

The Nuclear Deal with Iran: Regional Implications

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Chairman Thornberry, Ranking Member Smith, distinguished committee members, thank you for inviting me to testify on the potential regional implications of the nuclear deal with Iran. It is an honor for me to be here to testify regarding this fateful, historic agreement.

The nuclear deal between Iran and the E3/EU+3 will have a major impact on Iran’s role in the Middle East, America’s role in the world, and the future of the nuclear nonproliferation regime. Despite the many flaws of the Joint Comprehensive Plan of Action (JCPOA), much will depend on how the U.S. and its partners implement it. Accordingly, concerned Americans, as well as allies of the United States, will want to hear from the Obama administration about how it plans to deal with potential challenges in implementing the JCPOA, and dealing with a resurgent Iran that will likely be strengthened by the agreement.

Iran’s strategic circumstances have been transformed in the past decade. It has gone from a country fearing encirclement (by the U.S.) to practicing encirclement (of GCC and Israel); from a strategically lonely power to the leader of the region’s most cohesive axis (the so-called “axis of resistance”); from a country that traditionally emphasized “soft power” in its foreign policy to one pursuing a mixed “soft/hard power” regional strategy that includes the dispatch of small numbers of advisors and troops to conflicts across the region, and potentially; from an isolated nuclear rogue to a confirmed nuclear threshold state enjoying largely unfettered access to world markets.

By contrast, the United States is seen by many of its traditional regional allies as a fading Middle Eastern power whose competence, credibility, and judgment are in question. The origins of this perception can be traced to its handling of the 2003 invasion of Iraq and the perception that through incompetence or design, it turned Iraq over to “the Shiites” and Iran. This perception was reinforced by the belief that the Obama Administration too eagerly courted adversaries such as the Islamic Republic of Iran and too quickly abandoned allies such as Egypt’s Hosni Mubarak, by its so-called “rebalance to Asia,” and by the president’s recent statement that oil is no longer a core U.S. interest in the region.¹

These parallel developments have fed a narrative (accurate or not) which has been encouraged by Tehran of Iran’s rise and American decline in the Middle East. The nuclear deal with Iran will therefore be seen by many American allies (and adversaries) as a litmus test of American leadership, of U.S. intentions in a region that is still of great importance to the United States and the world, and of its commitment to nuclear nonproliferation norms.

More importantly, the nuclear deal—if not implemented in tandem with a mitigating strategy that addresses its shortcomings—is a potential game-changer for Iran that could enhance the latter’s ability to meet growing regional military commitments, bolster its regional alliance system, undermine U.S. influence in the region

¹ Thomas Friedman, “Iran and the Obama Doctrine,” New York Times, April 5, 2015, <http://www.nytimes.com/2015/04/06/opinion/thomas-friedman-the-obama-doctrine-and-iran-interview.html>.

(thereby enhancing Iran's freedom of action vis-à-vis Israel and the Gulf Cooperation Council states), and that could in the long run, pave the way for the Islamic Republic's emergence as a nuclear weapons state.

The nuclear deal with Iran, consisting of the JCPOA and an endorsing United Nations Security Council Resolution (UNSCR 2231), is a lengthy, complex agreement, couched in often convoluted and opaque language. It will take some time to understand its full significance. While a comprehensive assessment of the deal is beyond the scope of my testimony today, I hope to provide an initial assessment of those aspects of the deal that will most affect Iran's ability to garner and project influence in the region. These include: 1) the ban on arms transfers; 2) the impact of unfrozen funds on its proxy and influence operations; 3) the ban on missile activities; 4) constraints on its nuclear program, and; 5) the battle of the narratives.

Constraining Iran's Military Capabilities

Past efforts by Iran to build large, capable conventional force have been thwarted by sanctions, U.S. pressure on potential suppliers, and a lack of hard currency. Tehran, moreover, may have also eschewed large conventional arms purchases due to its prioritization of domestic stability over external security (causing it to splurge on subsidies), of proxy militias over conventional forces, and of 'soft power' and guile over *force majeure* in its foreign policy. With the availability of hard currency thanks to the JCPOA, and new military commitments in conflicts throughout the Middle East, this is likely to change.

Arms Transfers by Iran: With Iran's proxies and allies and small numbers of its own advisors and forces engaged in fighting in Lebanon, Syria, Iraq, and Yemen, and with tens of billions of dollars of funds from formerly blocked accounts coming available to Tehran following the JCPOA's "Implementation Day," Iran will likely devote a small (in relative terms) but potentially significant chunk of the total (in absolute terms) to procurement from its domestic arms industry. Iran's large, diverse, and increasingly sophisticated domestic arms manufacturers can provide its proxies and allies in Lebanon, Syria, Iraq, and Yemen with what they need most at this time: ammunition, small arms and light weapons, and light tactical vehicles.

UNSCR 2231 bans arms transfers by Iran without the permission of the UN Security Council until the ban is lifted in five years; Iran rejects this restriction.² (The ban is located in an annex to the resolution and relies on what seems to be an implied, rather than explicit prohibition).³ Moreover, Iran has successfully transferred arms to its regional proxies and allies for years, even though it was prohibited from doing so by UNSCR 1701 (2006)—which banned arms transfers to Hizballah, and UNSCRs 1747 (2007) and 1929 (2010)—which banned all Iranian arms exports. Iran will almost certainly continue to export arms to its proxies and allies by all ways and means available to it.

Obtaining a secure overland supply route to Syria and Lebanon by way of Iraq would be of great importance to Iran in its efforts to sustain the core members of its "axis of resistance." In this regard, the lifting of the ban on sales of civilian passenger aircraft and spares (Article 22 of the JCPOA) may indirectly contribute to Iran's ability to sustain its allies and its own forces throughout the region, much as it has used civilian Iran Air Boeing 747s to resupply its Hizballah and Syrian allies for decades through Damascus International Airport.

² Deputy Foreign Minister Abbas Araghchi has stated on Iranian state TV that "We will provide weapons to whomever and whenever we consider appropriate. And we will buy weapons from wherever we can." Adam Kredo, "Iran Vows to Buy Weapons Anytime, Anywhere," July 22, 2015, Washington Free Beacon, <http://freebeacon.com/national-security/iran-vows-to-buy-weapons-anytime-anywhere/>. Likewise, on the occasion of Eid al-Fitr, Supreme Leader Khamenei vowed regarding the JCPOA that Iran "will never give in to the enemy's greed in the area of protecting its defense capabilities and security—particularly in this environment filled with the enemies' threats" nor would it "abandon our regional friends: the oppressed people of Palestine, the oppressed people of Yemen, the people and government of Syria, the people and government of Iraq, the oppressed people of Bahrain and the sincere mujahids of the Resistance in Lebanon and Palestine. These people will always enjoy our support." He continued, saying that "our policy towards the arrogant government of America will not change in any way despite these negotiations and the document that has been prepared." Supreme Leader's Sermons at Eid ul-Fitr Prayers, July 18, 2015, Khamenei.ir at http://english.khamenei.ir/index.php?option=com_content&task=view&id=2102&Itemid=4.

³ Apparently, the "all states" reference initiating article 5 of Annex B of UNSCR 2231 refers to Iran as well as other arms suppliers. It will be interesting to see if other states share this interpretation. At any rate, administration officials are relying on other UNSCRs to justify the possible interdiction of Iranian arms transfers to designated organizations.

U.S. officials have stated that they would work with regional partners to interdict Iranian arms transfers to terrorist proxies and allies based on authorities existing outside UNSCR 2231.⁴ Tehran may try to deter such actions by insisting that they would be a violation of the accord that would provide justification for it to cease performing its commitments under Article 37 of the JCPOA, thereby blowing up the agreement.

Iran has generally preferred to wage ‘economy of force’ operations, fighting to the last Arab proxy, while keeping its own people out of the line of fire if at all possible. Its Hizballah, Syrian, Iraqi, and Houthi allies, however, are overstretched and it has reportedly committed Iranian military personnel to combat, on a limited basis, in Iraq and Syria. A fresh infusion of cash might therefore enable it to expand recruitment of proxies in the region, including Afghani and Pakistani Shiites (who are already fighting in Syria—though whether they are useful fighters is another matter). In sum, in a series of thus-far inconclusive fights in which its allies are clearly fatigued, and which shows no sign of abating, even incremental enhancements in recruiting and combat capabilities might make a difference to the eventual outcome, and ensure that it can sustain its military commitments to its proxies and allies. And fresh infusions of cash will enable Tehran to disperse funds to its regional proxies and allies to enable them to bolster their patronage networks and to influence politics and elections in places like Lebanon and Iraq.

Arms Transfers to Iran: UNSCR 2231 bans the sale of major weapons systems to Iran without the approval of the UN Security Council until the ban is lifted five years hence. Iran claims that this ban—located in an annex to the UNSCR—lacks legal standing, and that it will fight it. To this end, it will likely try to acquire major weapons systems from foreign sellers—such as the S300 surface-to-air missile that it contracted for from Russia in 2007—in order to test the provisions of the UNSCR and impose its interpretation of the resolution on the international community.

It is not clear, however, that the bans on arms transfers to Iran (or by Iran) apply to ammunition, small arms and light weapons, and light tactical vehicles—the kinds of arms that its proxies and allies need most in their campaigns in Lebanon, Syria, Iraq, and Yemen. This is because only major weapons systems are specifically mentioned in the list of banned weapons in UNSCR 2231. Iran can be expected to try to exploit this possible loophole if it is not closed by the E3/EU+3.

Once the ban on arms transfers to Iran is lifted five years after “Adoption Day,” Iran will probably seek to more extensively modernize its conventional forces in niche areas. (A major makeover would cost many tens of billions, and is not necessary given Iran’s current defense concept, which emphasizes deterring a conventional military conflict, while waging proxy and psychological warfare against its adversaries.) In addition to the Russian S300 to protect its nuclear infrastructure against a U.S. or Israeli military strike (if it had not yet succeeded in acquiring it by then), it is likely to seek advanced munitions, armored vehicles, attack helicopters, and ground support aircraft for its allies and proxies as well as its own forces fighting in Syria and Iraq—assuming that conflict is still simmering five years from now.

Ballistic Missiles. UNSCR 2231 calls upon Iran to avoid the testing and development of ballistic missiles designed to be capable of delivery nuclear weapons for eight years after “Adoption Day,” although there is no prescribed penalty for it continuing with such activities (Annex B, Article 3). Iran claims that since it does not seek nuclear weapons, none of its missiles are designed for this purpose, and consequently, this article is null and void.

⁴ Thus, according to President Obama, “part of the reason why we were willing to extend [the ban on arms sales] only for five [years], let’s say, as opposed to a longer period of time, is because we have other U.N. resolutions that prohibit arms sales by Iran to organizations like Hezbollah. We have other U.N. resolutions and multilateral agreements that give us authority to interdict arms shipments from Iran throughout the region.... These legal authorities under the nuclear program may lapse after five or eight years, but we’ll still be in possession of other legal authorities that allow us to interdict those arms.” White House Press Secretary, Press Conference by President Obama, July 15, 2015, <https://www.whitehouse.gov/the-press-office/2015/07/15/press-conference-president>. And according to Secretary of State John Kerry, “There is a U.N. resolution that specifically applies to [Iran] not being allowed to transfer to Hezbollah. They are specifically not allowed under another U.N. resolution to transfer to the Shia militia in Iraq. They are specifically not allowed to transfer to the Houthis. And I will be meeting with all of the Gulf states in about two weeks in Doha, and we are laying down — and Secretary [of Defense Ashton] Carter is meeting with them in Riyadh next week. We are laying down the steps we will take to work with our friends and allies in the region to push back against this behavior.” PBS News Hour, July 17, 2015, <http://www.pbs.org/newshour/bb/iran-nuclear-deal-deserves-responsible-analysis-says-kerry/>.

Moreover, although Iran recently unveiled a land attack cruise missile, the Soumar, based on the Russian Kh-55 (which once was the Soviet air force's primary nuclear delivery system), UNSCR 2231 is silent on the testing and development of cruise missiles.

UNSCR 2231 also bans the transfer to Iran, without Security Council approval, of materials, equipment, and technologies that could contribute to the development of nuclear weapon delivery systems (Annex B, Article 4). It is not clear what kind of impact this ban will have, as it appears to replicate existing sanctions and MTCR restrictions on Iran's missile program, which have failed to prevent Iran from acquiring key equipment and special materials needed by its ballistic and cruise missile programs.⁵ The influx of fresh cash due to the unfreezing of Iranian overseas accounts on "Implementation Day" will probably exacerbate this problem, as new cash can be used to pay off the middle-men and fund the various legal and illicit entities that make such proscribed transfers possible. The lifting of these sanctions eight years from now will further complicate matters.

As a result, Iran can be expected to continue to make continued incremental progress with its liquid- and solid-fuel MRBM and ICBM programs for the duration of UNSCR 2231, but particularly during the out years when many of the restrictions currently on Iran's missile program are lifted—though presumably MTCR restrictions will remain in place.

Because UNSCR 2231 does not require the monitoring of labs and personnel involved in alleged past efforts to modify conventional missile warheads to accommodate nuclear payloads, it is possible that Iran might be able to continue such work for the duration of the deal, ensuring that its missiles are ready to accommodate a nuclear warhead, if and when it opts to build one. This could enable Iran to deploy its first nuclear weapon atop a medium-range ballistic missile—an achievement that took most nuclear weapons states, including the United States and Soviet Union, nearly a decade to accomplish after they acquired the bomb. This development would in turn magnify the destabilizing impact of an Iranian breakout, while incentivizing other regional states to either take preventive action or move toward nuclear capabilities of their own before Iran crosses that threshold.⁶

Finally, it should be noted that Iran's ability to evade current restrictions on the procurement of missile technology raises questions about its ability to evade the dedicated nuclear procurement channel called for in the JCPOA (Annex IV, Article 6) should it once again try to create a clandestine parallel nuclear program.

Constraining Iran's Nuclear Weapons Ambitions

The JCPOA imposes important constraints on Iran's declared nuclear program and its known facilities, including monitoring of its supply chain and all aspects of its nuclear fuel cycle. This will have the effect of capping the most important elements of Iran's declared nuclear program for 10-15 years, or at least for as long as UNSCR 2231 remains in force. After that time, should Iran decide to build an industrial-scale nuclear program, as foreseen by the JCPOA, detecting possible efforts to create a clandestine parallel program could become a major challenge, while an attempted breakout using declared facilities might take no more than a week or two. The latter, however, would probably be detected very quickly as long as arrangements called for under the JCPOA remain in place.

For this reason, Iran's declared program does not pose the greatest near-term proliferation threat. Rather, Iran is more likely to attempt a breakout using undeclared facilities that are part of a parallel clandestine program. The JCPOA greatly complicates such an option, though if Iran succeeds in carving out sanctuaries (for instance, in military facilities) where IAEA access may be highly circumscribed, it could be very difficult to detect). Much will depend on the modalities worked out between the IAEA and Iran. And the JCPOA will not be able to prevent low-signature nuclear weapons research activities, such as computer simulations and the manufacture of non-nuclear weapons components and the like.

⁵ Uzi Rubin, "Showcase of Missile Proliferation: Iran's Missile and Space Program," *Arms Control Today*, Vol. 42, No. 1, January/February 2012, https://www.armscontrol.org/act/2012_01-02/Showcase_of_Missile_Proliferation_Irans_Missile_and_Space_Program.

⁶ Michael Eisenstadt, *Missiles and the Nuclear Negotiations with Iran*, Washington Institute for Near East Policy, PolicyWatch No. 2450, July 6, 2015, <http://www.washingtoninstitute.org/policy-analysis/view/missiles-and-the-nuclear-negotiations-with-iran>.

In assessing the efficacy of monitoring arrangements established by the JCPOA as well as the ability of national intelligence (i.e. foreign intelligence services) to detect a clandestine parallel program in Iran, it is critical to not only assess their capabilities on “Implementation Day,” but also their capabilities in the out-years, when technological, political, and geostrategic developments may have a dramatic impact on their effectiveness, and on the ability of the United States to act. In this regard, there are ample reasons for concern.

Maintaining intelligence focus. A clandestine program is much less likely to be detected by an alert nuclear inspector, than by an alert foreign intelligence service. However, the record of U.S. (and allied) proliferation intelligence is decidedly mixed, and while Iran is a prime target of U.S. (and allied) intelligence right now, future crises in the Ukraine, East Asia, or elsewhere, could divert U.S. intelligence assets, greatly diminishing Washington’s ability to track developments in Iran.⁷

Disunity among the E3/EU+3. The ability of the IAEA to follow-up intelligence reports regarding a clandestine program will be greatly diminished if disunity or diverging interests among the E3/EU+3 undermine the efficacy of the monitoring arrangements described in the JCPOA. For instance, in the event that IAEA inspectors are denied access to a site, five of eight members of the Joint Commission established by the JCPOA need to agree on a means to resolve the IAEA’s concerns (JCPOA, Article 78). If they are unable to do so, due to political differences, the inspection effort will languish. This is what happened in Iraq in the late 1990s, when diverging interests among the P5 eventually hamstrung UN weapons inspections, and efforts to resolve remaining questions about possible residual Iraqi WMD capabilities (e.g. possible stocks of the chemical agent VX).

‘Snapback’ concerns. The U.S. cannot rely on “snapback” to deter Iran from cheating. Despite much discussion of the topic, it is still not clear exactly how snapback would work in practice. While under snapback, the seven UNSCRs sanctioning Iran’s nuclear and missile programs and banning arms transfers would automatically be reinstated, the E3/EU+3 enjoy a degree of latitude with regard to how each handle national sanctions (e.g. sanctions on Iran’s Central Bank and its oil industry). For instance, it is not clear how the EU would handle snapback at this time, though the fact that some U.S. measures include secondary sanctions provides the U.S. with the means to influence EU activities in Iran, should it desire to do so. But such a decision would almost certainly be influenced by a host of political considerations. Perhaps most importantly, snapback would give Iran a pretext to act on its declaration, noted in Article 13 of UNSCR 2231, that it would consider snapback as grounds to cease performing its commitments under the JCPOA, and for blowing up the entire agreement. For that reason, the U.S. will likely be deterred from playing its snapback card, except *in extremis*.

Advanced centrifuges and small clandestine facilities. In the course of the next decade or two, as Iran builds up its expertise with more advanced, efficient centrifuges, the possibility that it might eventually build a small, efficient clandestine centrifuge enrichment plant, or a plutonium production reactor and reprocessing facility will be of increasing concern, especially if Iran eventually opts to build an extensive industrial-scale nuclear infrastructure that will stress the monitoring capabilities of the IAEA.⁸ Detecting a clandestine fissile material production facility against the ‘clutter’ and ‘background noise’ created by an extensive nuclear infrastructure will likely prove to be very challenging.

Hardening and protection. Iran will likely acquire advanced air defense systems like the S300 after the ban on arms transfers is lifted in five years—if not sooner—greatly complicating a possible preventive strike. Moreover, if Iran tries to build another buried and hardened clandestine nuclear facility in the future, it is likely to build it at a much greater depth than the enrichment plant at Fordow, greatly complicating efforts to detect or destroy it. Given Iran’s expertise with ultra-high performance concrete and in building deeply buried facilities (there are literally hundreds in Iran), it is possible that future underground fissile material production facilities will be

⁷ Michael Eisenstadt, *Deterring an Iranian Nuclear Breakout*, Washington Institute for Near East Policy Research Note Number 26, May 2015, pp. 4-5, http://www.washingtoninstitute.org/uploads/ResearchNote26_Eisenstadt-2.pdf.

⁸ Iran stated that it intended not to build additional heavy water reactors or reprocessing facilities after year 15 in Articles 10-12 of the JCPOA, rather than committing not to do so.

immune to conventional penetrator munitions.⁹ Accordingly, the Obama administration's claim that 10-15 years hence it will retain the ability to prevent an Iranian breakout may prove wrong. The U.S. may in fact not have a conventional option—the only viable option might in fact be a nuclear penetrator munition. With the 30,000lb Massive Ordnance Penetrator (MOP) bomb, the U.S. may have reached the limits of what a conventional penetrator munition can accomplish, while with Fordow, Iran has probably not yet approached the limits of what it can eventually accomplish in the realm of hardened and buried facilities. And the provision of the JCPOA which commits the parties to help Iran counter attempts at sabotage (JCPOA Annex III, Article 10.2), could complicate U.S. efforts to keep up with Iran through cyber-spying, and limit its future nonlethal options against a clandestine parallel program.

A proliferation cascade... after all. Contrary to initial expectations that a nuclear deal would avert a proliferation cascade, it is likely to spur just such an outcome, albeit along an extended timeline. Saudi Arabia has vowed to match whatever nuclear infrastructure Iran is permitted to keep under the JCPOA, and Turkey and Egypt may reconsider their long-term nuclear options. In this long run, this development might put pressure on Iran to once again launch a clandestine parallel program, so that it can stay ahead of its neighbors.

PMD and Iranian compliance. One of the major wild cards right now is the PMD file, which is being dealt with by the IAEA.¹⁰ If Iran addresses the IAEA's questions in a way that resolves outstanding issues, this will be a major achievement. If Iran provides just enough information to get credit for the effort and to get sanctions lifted, without really answering the IAEA's questions, it will be an extremely damaging precedent, and will likely encourage Iran to cheat again in the future, in the belief that if it once again gets caught, it will be able to manage the political fallout by once again negotiating a deal with the international community.

Battle of the Narratives.

Tehran typically invests great effort in promoting its narrative regarding defense and foreign policy matters in order to cultivate support for the regime at home and to create a more conducive policy environment abroad. Tehran's most important goals in negotiating with the E3/EU+3 were to preserve its ability to enrich, to have sanctions lifted, and to win the war of the narratives. Reading UNSCR 2231, it is hard to avoid the conclusion that it succeeded in all three areas.

Regarding the battle of the narratives, Iran can claim that it succeeded in selling its claim regarding its putative "right to enrich." And given the way that the PMD file is being handled, Iran's narrative that it had not sought to develop nuclear weapons and that allegations about a nuclear weapons program are part of an American-Zionist conspiracy to smear the Islamic Republic, will likely remain intact. Washington did little to publicly challenge this narrative, and the JCPOA appears to have been drafted in such a way as to enable the Islamic Republic to save face and to emerge from the agreement with its narrative intact. This was a major mistake.

Perhaps the most important impact of the JCPOA will be to confirm—unless remedial steps are taken—Tehran's narrative that it is a rising power and that the United States is a power in decline, and that by resisting 'global arrogance,' the world's great powers ultimately bent to Iran's will. It will use the nuclear deal to burnish its triumphalist narrative and further shape the psychological environment in the Middle East in a manner conducive to its interests, and harmful to those of the United States.

In a part of the world where perception is often more important than reality, it would be a signal achievement for Iran, and a major setback for the United States, if the Islamic Republic were allowed to win the battle of the narratives surrounding the JCPOA.

⁹ Smart Concrete, *The Economist*, March 3, 2012, <http://www.economist.com/node/21548918>.

¹⁰ IAEA, "Road-map for the Clarification of Past and Present Outstanding Issues regarding Iran's Nuclear Program," July 14, 2015, <https://www.iaea.org/newscenter/pressreleases/iaea-director-generals-statement-and-road-map-clarification-past-present-outstanding-issues-regarding-irans-nuclear-program>.

Implications and Recommendations

Ensuring the successful implementation of nuclear deal with Iran will pose major challenges. It will require ongoing engagement with Iran, the management of tensions deriving from Iranian regional activities, and tending to the credibility of Washington's nuclear redline—the commitment to use 'all necessary measures' to keep Iran from the bomb.

To ensure it achieves its intended goals, the U.S. needs a credible implementation strategy that addresses the deals flaws, shows zero tolerance for cheating, and that pushes back at Iranian activities that undermine its interests and threatens its allies, as a means of bolstering the credibility of its commitment to deter an Iranian nuclear breakout. The main elements of such a strategy should include the following:

Eliminate ambiguities. Differing interpretations of the JCPOA is inevitable, since many of the articles do not lend themselves to a plain reading. And as those who negotiated the agreement move on to other jobs, and memories fade, it will be easier for Iran to contest the E3/EU+3's understanding of the agreement. Accordingly, the U.S. and its EU partners should publish a document that sets down their joint understanding of the meaning of as many ambiguous JCPOA articles as possible, to avoid future friction among the allies, to prevent Iran from exploiting ambiguities in the text, and to deter it from testing the agreement.

Block Iran's arms exports. U.S. officials claim that the nuclear accord bans Iranian arms transfers. Iran denies this is the case. Iran's arms transfers have fueled sectarian tensions and violence in the region, thereby undermining the U.S. campaign against ISIL and al-Qaida and its affiliates. To deter further Iranian cheating and to defuse regional violence, the U.S. and its allies should interdict future Iranian arms transfers and work to create a more moderate third way in Syria by arming members of the opposition there, in the hope of drawing off support from extremists. By pushing back against Iranian activities that violate the JCPOA and that undermine its interests by stoking violence in the region, the U.S. may also deter Iran from additional challenges to the nuclear accord.

Deter a nuclear breakout. The nuclear accord does not block Iran's path to the bomb; at best, it may defer the problem for an indeterminate amount of time. For this reason, deterring Iran from developing or acquiring nuclear weapons will remain the core imperative driving U.S. policy in the coming years. To do so, Washington needs to convince Tehran that if it tried to build a bomb, it would get caught, and would suffer unacceptable consequences: the reimposition of sanctions, and the use of force to block it from the bomb.¹¹ The U.S. and the EU need to respond firmly to even small Iranian violations of the agreement with a series of calibrated responses, lest laxity invite new challenges.¹² And President Obama needs to sharpen America's nuclear red line, by eschewing passive formulations regarding 'options on the table,' embracing unequivocal formulations that pledge the use of 'all necessary measures' to block Iran from the bomb, and by actions that demonstrate a willingness to do so if necessary.

Military deterrence is a wasting asset—develop alternative options. Finally, the U.S. should recognize that given technological trends, the conventional military option against Iran's program is a wasting asset. By the time that the core provisions of the nuclear accord expire 10-15 years hence (assuming the accord remains in force at that time) Iran is liable to have much more robust air defenses (S300s or better) and the means to ensure that a clandestine program is immune to a conventional U.S. strike. Iran has used past suspensions to advance parts of its program, and it will be sure to do so in this case. Accordingly, the U.S. should consider alternative ways of deterring an Iranian nuclear breakout when the MOP bomb—the conventional weapon of choice for use against deeply buried, hardened facilities—is no longer a viable option. These alternative options might include cyber and

¹¹ Michael Eisenstadt, *Deterring an Iranian Nuclear Breakout*, Washington Institute for Near East Policy Research Note Number 26, May 2015, http://www.washingtoninstitute.org/uploads/ResearchNote26_Eisenstadt-2.pdf.

¹² Dennis Ross, Iran Will Cheat. Then What? *Time*, July 15, 2015, <http://time.com/3960110/iran-will-cheat-then-what/>.

other forms of sabotage, and threats to destabilize the Islamic Republic by means of a campaign of political warfare.¹³

In sum: while the nuclear deal has a number of significant flaws, at least some can be rectified by a number of mitigation measures, which provide the basis for an effective implementation strategy. President Obama's willingness to commit to these measures and to such a strategy will be a leading indicator of whether the nuclear deal with Iran will achieve its intended goal of blocking Iran's path to the bomb, or will further destabilize the Middle East, further hasten the decline of America's fortunes in the region and beyond, and eventually pave the way for the emergence of Iran as a nuclear weapons state.

¹³ Eisenstadt, *op cit.*, pp. 9-10.