terrified about IAEA access that they bulldozed the
16 entire facility down to 3 feet of topsoil because they
17 didn't want to have access. And we used that, in 2006 and
18 2007, to sell U.N. sanctions against Iran.

19 Senator Ayotte: Can I ask you this? Don't you think
20 physical access is important?

21 Mr. Nephew: Absolutely. And physical access can
22 still be required by the IAEA. The IAEA is allowed to
23 consider alternative means of access to the facility, but
24 they can say no. They can say we must go.

25 Senator Ayotte: Yes.

1 Dr. Gordon: The only thing I would add, briefly,
2 without getting too much into the details of all of this
3 is, the bottom line in the agreement is that, if we're not
4 satisfied after this back-and-forth and what you've
5 described as this attenuated process -- if we are not
6 satisfied, sanctions -- not just U.S. sanctions, but U.N.
7 sanctions -- go back in place. And that's new and
8 different.

9 Senator Ayotte: Well, I think the details very much
10 matter in all of this. And I have many more questions, but
11 this -- I appreciate all of you for being here, and your
12 expertise on this issue.

13 Chairman McCain: Mr. Singh, wasn't it that Anatan was
14 not detected by anyone but the Iranians of informing us?

15 Mr. Singh: I'm sorry, Chairman, could you repeat
16 that?

17 Chairman McCain: Wasn't the facility at Anatan
18 concealed effectively until the Iranians, themselves, the
19 opposition, gave us that information?

20 Mr. Singh: Well, I think it's a relevant point,
21 absolutely, Mr. Chairman, that -- you know, this all
22 started when we caught the Iranians redhanded at doing
23 exactly the things that we're talking about. And the
24 process ends with these facilities not being dismantled,
25 not being -- you know, not requiring to sort of reverse

1 what they've done but actually all this being legitimized.
2 And, you know, we see this dynamic, where the less risk-
3 averse party in these treaties -- and you could draw a
4 connection with the INF Treaty, with the Syria chemical
5 weapons issue -- has the leverage. And it comes down, not
6 just to the details of the inspections, but, Where is the
7 political will? At the end of the day, if we detect
8 something untoward, do we have the political will to do
9 something about it?

10 Chairman McCain: Senator Hirono.

11 Senator Hirono: Thank you, Mr. Chairman.

12 I'd like to focus a little bit on what would happen if
13 the United States walks away or rejects this agreement.
14 And Dr. Gordon has laid out -- described three things that
15 he believes will happen. One, we would get a better
16 agreement. Two, Iran -- if we don't get a better
17 agreement, Iran will continue its path toward becoming a
18 nuclear power. And third, the U.S. will -- assuming we
19 don't have another agreement, the U.S. will either watch
20 Iran doing this or, at some point, we will need to decide
21 whether to take military action.

22 I'd like to ask the other panelists, Do you agree with
23 these three events or description of what would happen if
24 we walk away from this deal?

25 We can start with you --

1 Mr. Mead: Senator --

2 Senator Hirono: -- Dr. Mead.

3 Mr. Mead: Thank you, Senator.

4 It's a good question. I think that it would be wrong
5 to assume that all rejections of the deal are equal, in the
6 sense that one might really see where perhaps the
7 administration and the Congress came together and saying,
8 "Well, maybe some incremental changes or some things would
9 allow Congress to give support for the deal." And then
10 there might well be a bit of a momentum, because the other
11 parties to this deal do want to see it succeed, that there
12 might be ways of making some positive changes. So, I would
13 just suggest that one ought to think, "Okay, it's not we
14 just -- do we turn the light switch on or off. Maybe
15 there's a dimmer switch or something." We need to think --
16 we need to craft the response that --

17 Senator Hirono: I think that's a --

18 Mr. Mead: -- the United States makes.

19 Senator Hirono: -- that's a more nuanced way to look
20 at this situation. But, what we are likely going to be
21 faced with is an up-or-down vote on whether or not we agree
22 with the deal. And so, let us assume that we are -- if the
23 United States rejects this agreement, and the three items
24 that were laid out by Dr. Gordon -- would you agree that
25 those are the kinds of eventualities that we would be faced

1 with?

2 Mr. Mead: I would say that's why I would urge the
3 Senate and the administration to try to avoid a kind of a
4 car crash like that.

5 Senator Hirono: Mr. Singh?

6 Mr. Singh: I think that, you know, anything we say is
7 inherently speculative. And that's true of what you'll
8 hear from, say, the European Ambassadors, as well, because
9 they want you to approve the deal.

10 I think that if Congress were to disapprove, and the
11 U.S. weren't to participate in the deal, then I really see
12 sort of two branches, in terms of possibilities. One is
13 that the other parties go ahead and implement the deal.
14 And that puts us, obviously, in an awkward situation.
15 Second would be, the other parties -- and, I think, Iran,
16 in particular -- choose not to implement the deal. They
17 also choose to walk away. And then, in a sense, we are
18 back to the drawing board. I don't agree that that ends,
19 necessarily, with force, because I think it's important to
20 bear in mind that these other states are not acting out of
21 goodwill or anything like that towards the United States.
22 They'll act in accordance to their interests. And so,
23 they'll evaluate what's in their interest to do. Is it
24 more in their interest to take diplomatic actions, in hopes
25 of averting this type of military conflict? Or is it more

1 in their interest to simply, say, walk away, and so forth?

2 I don't think that our allies who have been part of
3 this process, with the objective of stopping Iran from
4 obtaining a nuclear weapon, and with the objective of
5 averting a war over this question, would simply abandon
6 that objective. I think they'll still try to do those same
7 things that brought them to this process.

8 Senator Hirono: Well, that's another interesting
9 perspective, because this is a deal that was made by the
10 P5+1, and there is a question as to what kind of a deal
11 remains if the United States walks away from it.

12 Mr. -- Dr. Takeyh?

13 Dr. Takeyh: Certainly. In my testimony, I suggested
14 five, six things that could be done to --

15 Senator Hirono: I believe --

16 Dr. Takeyh: -- revisions to the --

17 Senator Hirono: -- your first was that we should
18 renegotiate a stronger agreement.

19 Dr. Takeyh: Well, I think, specific aspects of the
20 agreement -- the sunset clause, the IR8s, and so forth.
21 So, we can go back and actually try to strengthen the
22 agreement in that particular sense. The history of arms
23 control, from SALT-1 on, is replete with renegotiating
24 arms-control agreements that have been agreed on. And I
25 think this --

1 Senator Hirono: But --

2 Dr. Takeyh: -- falls --

3 Senator Hirono: Excuse me, I'm running out of time.

4 But, before we can get to a renegotiation posture, we would
5 have to reject this agreement.

6 Dr. Takeyh: I think, at this particular point, given
7 where we are -- the only way we can get to the aftermath of
8 --

9 Senator Hirono: And there are a lot of questions as
10 to whether or not our P5+1 partners would even get back to
11 the table. In fact, yesterday, I specifically asked the
12 Ambassadors to the U.S. from the U.K., China, and Russia
13 whether their countries would come back to the table to
14 renegotiate if the United States walked away, and they said
15 no.

16 Dr. Gordon? We've already gotten to your --

17 Mr. Nephew, would you like to respond? Very briefly.

18 Mr. Nephew: Yes, Senator, I basically would agree
19 with what Dr. Gordon was saying. The only point I would
20 just add to Dr. Singh's point about "Could we get a better
21 deal some down -- someday down the road?" -- we should all
22 bear in mind, we'll probably be negotiating over a much
23 larger Iranian nuclear program at that point in time. And
24 the idea that we managed to get from 10,000 centrifuges
25 down to 5 in this deal is somehow going to be improved when

1 we're sitting at 30,000 centrifuges, I think is pretty
2 farfetched.

3 Senator Hirono: Thank you.

4 Mr. Singh: Can I just say -- I'm sorry -- in response
5 to that. That's -- I think that's true, no matter what.
6 In the future, Iran will have a bigger nuclear program.
7 We'll still, at -- when these things start phasing out, the
8 limitations start phasing out, in 10 to 15 years, want to
9 stop Iran from expanding it in certain ways. And so, we'll
10 be back to this issue, trying -- I think, with less tools
11 -- to renegotiate. So, I don't think we should be under
12 the illusion that this is going to be permanent. We'll be
13 back to this issue, one way or the other, in the future.

14 Chairman McCain: You can rebut, Mr. Nephew.

15 Mr. Nephew: Thank you, Senator.

16 I mean, I don't think that Mr. Singh is entirely
17 incorrect on this point. We will have to be dealing with
18 this problem, going into the future. But, I think 15 years
19 from now is a much different environment that we'll be
20 dealing with than we'd be dealing with at this particular
21 moment in time. And second, I think it's folly to suggest
22 that the tools that we have now remain the tools that we
23 have if we reject this deal.

24 Thank you, Senator.

25 Chairman McCain: Senator Gillibrand.

1 Senator Gillibrand: I'd like to continue this line of
2 questioning, because this is the area of interest that a
3 lot of us have: What happens if we reject the deal?
4 And, specifically, I'd like a little more thought on,
5 What do you think Iran will do when America rejects the
6 deal? Because what we heard from the Ambassadors yesterday
7 is, their skepticism about whether anybody would come back
8 to the table was very much informed by their knowledge of
9 their negotiating partners in Iran. And they, in fact,
10 said that they believed Iran would be so disgusted with the
11 United States that they would say -- and the hardliners
12 would win and say, "Obviously, you can't trust America.
13 They're the enemy we always thought they were. We are
14 never giving them the opportunity to do this again." And
15 they based that conclusion on Iran's previous behavior when
16 the Bush administration attempted a negotiation. And
17 because the Bush administration attempted a sincere
18 negotiation, but, at that time, there was no willingness to
19 allow any production, even for peaceful means, and so, Iran
20 rejected it, straight out, and we were left with nothing.
21 And, from that time period, they had a few hundred
22 centrifuges, and now they have several thousand
23 centrifuges. So, they obviously have continued to invest
24 to perfect their nuclear program, to make it more
25 sophisticated.

1 So, from your expertise, I'd like to know, well, What
2 do you think the disposition of Iran will be if we reject
3 the deal? And, from some experts, we've heard, to date,
4 that they will complete their production, they will refine
5 to -- in 2 to 3 months to have enough fissile material for
6 one bomb. If they feel that militarization is their only
7 option, then we have several options, most of them are
8 military, to respond to that, if we choose to -- choose to
9 take that course. So, please talk about, if we reject the
10 deal, what are the reactions, specifically with regard to
11 Iran and with a likelihood of full production as to a bomb?

12 And start on this end and go down.

13 Mr. Nephew: Thank you, Senator.

14 So, my view is that the Iranians would, first off, say
15 that they're not going to negotiate on their nuclear
16 program again under the current U.S. President. I think
17 they would argue that, having been defeated in the
18 Congress, there's no chance that they would negotiate with
19 him again.

20 Now, the big issue with that is, that means that we've
21 got at least 18 more months of Iranian nuclear expansion.
22 And I think --

23 Senator Gillibrand: Right.

24 Mr. Nephew: -- the Iranians would install more
25 centrifuges, they would begin to operate them. I think

1 they would complete the Arak reactor. And I think we'd be,
2 therefore, dealing with a bigger, more problematic program.

3 Senator Gillibrand: And --

4 Mr. Nephew: I also think --

5 Senator Gillibrand: And if they complete the Arak
6 reactor, we can no longer bomb it, correct? Because that
7 cannot be a bomb target once it's completed, because then
8 it's a nuclear fallout site, correct?

9 Mr. Nephew: Well, certainly once it's operational, it
10 is much more complicated to attack the facility, that's
11 true.

12 Senator Gillibrand: Okay.

13 Mr. Nephew: And I would make one additional last
14 point, which is, I think Iran would also attempt to
15 undermine the international support behind our sanctions
16 program. And I think they'd be much more successful now
17 than they were in the past, because they'd be able to say,
18 "The original premise of the sanctions effort was
19 international consensus on the nuclear issue. The
20 Americans said they wanted a nuclear deal. They've just
21 proven they don't." And so, I believe that, at this point,
22 a lot of countries in the region -- beyond that, in the
23 world -- would say, "What is the reason why we're
24 supporting these sanctions now?"

25 Dr. Gordon: Senator, it's an excellent question. I

1 think you were right to bring up precedent in thinking
2 about it, because, obviously, looking into the future, we
3 can only speculate. But, as we do look back, we do have a
4 little bit of experience in going to Iran and insisting on
5 certain goals, like zero enrichment, and seeing that result
6 in an ever-expanding program.

7 I find it highly implausible that, if we reject the
8 deal now -- and we'd be doing so in the name of getting a
9 better agreement -- highly implausible that Iran would come
10 back to the table -- again, whether this year or in 18
11 months -- and renegotiate what they feel they negotiated,
12 not, you know, in some quick back-of-the-envelope deal, but
13 over a 2-year period of painstaking negotiations with the
14 P5+1 partners, missing four or five deadlines because we
15 couldn't get to a deal, an 18-day final end game going over
16 every single painfully negotiated detail -- the idea that
17 they would come back to that, even after it was endorsed by
18 the Security Council, and give us a better deal is
19 unlikely. So, we can go for it, but I think that's why the
20 more likely scenario, as Richard said, was that they would
21 say, "Fine, you walked away, we feel free to carry on with
22 this program," which they would do, and it would expand.
23 To be clear, and I'll end with this, I don't think it means
24 Iran makes a dash for a bomb. I don't think that they
25 suddenly start declaring their intention to pursue a

1 nuclear weapon. They'd do what they've done over the past
2 decade, which is gradually expand their program --

3 Senator Gillibrand: And hold it at 20-percent
4 enrichment.

5 Dr. Gordon: Maybe.

6 Senator Gillibrand: Do you think they would just,
7 maybe, continue to develop their centrifuges, but keep it
8 at 20 percent, which I think is the limit, and not go
9 beyond that?

10 Dr. Gordon: I think they would incrementally advance,
11 right across the board, and slowly, so that there's never
12 one moment where they're crossing some --

13 Senator Gillibrand: In breach or in --

14 Mr. Nephew: Right. And we would find ourselves, in
15 X-amount of time, with just a much bigger program, and
16 therefore, a much bigger problem.

17 Senator Gillibrand: Thank you, Mr. Chairman.

18 Chairman McCain: Your rebuttal, Mr. Singh.

19 [Laughter.]

20 Chairman McCain: Or Mr. Takeyh.

21 Yeah, go ahead.

22 Mr. Singh: I think it's just -- it's important to
23 bear in mind -- I agree that I think Iran would likely walk
24 away. The sensible thing for Iran to do, frankly, would be
25 to implement the deal anyway. I don't think Iran would do

1 the sensible thing. I think they would walk away if we
2 walked away. But, the question of what, then, would guide
3 their behavior -- I think, you need to remember, Why is
4 Iran in this negotiation, anyway? Not because they want to
5 be, but because, in a sense, they had to be. And so, I
6 think it'll really depend on, How do we shape the
7 environment in that circumstance? And I would not suggest
8 to you that it would be easy, but I would suggest to you
9 that things like deterrence, things like credible redlines,
10 things like, you know, sort of, diplomacy will be just as
11 important then as they have been all along.

12 The other point I would make about this is -- I know
13 that the choice facing all of you is binary, and I respect
14 that greatly. But, I don't think we should think of this
15 as a binary situation out in the real world. The
16 negotiations, I think, will continue, one way or the other.
17 I mean, if you look at the history -- and I know you're all
18 very familiar with the history of these arms-control
19 agreements -- say, North Korea, the history of this issue,
20 itself, and the agreements we reached with Iran in 2003-
21 2004 -- these negotiations are likely to continue. And
22 we're, as Secretary Kerry has said, likely to going to want
23 to take up other issues with the Iranians. And so, one way
24 or another, we're going to have additional issues to bring
25 to the Iranians. And the question, I think, is, What sort

1 of tools are we going to have, going forward? What sort of
2 framework will the next President inherit if he or she
3 wants to further strengthen the nuclear constraints on
4 Iran? -- which I think will be necessary. That's a very
5 critical question here, as well. This doesn't end now.
6 This continues.

7 Chairman McCain: So, then we'll -- the importance of
8 this question will go to you, either Dr. Gordon or Mr.
9 Nephew, and then to Mr. Takeyh.

10 Please respond on this issue. You want to respond
11 again to -- we'll orchestrate this debate.

12 [Laughter.]

13 Mr. Nephew: Well, Senator, I mean, again, I don't
14 want to abuse your time. I think my view is that, you
15 know, Mr. Singh may be correct, that there will continue to
16 be, you know, ongoing negotiations and ongoing attempts to
17 resolve the issue. But, I think, if we look back from
18 2005, frankly, all the way to 2013, there were P5+1
19 meetings with Iran, but they weren't getting anywhere,
20 because the Iranians were insisting on incredibly
21 impossible redlines. It's because, I think, in part, they
22 didn't believe that international pressure was going to
23 require them to make the kinds of concessions we would
24 need. In my view, sir, I think that's what would happen
25 here, as well. Yes, there would be a process, but it

1 wouldn't resolve in a good deal.

2 Chairman McCain: Could part of that reason have been
3 the economic sanctions hurting their economy that changed
4 their attitude? Dr. Gordon?

5 Dr. Gordon: It could. The reason I pointed out the
6 cases -- the previous cases of North Korea and Iraq is to
7 remind that, even when sanctions pressure is enormous and
8 countries are genuinely crippled, they don't necessarily
9 come to the table and give us everything that we want. So,
10 I think it would be wrong to assume that, just because --
11 even if we manage to keep sanctions in place, which is an
12 open question if we rejected the deal, I think, would be
13 tough, as we heard earlier, but, even if we did, I don't
14 think we can assume Iran would come back to the table and
15 make major concessions.

16 I don't want to pretend that only this deal could have
17 been negotiated, that our team -- you know, that there's no
18 other conceivable deal. You can imagine details that might
19 have come out differently. I do think it's implausible
20 that, on the big questions people are worried about, like
21 sanctions relief for Iran, that there would be some deal
22 where they would come to the table, "Give us the nuclear
23 commitments we want for decades," but not get their frozen
24 assets released. That -- you could give me the best
25 negotiating team in history, backed by the most credible

1 force in history, and I don't think Iran comes to the table
2 and does that deal. I think we just have to accept that.

3 Chairman McCain: Well, let's hope it's not like the
4 great deal we made with North Korea.

5 Dr. Takeyh, go ahead.

6 Dr. Takeyh: I get a chance to rebut everybody.

7 [Laughter.]

8 Dr. Takeyh: Why does -- it is important to suggest
9 that Iran has participated in the negotiations since 2002
10 for reasons other than the nuclear issue, for attempting to
11 get economic measures, for attempting to shield its nuclear
12 installations from military retribution. That doesn't
13 happen during the -- to attempt to shield this regional
14 surge from military pushback, because you don't push back
15 on a country. And, of course, it cannot legalize or
16 legitimize its nuclear program in absence of the
17 negotiating table. So, the negotiating table has served
18 Iran's purpose, as does, in my judgment, this agreement.

19 I'm very focused, as I have been in this testimony, on
20 IR8 centrifuges that Iran wants to bring online. If there
21 is no agreement, Iran will not be able to do so for 8
22 years. If there is an agreement, Iran will not be able to
23 do for 8 years. Why do I say that? In March, Abbas
24 Araghchi, their negotiator, and, twice since, Vice
25 President Salehi has said that they needed 8 to 10 years to

1 introduce these generation of centrifuges, and that's the
2 R&D deal he says they negotiated. So, that's a very
3 disturbing aspect of this particular accord.

4 Finally, we do have to be prepared for a massive
5 industrialization of Iran's nuclear program. Vice
6 President Salehi has gone before the Iranian Parliament and
7 asked for budgetary allocation to expand their scientific
8 cadre, nuclear engineers, to 20,000 people. Currently,
9 it's about 5,000. So -- and they also put into place, as
10 this agreement allows, their technological precursors for
11 advanced centrifuges. They are getting ready to embark,
12 within the confines and context of this agreement, to a
13 very massive and sophisticated nuclear program.

14 And one more thing that this treaty allows -- this
15 agreement allows is, international community, during the
16 time that Mr. Nephew and Phil were talking about, had tried
17 to sabotage Iran's program, had tried to sanction it, had
18 tried to essentially forestall it. Under this particular
19 agreement, it enables it. This agreement stipulates that
20 Iran can have access to international market --

21 Senator Gillibrand: Can I just ask you one question
22 --

23 Dr. Takeyh: Yeah.

24 Senator Gillibrand: -- about that? Do you take any
25 -- is there any benefit to the fact that they've created

1 vulnerabilities in their nuclear program, the fact that
2 they're going to cement Arak, the fact that they are going
3 to take centrifuges out of Fordow, which is harder to bomb,
4 the fact that the only centrifuges that are going to be in
5 production will be in a aboveground facility that's very
6 easy to target, particularly once we're on the ground --
7 that is creating a military vulnerability, from my
8 perspective, and that was agreed to by our Secretary of
9 Defense and our Chairman of the Joint Chiefs. Does that
10 not show some level of -- I don't know -- concession on
11 their part?

12 Dr. Takeyh: I think this agreement has some
13 legitimate and important benefits. I do think those
14 benefits -- no agreement is perfect. You have to judge the
15 agreement by scale of imperfection. This agreement imposes
16 some important short-term restraints, but it stipulate a
17 projection of Iranian program. It is the first arms-
18 control agreement in history that stabilizes a file and
19 then envisions its rapid trajectory upwards. And that's
20 the problem with it.

21 It is, I must confess, a uniquely -- an American
22 agreement. It doesn't deal -- it postpones problems for
23 the later time, has entitlements and everything else.

24 Chairman McCain: We're very good at that.

25 Professor Mead, do you want to summarize, here, since

1 you --

2 Mr. Mead: Well --

3 Chairman McCain: -- began this conversation?

4 Mr. Mead: Yeah. Let me conclude with a -- with an
5 observation, here, which is, I think, that the United
6 States has actually, through this entire negotiation, sort
7 of ignored two of our principal sources of leverage, things
8 that we might well gain by reasserting. One is that,
9 historically, agreements of this magnitude that constitute
10 this fundamental change in American foreign policy, have
11 gone through the treaty process, requiring ratification by
12 the Senate. And often, in order to gain ratification,
13 particularly since Woodrow Wilson's misadventure at the
14 Treaty of Versailles, this has meant bringing along a
15 bipartisan delegation to be involved in the negotiations,
16 and to ensure the kind of advice and consent of the Senate
17 on an ongoing basis. This has actually had the impact of
18 strengthening America's hands in negotiations, because it
19 brings the will of Congress in from the beginning, and, in
20 this particular case, our partners in the P5+1 would have
21 understood more clearly what America's real redlines were.
22 And, by choosing to take this negotiation in another way
23 and trying to, I think, fundamentally distort the concept
24 of execute agreement to avoid the traditional and, I think,
25 legal constitutional process, we actually lost leverage as

1 a country.

2 The other element of unsurpassed American leverage in
3 this kind of negotiation is our ability to impact the
4 strategic situation in the region by a focused, coordinated
5 American policy, which coordinates our stance on Iran's
6 regional expansion with our approach to its nuclear weapons
7 in negotiations. And essentially, we've abdicated that.

8 I'm not trying to say, by the way, that it was great
9 under the Bush administration, and now it's terrible. The
10 last thing I'd want to do would be to make some kind of
11 partisan point. I think we can all point back to a number
12 of things that have gone awry, here.

13 But, nevertheless, we've really been -- we tied, not
14 one, but both hands behind our back. And so, I'm not
15 surprised, again, that what comes out of this is an
16 agreement, where even the defenders tell you how terrible
17 it is and how sorry they are that it isn't better. And I
18 -- and my suggestion would be that, for the United States,
19 it would actually be better to engage in this negotiation
20 using the leverage that, in fact, as a country, we do have.

21 Chairman McCain: Could I say that I thank the
22 witnesses. I thank them for this discussion. I thank them
23 for their point of view.

24 This may be, in some respects, the most important vote
25 that any Senator, no matter how long we've been in the

1 United States Senate, will take. And we, I think, have
2 been educated and informed by your knowledge and your
3 presentation today. And I appreciate it very much, and I
4 know that all the members of this committee do, as we move
5 forward to a day in September when there will be a very
6 seminal vote on this issue.

7 I thank the witnesses.

8 This hearing is adjourned.

9 [Whereupon, at 11:37 a.m., the hearing was adjourned.]

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