



Assessing a “Comprehensive” Nuclear Agreement with Iran

Five Key Issues to Watch

The “P5+1” (the United States, United Kingdom, France, Germany, Russia and China) and Iran are currently negotiating to reach a long-term agreement to limit Tehran’s nuclear program. According to Obama Administration officials, the goal of these negotiations is to ensure that Iran’s nuclear program is exclusively peaceful and cannot be used to build a weapon. In exchange, the United States and other international partners would offer Iran sanctions relief removing key pressure on the regime.

Building-off of an “interim agreement” negotiated in November of last year and extended on July 20th, the negotiators face a deadline of November 24th to reach a final agreement—or “comprehensive solution”—to Iran’s nuclear program. Although the interim agreement does not provide for a second extension, reports indicate that the talks could be extended for a second time. In the days ahead, one of three events will likely take place: (1) a final agreement will be reached; (2) an extension will be agreed upon to allow negotiations to continue; or (3) negotiations will fall apart. Members may wish to keep the following issues in mind.

Uranium Enrichment. The extent of Iran’s enrichment capability is the central focus of the negotiations. Iran has invested billions and years of effort to establish the capability to enrich uranium using thousands of centrifuges. Possessing this capability is essential to producing highly enriched “weapons grade” uranium, the key ingredient in a nuclear weapon. However, this technology is not essential to a civilian nuclear power program, as purchasing low enriched “fuel grade” uranium on the global market is both easier and more cost effective. A domestic enrichment capability is only necessary if a country wants to develop a nuclear weapon.

That is why it has long been U.S. policy to prevent the spread of this dangerous technology, even to allies. Yet the interim agreement states that Iran will be able to maintain a “mutually defined enrichment program” as part of a final agreement. Many see this as a fatal concession. According to the IAEA, Iran currently has installed around 19,000 centrifuges, approximately 10,000 of which are in operation. As Iran installs additional centrifuges and accumulates enriched uranium it shrinks the “breakout time” it would need to produce enough fuel for a nuclear weapon.

The Administration and its partners are seeking to reduce the number of centrifuges that Iran possesses. However, multiple reports indicate that the Administration is willing to accept a deal that allows Iran to keep a large number of centrifuges, possibly as many as 6,000. Nonproliferation experts have told the Committee on Foreign Affairs that with 4,000 centrifuges Iran would have a breakout time of *only 3 months*. However, Iran’s Supreme Leader has stated that Iran “needs” 190,000 centrifuges over the long term. French officials, who have

consistently taken tougher positions than the other negotiating countries, have stated that their target is “a few hundred.”

Of course, newer, more advanced centrifuges can enrich uranium more quickly than older models, making the number of centrifuges just one element to consider. If Iran is allowed to retain its ability to develop centrifuge technology, it will be able to dramatically improve its ability to enrich with less centrifuges and shorten the time it needs to develop a nuclear weapon.

Key Points:

- Over the past decade, multiple U.N. Security Council resolutions have reiterated the demand that all Iran’s enrichment activities be suspended, regardless of their purpose. However, by conceding in the interim agreement that Iran will be allowed to enrich, the Administration has undermined these Security Council resolutions as well as longstanding U.S. nonproliferation goals.
- Iran can have a peaceful nuclear energy program without an enrichment capability. Indeed, most countries that have civilian nuclear power do not possess this dangerous technology—they simply buy fuel on the international market.
- Nonproliferation experts caution that Iran should be limited to a few thousand centrifuges to deny it the capability to “breakout” by developing enough fuel for a nuclear weapon before the U.S. and others can respond.

Verification. The International Atomic Energy Agency (IAEA) will play the central role in verifying that Iran complies with a final agreement. All signatories of the Nuclear Nonproliferation Treaty (NPT), including Iran, must declare all nuclear facilities and sign a “safeguards agreement” that allows IAEA inspectors to verify that the country’s nuclear program does not include military related activities. By hiding several of its facilities and refusing to allow IAEA inspectors sufficient access, Iran has routinely violated its safeguards agreement.

To address the issue of countries cheating, a far more rigorous inspections regime known as the “Additional Protocol” has been established which enables the IAEA to greatly expand the range and effectiveness of its inspections. Iran has signed, but not ratified, the Additional Protocol, and continues to resist the IAEA’s attempts to verify the status of its nuclear program. Past examples of Iran and other countries successfully concealing large elements of their nuclear programs demonstrates that verification can never be absolute. Many key facilities are relatively small and easily hidden, making their detection virtually impossible. Iran kept its nuclear program hidden for decades.

Key Points:

- Nonproliferation experts have stressed that implementing an effective verification regime in Iran would require measures that go well beyond those in the standard “safeguards agreement” and the Additional Protocol.
- Any agreement should provide the IAEA access to all sites, equipment, persons, and documents that it requests, as required by the U.N. Security Council.

- Iran's cooperation with the IAEA on verification must not be voluntary; it must be a binding requirement of any agreement that the Administration signs.

Possible Military Dimensions. Iran has also not fully cooperated with the IAEA's attempts to investigate evidence of the "possible military dimensions"—or "PMDs"—of Iran's nuclear program. This includes denying access to the Parchin military base, where Iran has gone to great lengths to eliminate all traces of clandestine activities, including demolishing buildings and removing large areas of soil. At a recent Committee hearing, experts noted that the onus is on Iran to prove that it has not engaged in a covert weapons program. These former U.S. and IAEA officials noted that failing to understand the possible military dimensions of Iran's nuclear program—including efforts to develop warheads, trigger systems, and delivery vehicles—would make it impossible to verify that Iran's nuclear program is completely peaceful in nature. However, the IAEA has made clear that due to Iran's continued refusal to cooperate it will be unable to fully investigate these "PMDs" prior to November 24th.

Key Points:

- We need to definitively know when Iran attempted to develop a nuclear weapon in the past, if that effort continues today, and if Iran has retained the knowledge developed through such efforts. If we do not know these things, we cannot know how close Iran is to developing a nuclear weapons capability.
- In October, 354 House Members sent a letter to Secretary of State Kerry, stating that Iran must be fully transparent regarding its past nuclear activities as part of any agreement.
- Secretary Kerry, himself, wrote in the *Washington Post* that there is a "discrepancy...between Iran's professed intent with respect to its nuclear program and the actual content of that program to date." The Secretary asserted that, "these issues cannot be dismissed; they must be addressed by the Iranians if a comprehensive solution is to be reached."
- Iran's willingness to fully come clean on its past weapons program is a clear test of its willingness to abide by any deal the Administration signs. As recently as this month, the IAEA has expressed concerns that Iran has not been forthcoming on this critical issue.

Iran's Ballistic Missile Program. Ballistic missiles are a central component of a nuclear weapons program. Iran's long-range ballistic missiles provide it the ability to target Israel and U.S. forces throughout the Middle East. Iran has made extensive efforts aimed to develop missiles with greater accuracy and range. Intelligence assessments state that "Iran could develop and test an ICBM capable of reaching the United States by 2015." Ballistic missiles radically increase in lethality when equipped with nuclear warheads. The IAEA reported as early as November 2011 that there were indications Iran was developing such warheads. Iran's development of ballistic missiles is in violation of multiple U.N. Security Council Resolutions. However, ballistic missiles are not explicitly mentioned in the text of the interim agreement. The Administration has said that Iran's missiles are covered under the requirement to resolve all outstanding United Nations Security Council resolutions as part of a final agreement.

Key Points:

- Supreme Leader Khamenei recently characterized the requirement that, as part of a final agreement, Iran limit its ballistic missile program as “a stupid, idiotic expectation” saying “the Revolutionary Guards should definitely carry out their program and not be satisfied with the present level. They should mass produce. This is a main duty of all military officials.”
- Multiple UN Security Council Resolutions restrict Iran’s missile programs, including prohibiting Iran from undertaking “any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology.” Iran has ignored the restrictions in these resolutions. If these restrictions are not included in a deal, the Administration will have disregarded them as well.
- How are we supposed to believe that Iran’s nuclear program is peaceful when Iran retains the capability to develop a nuclear weapon and the missiles to deliver it?

Expiration Date. The final agreement will expire—or “sunset”—after a period of time to be determined by the current negotiations. After it expires, any increased inspection or verification measures, limits on centrifuges, or other restrictions will be removed, and Iran will be “treated in the same manner as that of any non-nuclear weapon state party to the NPT” – in other words, just like Japan or Germany. Iran’s chief nuclear negotiator has said in an interview that Iran could accept a deal that essentially freezes its capacity to enrich at current levels for several years, in exchange for such “normal” treatment. Experts have told the Committee that this would very easily allow Iran to enrich – *on a massive scale*. One witness told the Committee that this “giant get out of jail free card for Iran,” as it would legitimize Iran’s nuclear program without any change in its government or its behavior towards its neighbors.

Key Points:

- Experts have told Congress that the agreement’s expiration date—or “sunset clause”—represents a “giant get out of jail free card” that converts Iran from “nuclear pariah to nuclear partner” after a limited time, without any change in the regime’s behavior, including its deep-rooted hostility toward the U.S. and our key allies or its state-sponsorship of terrorism.
- Another expert has said that Iran is seeking to “accept near-term limitations in exchange for longer-term freedom of action.”
- Iranian negotiators have publicly floated an expiration date of five years or less. American negotiators have said in the press that the agreement’s duration would be in the “double digits” or as little as ten years. Once the agreement expires, all verification measures and negotiated limits on Iran’s nuclear program will be removed.
- Should a regime that is the most active state sponsor of terrorism be entitled to an industrial scale nuclear program that is subject to only the limited constraints that apply to Germany?